

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

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

Corporate Policy and Resources Committee
Thursday, 22nd July, 2021 at 6.30 pm
Council Chamber - The Guildhall

PLEASE NOTE DUE TO CAPACITY LIMITS WITHIN THE GUILDHALL 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>

Members:

- Councillor Mrs Anne Welburn (Chairman)
- Councillor Jeff Summers (Vice-Chairman)
- Councillor Owen Bierley
- Councillor Matthew Boles
- Councillor Stephen Bunney
- Councillor Michael Devine
- Councillor Ian Fleetwood
- Councillor Paul Howitt-Cowan
- Councillor Giles McNeill
- Councillor John McNeill
- Councillor Mrs Mandy Snee
- Councillor Trevor Young

1. Apologies for Absence

2. Public Participation Period

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. Minutes of Previous Meeting/s

To confirm as a correct record the Minutes of the previous meeting.

i) For Approval

Corporate Policy and Resources Committee meeting 17 June 2021 (PAGES 3 - 10)

ii) For Approval

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

Large Clear Print: Braille: Audio: Native Language

- Concurrent Meeting of the Prosperous Communities and Corporate Policy & Resources Committee held on 14 June 2021 (PAGES 11 - 16)
- iii) For Noting
- Joint Staff Consultative Committee meeting on 1 July 2021 (PAGES 17 - 21)
4. **Declarations of Interest**
Members may make declarations of Interest at this point or may make them at any point in the meeting.
5. **Matters Arising Schedule** (PAGE 22)
Setting out current position of previously agreed actions as at 14 July 2021
6. **Public Reports for Approval:**
- i) Freedom of Information and Environmental Information Policy (PAGES 23 - 36)
- ii) Data Protection Policy (PAGES 37 - 62)
- iii) Annual Treasury Report (PAGES 63 - 77)
- iv) Budget and Treasury Monitoring Period 1 2021/2022 (PAGES 78 - 111)
- v) Fees Charges and Concessions Policy Review (PAGES 112 - 131)
- vi) Budget Consultation 2021 (PAGES 132 - 144)
7. **Committee Work Plan** (PAGES 145 - 148)
8. **Exclusion of Public and Press**
To resolve that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph * of Part 1 of Schedule 12A of the Act.
9. **Exempt Reports**
- i) Investment Portfolio Review (PAGES 149 - 164)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Wednesday, 14 July 2021

Corporate Policy and Resources Committee – 17 June 2021
Subject to Call-in. Call-in will expire at 5pm on 21 July 2021

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall on 17 June 2021 commencing at 6.30 pm.

Present: Councillor Mrs Anne Welburn (Chairman)
Councillor Jeff Summers (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Stephen Bunney
Councillor David Cotton
Councillor Michael Devine
Councillor Ian Fleetwood
Councillor Giles McNeill
Councillor John McNeill
Councillor Mrs Mandy Snee
Councillor Robert Waller
Councillor Trevor Young

In Attendance:

Tracey Bircumshaw	Assistant Director of Finance and Property Services and Section 151 Officer
Emma Redwood	Assistant Director People and Democratic Services
Jeannette Anderson	Corporate Systems Development
Sue Leversedge	Business Support Team Leader
Ele Snow	Democratic and Civic Officer

Apologies: Councillor Paul Howitt-Cowan

1 PUBLIC PARTICIPATION PERIOD

There was no public participation.

2 MINUTES OF PREVIOUS MEETING/S

The minutes of the meeting held on 15 April 2021 were approved and signed as a correct record.

The minutes of the Joint Staff Consultative Committee meeting held on 25 March 2021 were noted.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 MATTERS ARISING SCHEDULE

The schedule of matters arising setting out the position of previously agreed actions as at 9 June 2021 was **NOTED**.

5 REPLACEMENT DOCUMENT MANAGEMENT SYSTEM

The Committee gave consideration to a report presented by the Corporate Systems Development & ICT Manager, seeking to gain approval to spend up to £70,000 from reserves for the implementation costs of the Document Management System (DMS). She explained that the replacement DMS being considered was an extension of the functionality of the new OneCouncil Enterprise Resource Planning (ERP) system to include a document management system, which would meet all current and future requirements. The capital programme 2021/22 included for the replacement of the current Idox Document Management System and the report requested the drawdown of £70k from ICT Reserve to fund the implementation of the OneCouncil document management system (DMS). In addition, it was prudent to allow a further £5,000 for additional consultancy days, if required, to be funded from General Fund balances.

There would be a slight increase in annual maintenance costs, of £900 per annum, which would be met within existing budgets, and there would be efficiency savings of approximately £44k a year, as the new DMS would not incur in house support and maintenance cost from the IT team (of which a small amount was in staff resources and the remainder were savings from not having an on-premise server with licences). This saving would only be realised when the server portfolio was refreshed and this server was removed from the network and therefore future costs would not be incurred. It was highlighted that the specification for the new DMS system had been developed in consultation with all services currently using the Idox DMS, which would be replaced.

A Member of the Committee enquired as to what consultancy would be required, in order to need the £5000 from general funds. He also questioned how it was possible to state that the system would meet 'all future requirements' and whether there was any cause for concern in that the system had not been tried in the UK up to this point.

In response to these questions, the Corporate Systems Development & ICT Manager explained that the £5000 was a contingency plan should there be any further consultancy work required on the system, however it was not anticipated that this would be required. The contract had been made to the specific requirements of the council and had integrated the 'best bits' of other systems as well as planning in the specifications of what was already in the pipeline for future ICT developments. She confirmed that the system had not been used in the UK previously, however, this gave additional scope for building the system to the exact requirements of the council. West Lindsey had previously been the first Local Authority in the country to use a certain system, that had proved successful and long-lasting and there were no concerns regarding being the first to go live on this occasion.

In response to a question regarding the use of reserves and general funds, it was explained that the £70k from reserves had been set aside specifically for this project, however the additional £5000 from general funds was as a contingency fund and may not be required.

With no further comments, the Chairman thanked Officers for the report, and, having been proposed and seconded, it was

RESOLVED that a capital budget and expenditure of up to £75,000 for the implementation of a replacement Document Management System, funded from the IT reserves £70,000 and General Fund Balance £5,000, be approved.

6 BUDGET AND TREASURY MONITORING FINAL OUTTURN 2020/21

The Committee heard from the Business Support Team Leader regarding a report setting out the final budget outturn position for revenue and capital 2020/2021, and requesting approval for transfer to General Fund working balances. She explained that Council approved a revenue budget, including Council Tax charges, for 2020/2021 of £14.357m at its meeting in March 2020 (£14.783m 2019/2020). There was no requirement to utilise the General Fund Balance to provide a balanced budget. The budget was revised in November 2020 to £20.525m to reflect the significant impact Covid-19 was having on both income and expenditure. The actual outturn had realised a surplus of £2.783m, £1.414m of which related to one off budget provision for the delivery of projects which spanned financial years and would therefore be carried forward. This left a remaining surplus budget of £1.369m (7% of the Revised Revenue Budget) to be transferred to the General Fund Working Balance, which now stood at £7.338m. The total amount of the General Fund Reserves was £26.546m (£20.020m 2019/2020).

It was explained that the forecast outturn position for 2020/2021 was presented to this Committee on 15 April 2021 as part of the Budget and Treasury Management Monitoring report for Quarter 4 2020/2021. The forecast outturn position at that time, for Business as Usual activity, was a net contribution to reserves of £0.540m. It was reiterated that the purpose of this report was to present to Members the final outturn position for the year, following the closure of accounts. The final outturn position was a net contribution to reserves of £1.389m, an increase of £0.849m from the previous forecast.

With regard to Capital, it was explained that the capital outturn position for 2020/2021 had moved since the Quarter 4 reporting. The outturn was £9.034m variance against revised budget of £14.113m. Final net carry forwards totalled £4.955m (£5.442m Quarter 4). The main scheme variation related to the Depot, due to the pace of construction being faster than anticipated, therefore Work in Progress accruals were higher than forecast. £0.124m was the final net underspend position on scheme budgets.

The Chairman thanked the Business Support Team Leader for her summary and invited questions from the Committee. There was discussion regarding the reduction in the credit loss provision for Housing Benefit debt, which was explained to be in relation to the way in which calculations had been undertaken in previous years, as well as there being a 95% subsidy on housing benefit. With regards to the capital grants figures, it was explained that the grant funding agreement for the Sun Inn expired in August 2022 and the business case

had included expenditure of selling the property.

Members enquired as to the impact of fuel prices, which was explained to be reflected in the quarter one report for the current financial year, as well as the details around the planning fee income. It was stated that it had been anticipated for this to have reduced, as a result of the pandemic, however that had not been the case and applications had picked up towards the year end. Again this would be reflected in the quarter one report.

In relation to staffing, with a lower than expected outturn, it was enquired whether this was as a result of limited overtime rather than holding vacancies. It was noted that this was due to delayed recruitment because of the pandemic.

There was discussion regarding the cost of replacing lost bins for residents and it was requested for the Democratic and Civic Officer to identify further information regarding this.

Following further discussion amongst Members regarding the impact of the pandemic on all areas of the council and how this reflected in the financial reports, the Chairman read aloud the recommendations within the report. Having been proposed and seconded, it was

RESOLVED that:

- a) Members accept the out-turn position of £2.783m gross contribution to reserves against the revised budget for 2020/2021 (£3.240m against the original budget); and
- b) Members approve £1.369m be transferred to the General Fund Working Balance; and
- c) Members accept the use of Earmarked Reserves approved by the Chief Finance Officer using Delegated powers (Section 5); and
- d) Members' accept the final capital outturn position of £9.034m (Section 3); and
- e) Members' accept the final treasury management indicators (Section 6).

7 PROGRESS AND DELIVERY REPORT QUARTER FOUR, 2020-21

Members gave consideration to the final quarterly report for Progress and Delivery for 2020/21. The Assistant Director for Finance, Business Support & Property Services provided a summary of each section, with Members invited to ask questions per portfolio.

Members heard the following summary.

Executive Summary

- Report presented performance for quarter 4 (Jan-Mar)

- Summary of year-end performance was attached as Appendix A for information
- 59% of KPIs were on or above target for quarter 4
- 38% of KPIs were below target
- The remaining 3% were within agreed tolerance levels

Corporate Health

- Customer satisfaction had improved and was now back on target. The number of complaints had also reduced by 16%.
- Calls answered within 21 seconds remained below target. This was a combination of higher than usual demand, call handling staff being affected by closure of schools and the team temporarily taking on responsibility for administering Land Charges calls and payments. The Customer Experience Strategy was currently being reviewed and this would include call handling times to ensure performance improvements.

Finance and Property Services

- No performance concerns within this portfolio

Homes and Communities

- Demand for homelessness support continued to increase during quarter 4. The Protect Plus and cold weather initiatives, designed to end rough sleeping led to an increased use of B&B accommodation to ensure that nobody slept rough in the district.
- The Council's partners (P3), were releasing 6 new accommodation units in quarter one to support people with a history of street homelessness as part of the Next Steps Accommodation Programme. This was in addition to the Council's Viable Housing Solution and should lead to a reduction in the need for B&B accommodation. Following queries raised at Prosperous Communities Committee, the Change and Performance Officer would circulate additional information to members following the conclusion of this committee meeting.
- As detailed in previous P&D reports, DFG completion times remained impacted by the initial lockdown in March 2020, which added 90 days to the average completion time. This was due to a combination of not being able to access customers' homes to complete the work in the first lockdown, plus a national shortage of building materials. Larger and more complex cases had now been completed and, as of the meeting date, there were 115 DFGs ongoing which was comparable to pre-COVID levels. The service therefore had high confidence that completion times would improve significantly by the end of quarter two. In future, P&D reports would include data on the average number of days from receipt of a completed DFG application until completion of works, which was the period of time that West Lindsey had full control over performance. This would be provided in addition to existing KPIs.

Operational and Commercial Services

- Building Control market share was now back above target, having been below target in the previous quarter. Market share was also up 8% on the same period last year.
- Garden waste had had a strong start to its new year with a 4.7% increase in subscription take-up on last year. This was the largest increase since the service was introduced.
- The number of garden waste bins sold was expected to exceed the target during quarter two

- Operations at the leisure centres, and the Trinity Arts Centre continued to be severely impacted by a third lockdown during the whole of quarter four.
- The leisure centres re-opened on April 12th 2021 for gym, swim and squash. Dance classes resumed on May 17th, with virtual classes available as an option for members. No issues had been reported since re-opening and the Council maintained a stringent watch over the centres to ensure that Everyone Active was striving to return to business as usual as soon as possible. A total of 16,787 individual users visited the Leisure Centres during April and customer satisfaction remained high at 95%
- For TAC, all events that were due to take place during quarter four had been rescheduled for 2021/22. As was the case nationally, consumer confidence was low which is affecting advance ticket sales.
- The Council's application to the Arts Recovery Fund was unsuccessful, however the Arts Centre remained in a stable financial position and alternative funding options were being looked into.
- The Centre had successfully diversified to support local creatives who had used the centre as a rehearsal or filming space. TAC would also feature in a 12 part television series later in the year which had opened up links with local historians who were keen to work with Centre management to bring to life the history and heritage of the Arts Centre.
- The Markets were once again impacted by a third national lockdown which allowed only essential traders to operate during the whole of quarter four. Proposals were being developed for a grant scheme to support market traders up to April 2022.

People and Democratic Services

- No performance concerns within this portfolio

Planning and Regeneration

- No performance concerns within this portfolio

Change Management and Regulatory Services

- Council Tax collection ended the year above target and with over £2 million more collected than last year.
- As expected, the NNDR collection rate remained below target as many businesses continued to experience extreme financial hardship during quarter four. All available business rate relief had been awarded.
- Demand on the enforcement service was up by 31% on last year, which had impacted on the time taken to provide an initial response to customers. Temporary resource had been brought in to help in this work area and response times should therefore reduce from quarter one.
- The high number of new planning enforcement cases continued to pose a challenge to the enforcement team and this would need to be reviewed in quarter one. Options included a change to the current policy position or a further review of resources. The team continued to focus on the highest priority cases, as per current policy.
- With regard to land charges turnaround times, the actions outlined in the P&D report had led to a significant improvement in performance, with the average time to process a search down to 9 days, which was better than target. The focus was to now maintain and improve on this level of performance.
- COVID-19 continued to place high demand on regulatory services, with demand up

147% compared to last year. The team continued to review resources to ensure that the ongoing demands of the pandemic could be met, alongside the statutory obligations of the service. As restrictions ease, the focus of the service would remain on the COVID response and recovery for the foreseeable future.

Members felt that, overall, the report reflected an acceptable level of performance given the circumstances. Improvements within Land Charges were noted and the importance of this service performing well was emphasised. It was noted that reputationally, there continued to be a need for improvement. It was confirmed that the improvement had come about as a result of changes in process, not because the performance measures had been changed.

Members commended the work of the team at the Trinity Arts Centre and it was noted that the Centre had been noticed at a national level, thanks were noted for the Manager and the team involved.

Queries were raised regarding the numbers of community litter picks that had taken place, it was recognised that if organised litter picks were not reported to the council, they could not be included in the figures. In relation to an enquiry regarding CCTV in Gainsborough, it was explained that the report was 'by exception' and therefore did not include the CCTV data, however this could be provided separately.

Members discussed the importance of the two leisure centres focusing on recovery in the post-covid period and Members sought assurance that this was taking precedence. Officers undertook to assure Members and seek additional information where required.

The Committee suggested that Officers had worked well in difficult circumstances to maintain services, however in some cases they had been working at a level that was not sustainable. It was noted that Team Managers were expected to be aware of this and make provision for continuity of service.

With no further comments, and with a proposer and seconder, the Chairman took the vote and it was

RESOLVED that the Committee had assessed the performance of the Council's services through agreed performance measures and indicated areas where improvements should be made, having regard to the remedial measures set out in the report.

8 COMMITTEE WORK PLAN

The Committee gave consideration to the work plan for upcoming meetings. Councillor J. McNeill informed the Committee that, following a meeting of the Governance and Audit Committee, it had been recommended that the CP&R and JSC Committees receive a report regarding whistleblowing, this would be on the work plan for the Committee before the end of the Civic Year.

With no further comments the workplan was duly **NOTED**.

Corporate Policy and Resources Committee – 17 June 2021
Subject to Call-in. Call-in will expire at 5pm on 21 July 2021

The meeting concluded at 7.34 pm.

Chairman

Agenda Item 3b

Concurrent Meeting of the Prosperous Communities and Corporate Policy and Resources Committees- 14 June 2021

Subject to Call-in. Call-in will expire at 5pm on

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Concurrent Meeting of the Prosperous Communities and Corporate Policy and Resources Committees held in The Epic Centre - Lincolnshire Showground LN2 2NA on 14 June 2021 commencing at 6.30 pm.

Present: Councillor Mrs Anne Welburn (Chairman)*
Councillor Owen Bierley (Vice-Chairman)*

Councillor Matthew Boles
Councillor Stephen Bunney*
Councillor David Cotton
Councillor Mrs Tracey Coulson
Councillor Michael Devine*
Councillor Steve England
Councillor Ian Fleetwood
Councillor Giles McNeill
Councillor John McNeill*
Councillor Mrs Jessie Milne
Councillor Mrs Judy Rainsforth
Councillor Jim Snee
Councillor Mrs Mandy Snee*
Councillor Jeff Summers
Councillor Robert Waller
Councillor Trevor Young*

* Member of both Committees

In Attendance:

Ian Knowles	Chief Executive
Sally Grindrod-Smith	Assistant Director of Planning and Regeneration
Tracey Bircumshaw	Assistant Director of Finance and Property Services and Section 151 Officer
Katie Storr	Democratic Services & Elections Team Manager (Interim)
Ele Snow	Democratic and Civic Officer

Also Present Councillor Lesley Rollings – Visiting Member

Apologies: Councillor Tom Regis

1 MEMBERS' DECLARATION OF INTEREST

Councillor Trevor Young declared a personal interest in the report as the owner of a property on one of the streets named within the report.

2 PROCEDURE

The Procedure by which the Concurrent Meeting would be held was **NOTED**.

3 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

4 WEST LINDSEY LEVELLING UP FUND BID

Members gave consideration to a report which set out a summary of the bid to the Levelling Up Fund (LUF), prepared by West Lindsey District Council (WLDC), which sought to secure investment in the regeneration of Gainsborough Town Centre. The report provided an overview of the financial model and sought approval for the use of Council resources to support the project.

WLDC had developed a range of investment propositions, based on a robust Theory of Change, designed to act as a further catalyst to the regeneration of Gainsborough Town Centre.

The investment propositions were set across five strategic themes:

1. A thriving Market Place
2. Heritage re-use and re-purpose
3. Placemaking and a green public realm
4. Transformed movement and connectivity
5. A place to live

In support of the published report, Members received a presentation from the Assistant Director of Planning and Regeneration and the Council's S151 Officer.

During the presentation, Members received information relating to: -

- A Re-cap of the Levelling Up Fund
- Progress to date and support from stakeholders
- Thriving Gainsborough 2024 – overview of the project
- Financial model

Concurrent Meeting of the Prosperous Communities and Corporate Policy and Resources Committees- 14 June 2021

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- Updates from 4th June to note
- Next steps

The West Lindsey Levelling Up Fund bid had been informed by 10 weeks of concentrated work to develop a high-quality submission.

The bid had been informed by West Lindsey's evidence base, Officer input, Member workshops, stakeholder discussions and quality assurance from the Council's consultant partners.

Members were advised the bid was being considered in closed session due to the inclusion of confidential financial data, which could impact on future tenders for commercial contracts, but Councillors were assured public appropriate communications were being prepared. If the bid was successful, it was a criterion of the fund, that it be published in full in due course.

Set within the context of the emerging Public Realm strategy Thriving Gainsborough 2024, the bid if successful, would set out to deliver:-

- The construction of a 4-screen cinema, two retail and one restaurant unit in the town centre – a redeveloped Lindsey Centre
- A Redesigned use and streetscape of the Market Place with the aim of re-establishing the area as the town's thriving heart
- The extension of the Townscape Heritage Initiative, involving the refurbishment of heritage buildings and wider shop fronts
- The creation of a green public realm including a new pocket park along the riverside and undertaking improvements to the existing park –
- The implementation of our wayfinding strategy –
- The refurbishment of the bus station -
- Extending the live above the shop programme

The Section 151 Officer addressed the meeting and advised of the amended total cost of the overall bid. She placed on record her opinion of assurance that the funding strategy was robust and that the Council would support £2.962m of the project from identified funds. The breakdown and the allocation to each project was provided to Members

The Council would also support the project with land contributions, whilst retaining ownership. Again, sites and land valuations of each were shared with Members.

The financial model relied on a number of private sector contributions, their make-up and contributors were summarised to the Committee.

The cost of each project had been assessed. . All assumptions had been assured, tested and approved. They were considered prudent and were evidence based and, where appropriate, included contingencies. No financial provision had been included for what were deemed "unknowns", examples being contaminated land

Should the bid be successful Members were advised each project would be managed in accordance with the Council's adopted project, risk, procurement, contract and performance

Concurrent Meeting of the Prosperous Communities and Corporate Policy and Resources Committees- 14 June 2021

Subject to Call-in. Call-in will expire at 5pm on management procedures and reporting requirements.

It was also noted the bid included costs for additional resources to support the project management, contract management, delivery and costs of such nature. It was anticipated some of the Projects would result in on-going revenue costs, with examples cited; however, these were unquantifiable at this stage.

The Assistant Director of Planning and Regeneration summarised to Members some key changes to the bid since the publication of the reports, these being, increasing the costs associated to monitoring and the removal of the walking and cycling interventions, following quality assurance work and further testing of the assumptions.

The reasoning and rationale for these amended proposals were shared with the Committee as was the impact on the total cost of the bid, and the impact on the benefit cost ratio.

Finally, the next steps were shared with the Committee as were details of the work that would continue to be undertaken, pending a Government Decision expected in November 2021.

Debate ensued and the Chairman of the Prosperous Communities congratulated Officers on the work undertaken to date. Whilst it was acknowledged it was an ambitious bid and one which Members were supportive of, Members posed a number of questions to Officers, particularly in respect of a plan (b), should the bid be unsuccessful. Information was sought as to which projects could be delivered without funding monies; clarity around the priority status given to the District and the implications of this were sought, and also whether there would be disruptions to other services in the town centre during any period of works.

In response, it was noted any Plan (b) would be subject to further discussions, action planning and prioritisation. The Council had £4.5 million unallocated in its Investment for Growth Budget, it may be desirable to consider the earmarking of further funds or borrowing to fund future projects but these matters would need further discussion once the outcome of the bid was known.

Officers were of a strong view that West Lindsey should have been a priority one status area, given the metric data. As such the bid highlighted the key metrics of the local area to demonstrate their comparability to areas designated priority one by Government metrics. Committee noted that no capacity funding had been made available from Government to support bid development from non-priority one areas.

Government guidance made it clear that in order to be successful, a bid from a non-priority one area needed to be of exceptional quality, meeting all of the key criteria including strategic fit, deliverability and value for money and this was the ethos in which the bid had been developed.

As with any re-development, all interventions would see a level of disruption, however assurance was offered that in the event of a successful bid each individual project and intervention would be subject to an implementation plan, including clear timescales, risks and mitigations.

In response to further questions, Officers highlighted the projects which delivered outcomes

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that aligned with the County Council's priorities. Demonstrating such buy-in from major stakeholders was a key component the bid needed to demonstrate.

It was also confirmed that a further criterion was the ability to achieve some expenditure in 2021/2022, with all expenditure having to be completed by 31st March 2024. Whilst it was anticipated there would be a clawback clause, should monies not be spent by March 2024, this as yet was not determined.

Land valuations included were open book prices, and the potential for re-development had been a consideration in selecting proposed new green sites.

Members considered whilst the bid focussed on the settlement of Gainsborough, the opportunities it brought would have District wide benefit and it was important these wider benefits were highlighted too in any public communications.

Officers confirmed that "non material updates" as referenced in recommendation 5 of the report, excluded amending any financial aspect of the bid. It was also confirmed the costs detailed within this report in respect of the delivery of a cinema, differed from the original business case, Members had considered. The figures had been re-appraised, additional factors included, and a contingency allowance made. Those elements of the cinema project which were in place and agreed were outlined to Members.

Having been moved and seconded the Prosperous Communities Committee's recommendations were put to the vote.

In accordance with the concurrent procedure following an alphabetical roll call, with a total of 12 votes cast in favour and with no votes against or abstentions it was

RESOLVED that:-

1. the 'Thriving Gainsborough 2024' propositions as set out within section 4 of the report, which consisted of aligned and coherent interventions relating to the regeneration of Gainsborough Town Centre, be approved, as WLDC's Levelling Up Fund bid;
2. the overarching principles of the Public Realm Strategy as set out in section 5, be supported and the final Public Realm Strategy be submitted to the Committee for approval in due course;
3. the 'Thriving Gainsborough 2024' proposal, be **RECOMMENDED** to the Corporate Policy and Resources Committee, for submission as WLDC's bid to the Levelling Up Fund.

The recommendations for the Corporate Policy and Resources Committee having been moved, seconded were then put to the vote.

Again, in accordance with the concurrent procedure, following an alphabetical roll call, with a total of 13 votes cast in favour and with no votes against or abstentions it was

RESOLVED that:

Concurrent Meeting of the Prosperous Communities and Corporate Policy and Resources
Committees- 14 June 2021

Subject to Call-in. Call-in will expire at 5pm on

1. the Financial Model for 'Thriving Gainsborough 2024' – WLDCS's Levelling Up Fund bid, outlined at section 7, be approved.
2. the submission of the bid to the Levelling Up Fund be approved and delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, to make any non-material updates to the bid, prior to the submission date of 18th June.

The meeting concluded at 7.34 pm.

Chairman

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Joint Staff Consultative Committee held via MS Teams on Thursday, 1 July 2021 commencing at 4.00 pm.

Members: Councillor David Cotton (Chairman)
Councillor Matthew Boles
Councillor Mrs Jackie Brockway
Councillor Mrs Jessie Milne

Representatives of Union members: James Deacon (Vice Chairman)

Representatives of Non-union staff: Amy Potts

In attendance: Emma Redwood, Assistant Director People and Democratic Services
Robert Gilliot, Waste and Recycling Team Manager
Ele Snow, Democratic and Civic Officer
John Bingham, Assistant Data Protection and Freedom of Information Officer

1 TO ELECT A CHAIRMAN FOR THE CIVIC YEAR

The Democratic and Civic Officer opened the meeting and sought nominations for the position of Chairman. On receiving nominations and being voted upon unanimously, it was

RESOLVED that Councillor David Cotton be elected as Chairman for the 2021/22 Civic Year.

Councillor Cotton thanked the Committee for nominating him as Chairman and took the chair.

2 TO APPOINT A VICE-CHAIRMAN FOR THE CIVIC YEAR

The Chairman asked for nominations for the position of Vice Chairman. On being nominated and voted upon unanimously, it was

RESOLVED that James Deacon be appointed as Vice-Chairman for the 2021/22 Civic Year.

3 MEMBERS' DECLARATION OF INTEREST

There were no declarations of interest.

4 MINUTES

RESOLVED that the minutes of the meeting of the Joint Staff Consultative Committee held on Thursday, 25 March 2021 be approved as an accurate record.

5 NEW DEPOT UPDATE

The Waste & Recycling Team Manager gave an update by way of a presentation, updating the Committee on the depot relocation to Caenby Corner. The two current depots were no longer fit for purpose, with neither site being large enough to expand to handle future needs (ie) food waste.

The Committee heard that a grant had been secured for roof solar panels, which had been fitted. A nature pond was planned to be situated at the front of the site and self-contained water tanks for run-off from the site would filter any contaminants, with the clean water feeding the pond. It was explained that the build was due to complete by the end of October 2021 and it was envisaged that site visits may be arranged from the end of August.

A Member of the Committee enquired about the relocation of staff and it was confirmed that staff engagement had been ongoing for some considerable time. The Assistant Director of People was not aware of any dissatisfaction nor loss of staff as a result of the proposed relocation. Travel allowance was being looked at for those staff affected by the move to the new site.

The needs of street cleaners had been addressed by securing a storage facility in Gainsborough town centre, not only providing a place for their barrows but toilet facilities, hand washing, electric were also available to them.

Members of the Committee thanked the Waste & Recycling Team Manager for the update and expressed anticipation for the opening of the new depot.

6 DATA PROTECTION POLICY

The Assistant Data Protection & Freedom of Information Officer introduced a report regarding the review of the existing Data Protection Policy. He explained there were minor text changes to update the policy for compliance with the UK GDPR. There were no questions/comments from the Committee on the policy. Accordingly, having been moved and seconded, with a unanimous vote it was

RESOLVED that:

- a) The amendments to the Data Protection Policy be recommended to the Corporate Policy & Resources Committee for formal adoption; and

- b) Delegated authority be granted to the Chief Executive to make minor housekeeping amendments to the policy in future, in consultation with the Chairman of the CP&R Committee and the Chairman of JSCC.

7 **FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION POLICY**

The Assistant Data Protection & Freedom of Information Officer presented his second report regarding the review of the existing Freedom of Information and Environmental Information Policy. The Committee heard that the policy had been reviewed and minor changes were required, one of which was the £2 increase to charges made for environmental information requests. It was highlighted that the FOI webpage gave full information on charges made by the council for FOI requests.

Having been moved and seconded, with a unanimous vote it was

RESOLVED that:

- a) the amendments to the Freedom of Information and Environmental Information Policy be supported and recommended to the Corporate Policy & Resources Committee for formal adoption; and
- b) Delegated authority be granted to the Chief Executive to make minor housekeeping amendments to the policy in future, in consultation with the Chairman of CP&R Committee and the Chairman of JSCC.

8 **ANNUAL SICKNESS ABSENCE 2020-21**

The Committee heard from the Assistant Director of People & Democratic Services regarding the Monitoring of Sickness Absence for the whole of the previous financial year April 2020 – March 2021.

It was explained that the annual target figure for sickness absence was 7.0 per FTE, and the figure achieved was below this at 5.93 per FTE. This did not include Covid 19 absence, which had to be reported separately, however if Covid data had been included, the achieved figure was still under target at 6.77 per FTE.

It was highlighted that the Operational staff had had an exceptional year with low levels of absences. Members heard that short term absence, such as musculoskeletal problems and general illness was low for the year, whilst longer term absence accounted for 47% of the overall yearly absence.

With regard to Covid 19 data, figures for people who self-isolated were kept separate and did not count towards sickness triggers. This was reported as still being below the target of 7.0 per FTE.

Overall, the data for West Lindsey District Council sat well in comparison benchmarking carried out with other Lincolnshire authorities.

With no further questions or comments, the contents of the Annual Sickness Absence report were **NOTED**.

9 **NATIONAL PAY AWARD UPDATE**

The Assistant Director of People & Democratic Services detailed the current position of ongoing pay negotiations, advising that, at the time of the meeting, no conclusion to the negotiations had been arrived at. The Chairman highlighted that, as discussed in previous years, the lower salary bands at the council had been weighted to ensure pay was in excess of the living wage. As with previous negotiations, it was confirmed that the Committee would receive details of any national pay awards as and when an agreement was reached.

The contents of the report were duly **NOTED**.

10 **STAFF COVID SURVEY RESULTS**

Members of the Committee were provided with the results of the third staff survey. Questions had been kept the same for comparison purposes and the response rate had been 64%. The Assistant Director of People & Democratic Services advised that they were seeing a slight change in the key headlines – with less staff wanting to work solely in the office (10%); an increase in the number of staff wishing to work from home (42%); and at 48% a mix of working from home / scheduled time in the office. There was a doubling of people who did not feel connected to their team at 11%. She explained that the results would be extrapolated out to each Assistant Director for their respective teams in order to identify trends.

There was discussion regarding the twice-weekly testing, as encouraged by the Government, it was confirmed this was not compulsory for staff however the message from Management Team was that testing should be encouraged.

Phase 1 of returning to the office was due to start on Monday 5 July 2021, with priority given to those staff who had to do their work in the Guildhall and those who were suffering from social isolation. This would stay in place for between four to six weeks to understand any issues, before the next Phase was rolled out. It was highlighted that Government guidance was still that if you could work from home, you should do so.

The Chairman commented that he would like to see another survey done, as things got back to 'normal' and it was confirmed there would be further follow up with staff as the return to the office progressed.

With no requirement for a decision, details of the report were **NOTED**.

11 **WORK PLAN**

With no questions or comments from the Committee, the work plan was duly **NOTED**.

12 **TO NOTE THE DATE OF THE NEXT MEETING**

The date and time of the next meeting of the JSCC, to be held on Thursday, 2 September 2021, 4pm was **NOTED**.

Following discussions regarding the benefits of meeting virtually, the location of the next meeting, whether it be a return to the Council Chamber or continuing via MS Teams, was left undecided, to be confirmed at a later date.

Councillor J. Milne wished to congratulate and thank all staff who were still working through a difficult time during Covid 19.

The meeting closed at 5.04 pm.

Chairman

Corporate Policy & Resources Committee Matters Arising Schedule

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

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

Status	Title	Action Required	Comments	Due Date	Allocated To
Black	Replacement of Stolen Bins	The cost and associated issues of replacing stolen bins to be further explained.	Stolen bins are replaced free of charge if customers provide a police reference number.	30/09/21	Ady Selby
Black	Recovery of Leisure Provision Post Covid	To ascertain what, if anything, is required regarding the recovery of leisure provision (Gainsborough / Market Rasen Leisure Centres)	Officers are working closely with leisure providers, recovery plans have been provided to contract managers and further detail will be considered as per the Overview and Scrutiny work plan.	30/09/21	Ady Selby



CP&R

Thursday, 22 July 2021

Subject: Freedom of Information and Environmental Information Policy

Report by:

Monitoring Officer

Contact Officer:

John Bingham
Assistant Data Protection and Freedom of
Information Officer

John.Bingham@west-lindsey.gov.uk

Purpose / Summary:

This Policy outlines our approach to responding to requests for information made under the FOIA and the EIR.

RECOMMENDATION(S):

That the CP&R agrees the approval of the changes to this policy.

Agree that any future housekeeping amendments can be delegated to the Chief Executive in consultation with the Chairs of the JSCC and CP&R.

IMPLICATIONS

Legal:

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

Financial :

FIN/31/22/A/SL

There are no financial implications arising from this report.

(N.B.) All committee reports **MUST** have a Fin Ref

Staffing :

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

Equality and Diversity including Human Rights :

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

Data Protection Implications : Nil

Climate Related Risks and Opportunities: Nil

Section 17 Crime and Disorder Considerations: Nil

Health Implications: Nil

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 The FOI and EIR policy is a current WL policy that has been reviewed.

It provides a framework to make sure that we fully support and consistently apply the principles of Freedom of Information, and meet the standards set out in the Lord Chancellor's Section 46 Code of Practice on satisfying public authorities' obligations under the FOIA and the EIR.

The Policy aims to promote greater openness and to build public trust by providing access to information. We believe that access to information about decisions we take can help local people to influence local service provision. This will be balanced against the need to protect the confidentiality of, for instance, personal and commercially sensitive information.

The changes to the policy are:

Update Cover Page

Change to Document owner

2 Minor changes on page 4

Job titles changed, report name change and link to publication scheme updated on page 5

Section 7 – Add charging fees ruling from guidance

Section 8.5 – change to chargeable rate under EIR

Freedom of Information and Environmental Information Policy

Information Governance

December 2020

Document Control

Version Number	V4.0
Approved by	Corporate Policy and Resources Committee
Date approved	July 2021
Review Date	July 2022
Authorised by	Director of Resources
Contact Officer	Data Protection Officer

Revision History

Revision Date	Revised By	Previous Version	Description of Revision
3/11/2011	Steve Anderson	Draft v0.2	Amendments requested by JSCC meeting held on 2/11/2011: Para 3 – Clarification of Corporate Information Officer's department. Paras 5.1 and 8 – website links replaced with friendly URLs.
16/2/2012	Steve Anderson	Draft v0.3	Formally adopted by Policy & Resources Committee
20/8/2013	Anne Rossington	V1.0	Change of job title at paragraphs 3 and 4
27/08/2014	Carolyn Lancaster	V1.1	Review – no amendments req'd
28/10/2014	Anne Rossington	V1.2	Amendments made – Section 3 Responsibilities – monitoring and reporting now go through the Progress and Delivery report, and no longer the Wider Management Team.
06/10/2015	Carolyn Lancaster	V2.0	Changed Service Managers to Team Managers in Para 3.
13/4/2017	Steve Anderson	V3.0	Reviewed by Corporate Information Governance Group – minor amendments and Charges for Environmental Information revised in line with legislation
July 2021	John Bingham	V4.0	Cover Page updated. Changes to text throughout documents, responsibilities changed to the FOI Officer. Publication Scheme link changed. Section 7 updated. Schedule of Charges EIR updated.

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1. Policy Statement

- 1.1 West Lindsey District Council (the Council) takes its responsibilities for the management of the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) seriously.
- 1.2 This Policy outlines our approach to responding to requests for information made under the FOIA and the EIR.
- 1.3 It provides a framework to make sure that we fully support and consistently apply the principles of Freedom of Information, and meet the standards set out in the Lord Chancellor's Section 46 Code of Practice on satisfying public authorities' obligations under the FOIA and the EIR.
- 1.4 The Policy aims to promote greater openness and to build public trust by providing access to information. We believe that access to information about decisions we take can help local people to influence local service provision. This will be balanced against the need to protect the confidentiality of, for instance, personal and commercially sensitive information.

2. Scope

- 2.1 This Policy applies to all employees, elected members, contractors, agents and representatives and temporary staff working for the Council.
- 2.2 The purpose of this Policy is to make sure that the Council complies with the terms of the FOIA and the EIR.
- 2.3 This Policy does not cover Subject Access Requests (requests for access to personal information). These are exempt from the FOIA under section 40 and are processed in line with the Data Protection Act 1998 and the UK GDPR.

3. Responsibilities

- The Council recognises there is corporate responsibility to give the public a general right of access to all information held by the Council.
- The senior officer with overall responsibility for the Council's compliance with legislation, and therefore this policy, is the Chief Executive.
- Directors, and Team Managers are responsible for promoting openness and accountability in their teams and services.

- The Freedom of information officer is responsible for drawing up guidance on freedom of information and promoting compliance with this Policy to allow easy, appropriate and timely retrieval of information.
- The Freedom of Information Officer is responsible for monitoring and reporting through the Monthly Performance Monitoring Report, on responses to requests for information.
- The Freedom of information officer will provide an advisory service to the remainder of the Council and will lead on any situations where decisions are reviewed or exemptions/exceptions are being considered.
- Line managers must make sure that all staff are aware of the requirements of the legislation and that all new staff receive an introductory briefing on the access to information procedures during their induction. All staff must be aware of how to recognise a valid request for information and training is available should Line Managers require this for their areas.
- All staff must recognise that all recorded information may be given to the public and that in every case the law requires that there will be full and unconditional disclosure unless one of the legal exemptions/exceptions applies.

4. Available guidance

- 4.1 Guidance on the procedures necessary to comply with this Policy is available for Council staff from each Team Manager, The Freedom of Information Officer, or on the Information pages on the Council's Intranet.

5. The Council's Publication Scheme

- 5.1 The Council's Publication Scheme is available on the website at <https://www.west-lindsey.gov.uk/my-council/how-the-council-works/information-and-information-governance/freedom-of-information/> or in hard copy.
- 5.2 The Publication Scheme specifies:
- what information the Council will make routinely available to the public;
 - how it will do so; and
 - whether information will be made available free of charge or on payment of a fee.

6. Specific requests for information

- 6.1 Information not already made available in the Council's Publication Scheme is accessible through a specific request for information. In this regard the FOIA establishes two related rights:
- the right to be told whether information exists; and
 - the right to receive the information (subject to exemptions or exceptions).
- 6.2 These rights can be exercised by anyone worldwide. Requests for access to information not listed in the publication scheme will be processed through the Council's access to information procedures.
- 6.3 Requestors will be entitled to all the information unless one of the legal exemptions/exceptions applies. However, only those specific pieces of information to which the exemption applies will be withheld.
- 6.4 Where the Council has decided that an exemption/exception applies it will, if appropriate, consider the prejudice test and/or the public interest test and may in some circumstances withhold the requested information.
- 6.5 The Council aims to respond to all requests within 20 working days although further reasonable details can be requested to identify and find the information. If a fee is required, the Council will issue a fees notice and the applicant has 3 months in which to pay before their request is considered as being withdrawn.

7. Charges for Freedom of Information Requests

- 7.1 Unless otherwise specified information made available through the Council's Publication Scheme will be free of charge. Where it would not exceed the appropriate limit to comply with a request, and a public authority wishes to charge a fee, it can only include the charges it reasonably expects to incur in:
- Informing the requestor whether it holds the requested information (even if the information will not be provided), and
 - Communicating that information to the requestor. This generally means that a public authority can only charge for expenses actually incurred, for example, photocopying or postage. It must issue a fees notice advising the requestor of the amount it will charge.
- 7.2 The Council reserves the right to charge a fee for dealing with a specific request for information not listed in the publication scheme in line with the legislation.

8. Charges for Environmental Information Regulation Requests

What can be charged?

- 8.1 There are two types of activity under EIR that public authorities can charge for:
1. The cost of staff time spent locating, retrieving and extracting the information;
 2. The costs incurred when printing or copying the information and sending to the applicant.
- 8.2 However, the EIRs do allow the Council to make a charge to recover the costs of locating the information and collating it in order to make it available for inspection. A charge made for locating and collating information to be inspected must be reasonable. If the information is held in a system that allows for straightforward public access it is unlikely that a charge is reasonable. If a requestor asks for inspection of material that would require a significant cost to prepare for inspection, the EIR allows the authority to make a charge.

What cannot be charged for?

- 8.3 There are costs the Council cannot charge for:
1. The costs of maintaining a register of information or a database;
 2. Overhead costs (i.e. wider staff overheads);
 3. Staff time spent reviewing and redacting information (although there are cases where staff time in this instance can be taken into account when considering if a request is Vexatious/Manifestly Unreasonable due to excessive burden on staff resource and time);
 4. Charge applicants for inspecting the information or accessing public registers or lists of environmental information; and
 5. For allowing access to the information in situ.
- 8.4 In addition, the ICO is clear that requestors should not be unfairly penalised in cases where the authority has failed to keep records in a reasonably accessible state. Therefore where the Council's systems prevent easy access to information purely because of records management issues, staff should fully consider whether it is appropriate to charge.

Schedule of Charges

- 8.5 Public authorities must have a published schedule of charges in order to be able to charge applicants for environmental information. Currently the Council uses the following rate:

Minimum charge of £78 (0% VAT)

<https://www.west-lindsey.gov.uk/my-council/contacts-facts-and-figures/council-spending/budget-book/>

Charging Threshold

- 8.6 This threshold is based upon the approximated time taken to locate, retrieve, extract and summarise the information required. This charge also covers any disbursement costs.

Manifestly Unreasonable

- 8.7 Where it is estimated that complying with a request will exceed 18 hours, the Council will consider whether the request is in fact Manifestly Unreasonable under Regulation 12(4) (b) of the Environmental Information Regulation Act 2004 and will use existing procedures for doing so, including applying the Public Interest Test and providing advice and assistance to the requestor in order to narrow down the scope of their request. The 18 hour timeframe is that used under the FOIA to determine if a request exceeds an appropriate limit.

Issuing a Charge

- 8.8 The decision to issue a charge will be made promptly and within 3 working days of the receipt of the request wherever possible, in order to ensure that deadlines for responding to requests within the 20 working days limit are met. A response will be sent to the requestor, which informs the requestor that a fee is payable and how to make payment.

Advance Payment

- 8.9 In all cases where a fee is charged, payment will be required in advance of disclosure.
- 8.10 Requestors will have 60 days for payment to reach the council. Where payment is not received, it will be assumed that the information is no longer required and the request terminated.
- 8.11 Payment can be made by phone by calling 01427 676676 and selecting the option for 'All other enquiries'. The requestor must advise that payment is in relation to an EIR request, quoting the EIR reference number. The payment will then be assigned under the relevant Ledger Code by the Council.

Review of Costs

8.12 Costs will be reviewed annually to endeavour to keep costs reasonable.

9. Complaints

An individual has the right to complain about the response they have received regarding their request for information. Details of the council's Data Protection and Freedom of Information Complaints Procedure can be found at <http://www.west-lindsey.gov.uk/your-council/have-your-say/comments-compliments-and-complaints/> .



CP&R

Thursday, 22 July 2021

Subject: Data Protection Policy

Report by:

Monitoring Officer

Contact Officer:

John Bingham
Assistant Data Protection and Freedom of
Information Officer

John.Bingham@west-lindsey.gov.uk

Purpose / Summary:

Compliance with the UK GDPR is described by
this policy and other relevant policies such as
the Information Security Policy along with
connected processes and procedures.

RECOMMENDATION(S):

That the CP&R agrees the approval of the changes to this policy.

Agree that any future housekeeping amendments can be delegated to the Chief Executive in consultation with the Chairs of the JSCC and CP&R.

IMPLICATIONS

Legal:

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

Financial :

FIN/32/22/A/SL

There are no financial implications arising from this report.

(N.B.) All committee reports **MUST** have a Fin Ref

Staffing :

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

Equality and Diversity including Human Rights :

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

Data Protection Implications :

Climate Related Risks and Opportunities:

Section 17 Crime and Disorder Considerations:

Health Implications:

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

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

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

X

Key Decision:

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

Yes

No

X

1 Introduction

1.1 This is a current WL policy that has now been reviewed and is ready to be re-published.

Compliance with the UK GDPR is described by this policy and other relevant policies such as the Information Security Policy along with connected processes and procedures.

Change to this policy are below:

Cover page updated

Review date remove

Minor text changes GDPR – UK GDPR

Additional policy added to part 4 related policies to include:

- [Appropriate Policy Document \(Appendix 2\)](#)
- Legal Responsibilities Policy;
- Information Management and Protection Policy;
- Information Security Policy;
- Freedom of Information and Environmental Information Policy;
- Records Management Policy;
- Information Sharing Policy;
- Data Quality Policy; and
- Data Breach Reporting Policy and Procedure.

6.10 introduces appropriate policy document which has been added as appendix 2

Small changes made to 11.2 and 15.3

Data Protection Policy

Version Number	4.0
Approved by	Corporate Policy and Resources Committee
Date approved	12 Apr 2018
Review Date	March 2023
Authorised by	Director of Resources
Contact Officer	Data Protection Officer

Revision History

Revision Date	Revised By	Previous Version	Description of Revision
16/2/2012		Draft V0.3	Formally adopted by Policy & Resources Committee
15/8/2013		V1.0	Amendments resulting from annual review: Paras 3.1,3.3,9.1,13.1,14.2 – amended to reflect new job titles.
27/08/2014		V1.1	Review – no amendments req'd
6/10/2015		V2.0	Change Service Managers to Team Managers in para 5.3
23/11/2016		V2.1	Amendments resulting from annual review: Role of Data Protection Officer formalised; job titles updated; review period extended to 2 years; paras renumbered and minor typographical corrections.
12/4/2018		V3.0	UK GDPR Amendments
July 2021	John Bingham	V4.0	Cover page updated Review date remove Minor text changes GDPR – UK GDPR Additional policy added to part 4 related policies to include: 6.10 introduces appropriate policy document which has been added as appendix 2 Small changes made to 11.2 and 15.3

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1. Policy Statement

- 1.1 The Chief Executive, Directors and management of West Lindsey District Council (“the Council”), located at The Guildhall, Marshall’s Yard, Gainsborough, DN21 2NA are committed to complying with all relevant UK and EU laws in respect of personal data, and to protecting the “rights and freedoms” of individuals whose information the Council collects in accordance with the Data Protection Act (DPA) and the UK General Data Protection Regulation (UK GDPR).
- 1.2 Compliance with the UK GDPR is described by this policy and other relevant policies such as the Information Security Policy along with connected processes and procedures.
- 1.3 To that end, the Board has developed, implemented, maintains and continuously improves a documented Personal Information Management System (PIMS) for the Council.

2. Scope

- 2.1 **Material Scope** (UK GDPR Article 2). The UK GDPR applies to the processing of personal data wholly or partly by automated means (i.e. by computer) and to the processing other than by automated means of personal data (i.e. paper records) that form part of a filing system or are intended to form part of a filing system.
- 2.2 **Territorial Scope** (UK GDPR Article 3). The UK GDPR applies to all controllers that are established in the European Union (EU) who process the personal data of data subjects, in the context of that establishment. It will also apply to controllers outside of the EU that process personal data in order to offer goods and services, or monitor the behaviour of data subjects who are resident in the EU.
- 2.3 This Policy applies to all full time and part time employees of the Council, elected members, partner agencies, contracted employees, third party contracts (including agency employees), volunteers, and students or trainees on placement with the Council. Any breach of the DPA, UK GDPR or this PIMS will be dealt with under the Council’s disciplinary policy and may also be a criminal offence in which case the matter will be reported as soon as possible to the appropriate authorities.
- 2.4 Partners and any third parties working with or for the Council, and who have or may have access to personal information, will be expected to have read, understood and to comply with this policy. No third party may access personal data held by the Council without having first entered into a data confidentiality agreement. The agreement must be legally enforceable, must impose on the third party obligations no less onerous than those to which the Council is committed, and must give the Council the right to audit compliance with the agreement.

- 2.5 Elected members are also data controllers in their own right and must make sure that any personal information they hold/use in their office as elected member is treated in line with the DPA and UK GDPR.
- 2.6 This Policy applies to all personal information created or held by the Council, in whatever format (e.g. paper, electronic, email, microfiche, film) and however it is stored, (for example ICT system/database, Intranet, shared and personal network drives, email, mobile devices, removable media, filing cabinet, shelving and personal filing drawers).
- 2.7 The DPA does not apply to access to information about deceased individuals.
- 2.8 In order to work efficiently, the Council has to collect and use information about people with whom it works. This may include members of the public, employees (including past and prospective), elected members, clients, customers, and suppliers. We may also be required by law to collect and use information to meet the requirements of central government.

3. Objectives of the PIMS

- 3.1 The objectives of the PIMS are that it should enable the Council to meet its own requirements for the management of personal information; that it should support organisational objectives and obligations; that it should impose controls in line with the Council's acceptable level of risk; that it should ensure that the Council meets applicable statutory, regulatory, contractual and/or professional duties; and that it should protect the interests of individuals and other key stakeholders.
- 3.2 The Council is committed to complying with data protection legislation and good practice including:
 - a. processing personal information only where this is strictly necessary for legitimate organisational purposes;
 - b. collecting only the minimum personal information required for these purposes and not processing excessive personal information;
 - c. providing clear information to individuals about how their personal information will be used and by whom;
 - d. only processing relevant and adequate personal information;
 - e. processing personal information fairly and lawfully;
 - f. maintaining an inventory of the categories of personal information processed by the Council;
 - g. keeping personal information accurate and, where necessary, up to date;
 - h. retaining personal information only for as long as is necessary for legal or regulatory reasons or, for legitimate organisational purposes;
 - i. respecting individuals' rights in relation to their personal information, including their right of subject access;

- j. keeping all personal information secure;
- k. only transferring personal information outside the EU in circumstances where it can be adequately protected;
- l. the application of the various exemptions allowable by data protection legislation;
- m. developing and implementing a PIMS to enable the policy to be implemented;
- n. where appropriate, identifying internal and external stakeholders and the degree to which these stakeholders are involved in the governance of the Council's PIMS; and
- o. identifying staff with specific responsibility and accountability for the PIMS.

4. Related Policies

4.1 This Policy should be read in conjunction with:

- Appropriate Policy Document (Appendix 2)
- Legal Responsibilities Policy;
- Information Management and Protection Policy;
- Information Security Policy;
- Freedom of Information and Environmental Information Policy;
- Records Management Policy;
- Information Sharing Policy;
- Data Quality Policy; and
- Data Breach Reporting Policy and Procedure.

5. Notification

5.1 The Council (Registration No. Z5460805) has notified the Information Commissioner's Office (ICO) that it is a data controller and that it processes certain information about data subjects. The Council has identified and documented all the personal data that it processes in the Information Asset Register (IAR).

5.2 A copy of the ICO notification details is retained by the Data Protection Officer (DPO) in the Article 30 Record of Processing Activities (ROPA).

5.3 The ICO notification is renewed annually on 1 September.

5.4 The DPO is responsible, each year, for reviewing the details of notification, in the light of any changes to the Council's activities (as determined by changes in the IAR and management reviews) and to any additional requirements identified by means of data protection impact assessments.

6. Responsibilities

- 6.1 The ICO is the UK's established Supervisory Authority as specified in UK GDPR Article 51. The ICO is responsible for monitoring the application of the UK GDPR in order to protect the rights and freedoms of natural persons in relation to processing and to facilitate the free flow of data within the Union.
- 6.2 West Lindsey District Council is a data controller under the DPA and the UK GDPR (defined in Article 4).
- 6.3 The Chief Executive and Directors are responsible for ensuring compliance with the DPA, the UK GDPR and this Policy within their directorates.
- 6.4 Directors, and Team Managers are responsible for ensuring that the business areas they have responsibility for have processes and procedures in place that comply with the DPA, the UK GDPR and this Policy. Directors, and Team Managers are responsible for ensuring that data cannot be accessed by unauthorised personnel and to make sure that data cannot be tampered with, lost or damaged.
- 6.5 The Council has appointed a DPO who is accountable to the Board for the management of personal information within the Council and for ensuring that compliance with data protection legislation and good practice can be demonstrated. This accountability includes:
 - development and implementation of the PIMS as required by this policy; and
 - security and risk management in relation to compliance with the policy.
- 6.6 The Council is required under UK GDPR Article 30 to maintain a Record of Processing Activities (ROPA) and make this available to the Supervisory Authority (the ICO) on request. The DPO is responsible for reviewing the ROPA annually in the light of any changes to the Council's activities (as determined by changes to the IAR and management reviews) and to any additional requirements identified by means of data protection impact assessments.
- 6.7 The responsibility for providing day-to-day advice and guidance to support the Council in complying with the DPA, the UK GDPR and this Policy rests with the DPO.
- 6.8 Responsibility for administering Data Subject Access Requests (DSARs) is delegated to FOI/Admin Officer, Member and Support Services.
- 6.9 All members of staff, contractors and elected members who hold or collect personal data are personally responsible for their own compliance with the DPA and UK GDPR and must make sure that personal information is kept and processed in-line with data protection legislation

and good practice. Failure to do so may result in disciplinary action that could lead to dismissal.

- 6.10 Any processing of the special categories of personal data must comply with the DPA and UK GDPR (Article 9). The Council has published an Appropriate Policy Document to meet the requirements of the DPA Schedule 1. The Policy details the safeguards we have put in place when we process special category data, criminal conviction data, and sensitive data for law enforcement purposes and has been included in this document at Appendix 2.
- 6.11 If a contractor, partner organisation or agent of the Council is appointed or engaged to collect, hold, process or deal with personal data for the Council or if they will do so as part of the services they are providing to the Council, the lead Council officer must make sure that personal data is kept in line with the principles of the DPA and the UK GDPR. This requirement should be outlined in any contract the contractor enters into with the Council. A data confidentiality agreement must be in place before any work commences. The Council promotes information sharing where it is in the best interests of the data subject. The Council has data sharing protocols in place and will keep to the standards set out in these protocols. Where appropriate, the Council's DPO will make sure, when personal information is shared, it is done properly, legally and ethically.

7. Background to the UK GDPR

- 7.1 The General Data Protection Regulation replaces the EU Data Protection Directive of 1995 and supersedes the laws of individual Member States that were developed in compliance with the Data Protection Directive 95/46/EC. Its purpose is to protect the "rights and freedoms" of living individuals, and to ensure that personal data is not processed without their knowledge, and, wherever possible, that it is processed with their consent.

7.2 The Six Guiding Principles of the UK GDPR

1. Lawfulness, transparency and fairness
2. Purpose limitation
3. Data minimisation
4. Accuracy
5. Storage limitation
6. Confidentiality and integrity

The Council must be able to demonstrate compliance with these principles. This is **accountability** and can be considered as a "seventh" principle.

7.3 Key Changes introduced by UK GDPR

- ✓ Increased territorial scope
- ✓ Enhanced data inventory requirements

- ✓ Increased penalties for non-compliance
- ✓ Appointment of a Data Protection Officer
- ✓ Broader obligations for Data Controllers
- ✓ Direct obligations for Data Processors
- ✓ More timely data breach reporting
- ✓ Right to data portability
- ✓ Right to erasure (“right to be forgotten”)
- ✓ Stronger requirements for data subject consent

7.4 Lawful Bases for Processing Personal Data

For processing of personal data to be lawful under the UK GDPR, a legal basis from UK GDPR Article 6 must be identified and documented.

Processing special category data is prohibited unless a legal basis from UK GDPR Article 6 and a condition from UK GDPR Article 9 have been identified and documented.

7.5 Definitions used in the UK GDPR

A list of definitions used in the UK GDPR is included at Appendix 1.

8. Risk Assessment

- 8.1 It is essential that the Council is aware of any risks associated with the processing of particular types of personal information.
- 8.2 The Council has a process for assessing the level of risk to individuals associated with the processing of their personal information. Assessments will also be carried out in relation to processing undertaken by other organisations on behalf of the Council. The Council shall manage any risks which are identified by the risk assessment in order to reduce the likelihood of a non-conformance with this policy.
- 8.3 Where a type of processing, in particular using new technologies and taking into account the nature, scope, context and purposes of the processing is likely to result in a high risk to the “rights and freedoms” of natural persons, the Council shall, **prior to the processing**, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data.
- 8.4 A single assessment may address a set of similar processing operations that present similar high risks.
- 8.5 Where, as a result of a Data Protection Impact Assessment (DPIA), it is clear that the Council is about to start processing of personal information that could cause damage and/or distress to the data subjects, the Data Protection Officer must escalate the assessment to the Senior Information Risk Owner (SIRO) for review. If there are significant concerns, either as to the potential damage or distress, or the quantity of

data concerned, escalate the matter to the Information Commissioner's Office (ICO) who is the UK's Supervisory Authority.

- 8.6 Appropriate controls will be selected and applied to reduce the level of risk associated with processing individual data to an acceptable level, by reference to the Council's documented risk acceptance criteria and the requirements of the UK GDPR.

9. Security of Data

- 9.1 All Employees/Staff are responsible for ensuring that any personal data which the Council holds and for which they are responsible, is kept securely and is not under any conditions disclosed to any third party unless that third party has been specifically authorised by the Council to receive that information and has entered into a confidentiality agreement.

All personal data should be accessible only to those who need to use it, and access may only be granted in line with the IT Access Policy. You should form a judgment based upon the sensitivity and value of the information in question, but personal data must be kept:

- in a lockable room with controlled access; and/or
- in a locked drawer or filing cabinet; and/or
- if computerised, password protected in line with corporate requirements in the IT Access Policy; and/or
- stored on (removable) computer media which are encrypted in line with the Encryption Policy (TBA)

Care must be taken to ensure that PC screens and terminals are not visible except to authorised personnel. All staff are required to enter into an Acceptable Use Agreement before they are given access to organisational information of any sort.

Manual records may not be left where they can be accessed by unauthorised personnel and may not be removed from business premises without explicit [written] authorisation. As soon as manual records are no longer required for day-to-day client support, they must be removed to secure archiving or destroyed in accordance with the Retention and Disposal Schedule.

Personal data may only be deleted or disposed of in line with the Retention and Disposal Schedule. Manual records that have reached their retention date are to be shredded and disposed of as 'confidential waste'. Hard drives of redundant PCs are to be removed and immediately destroyed as required by [TBA] before disposal.

Processing of personal data 'off-site' presents a potentially greater risk of loss, theft or damage to personal data. Staff must be specifically authorised to process data off-site.

10. Rights of Data Subjects

10.1 Data subjects have the following rights regarding data processing, and the data that is recorded about them:

- To make subject access requests regarding the nature of information held and to whom it has been disclosed.
- To prevent processing likely to cause damage or distress.
- To prevent processing for purposes of direct marketing.
- To be informed about the mechanics of automated decision-taking process that will significantly affect them.
- Not to have significant decisions that will affect them taken solely by automated process.
- To sue for compensation if they suffer damage by any contravention of the UK GDPR.
- To take action to rectify, block, erased, including the right to be forgotten, or destroy inaccurate data.
- To request the ICO to assess whether any provision of the UK GDPR has been contravened.
- The right for personal data to be provided to them in a structured, commonly used and machine-readable format, and the right to have that data transmitted to another controller.
- The right to object to any automated profiling without consent.

11. Right of Access to Data (Data Subject Access Requests)

11.1 Individuals have the right to obtain:

- confirmation that their data is being processed;
- access to their personal data; and
- other supplementary information that largely corresponds with the information that should be provided in a privacy notice.

This is called a Data Subject Access Request (DSAR) under the DPA and the UK GDPR and allows individuals to be aware of and verify the lawfulness of the processing.

11.2 The Council has a subject access process, which sets out procedures for access to personal data, and complies with the principles of the DPA and UK GDPR. Key points of the procedure are:

- The identity of the person making the request must be verified using "reasonable means".

- If the request is made electronically, then the information should be provided in a commonly used electronic format. Unless an alternate format is requested on receipt of the DSAR.
- A copy of the information must be provided **free of charge**.
- A **reasonable fee** based on administration costs may be charged:
 - When a request is manifestly unfounded or excessive, particularly if it is repetitive.
 - To comply with requests for further copies of the same information.
- When a request is manifestly unfounded or excessive, particularly if it is repetitive, the Council can choose to refuse the request. In this case the Council must explain, without undue delay and at the latest within one month, why to the individual, inform them of their right to complain to the ICO and to a judicial remedy.
- Information must be provided without delay and at the latest within one month of receipt.
- Where requests are complex and numerous periods of compliance can be extended by a further two months. Individuals must be informed of the reason for the extension within one month of the request being received.
- Where the Council processes large amounts of data about an individual it may ask the individual to specify the information that the request relates to.

11.3 Information may be withheld where the Council is not satisfied that the person asking for information about themselves is who they say they are. The Council may withhold information when the requester is an organisation or body where the Council is not satisfied that they have the right to receive that information. In these cases, the Council will refuse to provide the information until it receives all relevant requested documents.

12. Disclosure of personal information about third parties

12.1 Personal data must not be disclosed about a third party except in line with the DPA and the UK GDPR. If it appears necessary to disclose information about a third party to a person requesting data, advice must be sought from the Data Protection Officer.

13. Disclosure of personal information to third parties

13.1 The Council must make sure that personal data is not disclosed to unauthorised third parties which includes family members, friends, government bodies, and in certain circumstances, the Police. All employees/staff should exercise caution when asked to disclose personal data held on another individual to a third party and will be required to attend specific training that enables them to deal effectively with any such risk. It is important to bear in mind whether or not

disclosure of the information is relevant to, and necessary for, the conduct of the Council's business.

13.2 The DPA and the UK GDPR permits certain disclosures without consent so long as the information is requested for one or more of the following purposes:

- to safeguard national security;
- prevention or detection of crime including the apprehension or prosecution of offenders;
- assessment or collection of tax duty;
- discharge of regulatory functions (includes health, safety and welfare of persons at work);
- to prevent serious harm to a third party;
- to protect the vital interests of the individual, this refers to life and death situations.

13.3 All requests to provide data for one of these reasons must be supported by appropriate paperwork and all such disclosures must be specifically authorised by the Data Protection Officer.

14. Information Sharing

14.1 The Council may share information when it is in the best interest of the data subject and when, by not sharing data, vulnerable groups and individuals could be put at risk. This must be done in a secure and proper way. The Council will be transparent and open as possible about how and with whom data is shared; with what authority; and for what purpose; and with what protections and safeguards. The Council will simplify the legal framework governing data sharing, including rules to guarantee better and more guidance for staff.

15. Data Quality and Integrity

15.1 If an individual complains that the personal data held about them is wrong, incomplete or inaccurate, the position should be investigated thoroughly including checking with the source of the information. In the meantime, a caution should be marked on the person's file that there is a question mark over the accuracy. An individual is entitled to apply to the court for a correcting order and it is preferable to avoid legal proceedings by working with the person to put right the data or allay their concerns.

15.2 Individuals can ask the Council to stop processing data. For example, if data is properly held for marketing purposes, an individual is entitled to ask that this is stopped as soon as possible. Requests must be made in writing but generally, all written or oral requests should be carried out as soon as they are made. The cessation must be confirmed in writing.

15.3 If data is held for any other purposes, an individual may request that processing that data be stopped if it is causing them unwarranted harm or distress. This does not apply if they have given their consent; if data is held about a contract with the person; if the Council is fulfilling a legal requirement; or if the person's vital interests are being protected. Valid written requests must be responded to in writing without undue delay and actioned within 1 calendar month.

16. Retention and Disposal of Data

16.1 The Council shall not keep personal data in a form that permits identification of data subjects for longer a period than is necessary, in relation to the purpose(s) for which the data was originally collected.

16.2 The Council may store data for longer periods if the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to the implementation of appropriate technical and organisational measures to safeguard the rights and freedoms of the data subject.

16.3 The retention period for each category of personal data will be set out in the Retention and Disposal Schedule along with the criteria used to determine this period including any statutory obligations the Council has to retain the data.

16.4 The Council's Data Retention and Disposal Schedule will apply in all cases.

16.5 Personal data must be disposed of securely in accordance with the sixth principle of the UK GDPR – processed in an appropriate manner to maintain security, thereby protecting the “rights and freedoms” of data subjects. Any disposal of data will be done in accordance with the secure disposal procedure (TBA).

17. Data Transfers

17.1 All exports of data from within the European Economic Area (EEA) to non-European Economic Area countries (referred to in the UK GDPR as ‘third countries’) are unlawful unless there is an appropriate “level of protection for the fundamental rights of the data subjects”.

The transfer of personal data outside of the EEA is prohibited unless one or more of the specified safeguards, or exceptions, apply:

1. An adequacy decision

The European Commission can and does assess third countries, a territory and/or specific sectors within third countries to assess whether

there is an appropriate level of protection for the rights and freedoms of natural persons. In these instances, no authorisation is required.

Countries that are members of the EEA but not of the EU are accepted as having met the conditions for an adequacy decision.

A list of countries that currently satisfy the adequacy requirements of the Commission are published in the Official Journal of the European Union. http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm

2. Privacy Shield

If the Council wishes to transfer personal data from the EU to an organisation in the United States (for example, a US-based cloud service) it should check that the organisation is signed up with the Privacy Shield framework at the U.S. Department of Commerce. The obligation applying to companies under the Privacy Shield are contained in the “Privacy Principles”. The U.S. Department of Commerce is responsible for managing and administering the Privacy Shield and ensuring that companies live up to their commitments. In order to be able to certify, companies must have a privacy policy in line with the Privacy Principles e.g. use, store and further transfer the personal data according to a strong set of data protection rules and safeguards. The protection given to the personal data applies regardless of whether the personal data is related to an EU resident or not. Organisations must renew their “membership” to the Privacy Shield on an annual basis. If they do not, they can no longer receive and use personal data from the EU under that framework.

3. Assessment of adequacy by the data controller

In assessing adequacy, the UK based exporting controller should take account of the following factors:

- the nature of the information being transferred.
- the country or territory of the origin, and final destination, of the information;
- how the information will be used and for how long;
- the laws and practices of the country of the transferee, including relevant codes of practice and international obligations; and
- the security measures that are to be taken as regards the data in the overseas location.

4. Model contract clauses

The Council may adopt approved model contract clauses for the transfer of data outside of the EEA. If the Council adopts the model contract clauses approved by the ICO there is an automatic recognition of adequacy.

5. Exceptions

In the absence of an adequacy decision, Privacy Shield membership, or model contract clauses, a transfer of personal data to a third country or international organisation shall only take place on one of the following conditions:

- the data subject has explicitly consented to the proposed transfer, after having been informed of the possible risks of such transfers for the data subject due to the absence of an adequacy decision and appropriate safeguards;
- the transfer is necessary for the performance of a contract between the data subject and the controller or the implementation of pre-contractual measures taken at the data subject's request;
- the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject between the controller and another natural or legal person;
- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defence of legal claims; and/or
- the transfer is necessary in order to protect the vital interests of the data subject or of other persons, where the data subject is physically or legally incapable of giving consent.

18. Information Asset Register

18.1 The Council has established a data inventory (Information Asset Register (IAR)) and data flow process as part of its approach to address risks and opportunities throughout its UK GDPR compliance project. The Council's IAR and data flow determines:

- business processes that use personal data;
- source of personal data;
- volume of data subjects;
- description of each item of personal data;
- processing activity;
- maintains the inventory of data categories of personal data processed;
- documents the purpose(s) for which each category of personal data is used;
- recipients, and potential recipients, of the personal data;
- the role of the Organisation Name throughout the data flow;
- key systems and repositories;
- any data transfers; and
- all retention and disposal requirements.

18.2 The Council is aware of any risks associated with the processing of particular types of personal data.

- The Council assesses the level of risk to individuals associated with the processing of their personal data. Data Protection Impact Assessments (DPIAs) are carried out, where required, in relation to the processing of personal data by the Council], and in relation to processing undertaken by other organisations on behalf of the Council.
- The Council shall manage any risks identified by the risk assessment in order to reduce the likelihood of a non-conformance with this policy.
- Where a type of processing, in particular using new technologies and taking into account the nature, scope, context and purposes of the processing is likely to result in a high risk to the rights and freedoms of natural persons, the Council shall, prior to the processing, carry out a DPIA of the impact of the envisaged processing operations on the protection of personal data. A single DPIA may address a set of similar processing operations that present similar high risks.
- Where, as a result of a DPIA it is clear that the Council is about to commence processing of personal data that could cause damage and/or distress to the data subjects, the decision as to whether or not the Council may proceed must be escalated for review to the Data Protection Officer (DPO).
- The Data Protection Officer shall, if there are significant concerns, either as to the potential damage or distress, or the quantity of data concerned, escalate the matter to the supervisory authority.
- Appropriate controls will be selected and applied to reduce the level of risk associated with processing individual data to an acceptable level, by reference to the Council's documented risk acceptance criteria and the requirements of the UK GDPR.

19. Complaints

19.1 Data Subjects who wish to complain to the Council about how their personal information has been processed may lodge their complaint directly with the Data Protection Officer by:

1. Email dpo@west-lindsey.gov.uk
2. Tel 01427 676676
3. Using the Council's Complaint Procedure at <http://www.west-lindsey.gov.uk/your-council/have-your-say/comments-compliments-and-complaints/>
4. Data subjects may also complain directly to the Information Commissioner's Office and the Council provides contact details in the Council's Complaint Procedure at <http://www.west-lindsey.gov.uk/your-council/have-your-say/comments-compliments-and-complaints/>

19.2 Where data subjects wish to complain about how their complaint has been handled, or appeal against any decision made following a complaint, they may lodge a further complaint to the Data Protection Officer. The right to do this is explained in the Council's Complaints Procedure can be found at <http://www.west-lindsey.gov.uk/your-council/have-your-say/comments-compliments-and-complaints/>

20. Exemptions

20.1 Under Part 4 of the DPA, it is sometimes necessary to withhold certain information that has been requested by individuals. The Data Protection Officer can offer advice in these circumstances.

21. Breach of the Policy

21.1 Any breach of this Policy must be investigated in line with the Data Breach Reporting Policy and Procedure.

21.2 In line with the Data Breach Reporting Policy and Procedure, the Council will always treat any data breach as a serious issue that could result in a disciplinary investigation. Each incident will be investigated and judged on its individual circumstances in line with the employee code of conduct or, in the case of elected members, the Members' Code of Contact.

Appendix 1 - List of Abbreviations and Definitions used in this Document

Abbreviations used in this Document

Abbreviation	Description
DPA	Data Protection Act
DPIA	Data Protection Impact Assessment
DPO	Data Protection Officer
DSAR	Data Subject Access Request
EEA	European Economic Area
EU	European Union
UK GDPR	General Data Protection Regulation
IAR	Information Asset Register
ICO	Information Commissioner's Office
PIMS	Person Information Management System
ROPA	Record of Processing Activities
SIRO	Senior Information Risk Owner

Definitions used in the UK GDPR

Establishment	The main establishment of the controller in the EU will be the place in which the controller makes the main decisions as to the purpose of its data processing activities. The main establishment of a processor in the EU will be its administrative centre. If a controller is based outside the EU, it will have to appoint a representative in the jurisdiction in which the controller operates, to act on behalf of the controller and deal with supervisory authorities.
Personal Data	Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Special Categories of Personal Data	Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade-union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.
Data Controller	The natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.
Data Subject	Any living individual who is the subject of personal data held by an organisation.
Processing	Any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Profiling	Any form of automated processing of personal data intended to evaluate certain personal aspects relating to a natural person, or to analyse or predict that person's performance at work, economic situation, location, health, personal preferences, reliability, or behaviour. This definition is linked to the right of the data subject to object to profiling and a right to be informed about the existence of profiling, of measures based on profiling and the envisaged effects of profiling on the individual.
Personal data breach	A breach of security leading to the accidental, or unlawful, destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed. There is an obligation on the controller to report personal data breaches to the supervisory authority and where the breach is likely to adversely affect the personal data or privacy of the data subject.

Child	The UK GDPR defines a child as anyone under the age of 16 years old, although this is likely to be lowered to 13 by The Data Protection Bill. The processing of personal data of a child is only lawful if parental or custodian consent has been obtained. The controller shall make reasonable efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child.
Third party	A natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.
Relevant Filing system	Any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis.

Appendix 2 – Appropriate Policy Document - Linked

<https://itshared.sharepoint.com/:w:/r/sites/Minerva/CorpDocs/ layouts/15/Doc.aspx?sourcedoc=%7B6BA41AD2-3ADF-4096-A90F-B5C5187CACE9%7D&file=Appropriate%20Policy%20Document.docx&action=default&mobileredirect=true&DefaultItemOpen=1>



**Chairs Briefing: Corporate
Policy and Resources**

Wednesday 07 July 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 propose the Annual Treasury Management Report and actual Prudential Indicators 2020/21 to Full Council for approval.

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.

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.

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:

Prudential and treasury indicators	2019/20 Actual £000	2020/21 Original £000	2020/21 Actual £000
Capital expenditure	18,029	24,118	9,034
Capital Financing Requirement:	37,905	50,307	38,526
Of which – Investment Properties	21,602	30,000	20,959
Gross borrowing (External)	20,000	38,189	20,000
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
• Total	11,670	13,321	16,872
Net borrowing	8,330	24,868	3,128

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
Capital expenditure	18,029	18,029	9,034
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.

Capital Financing Requirement (CFR)	31 March 2020 Actual £000's	31 March 2021 Actual £000's
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)
Closing balance	37,905	38,525
<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.

	31 March 2020 Actual £000's	31 March 2021 Actual £000's
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.

	2020/21 £000's
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

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

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

The maturity structure of the debt portfolio was as follows:

	31 March 2020 Actual £000's	31 March 2021 Actual £000's	%
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 02 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
Total	24,967	31,126

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
TOTAL TREASURY INVESTMENTS	11,670	16,872

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
	TOTAL PORTFOLIO		21.666

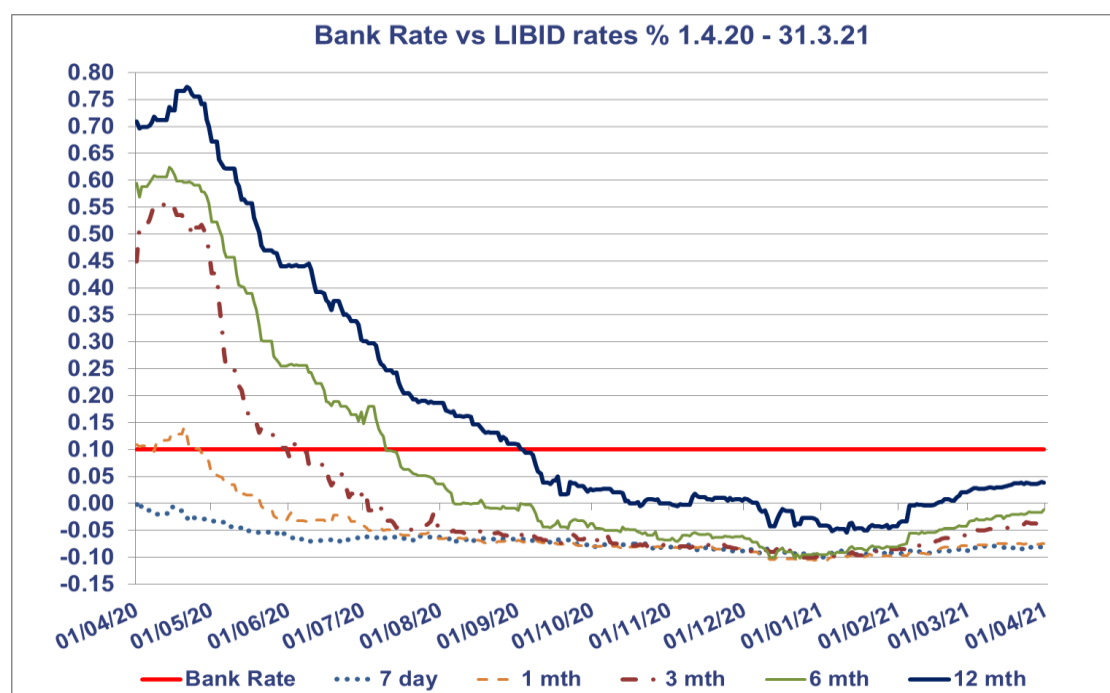
The investments are held on the balance sheet at their Fair Value (*the price expected to be received in current market conditions*). The Fair Value as at 31 March 2021 for the Commercial Property Portfolio is £20.855m, effectively reflecting a reduction for the costs of purchase.

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
High	0.10	0.00	0.14	0.56	0.62	0.77
High Date	01/04/2020	02/04/2020	20/04/2020	08/04/2020	14/04/2020	21/04/2020
Low	0.10	-0.10	-0.11	-0.10	-0.10	-0.05
Low Date	01/04/2020	31/12/2020	29/12/2020	23/12/2020	21/12/2020	11/01/2021
Average	0.10	-0.07	-0.05	0.01	0.07	0.17
Spread	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.

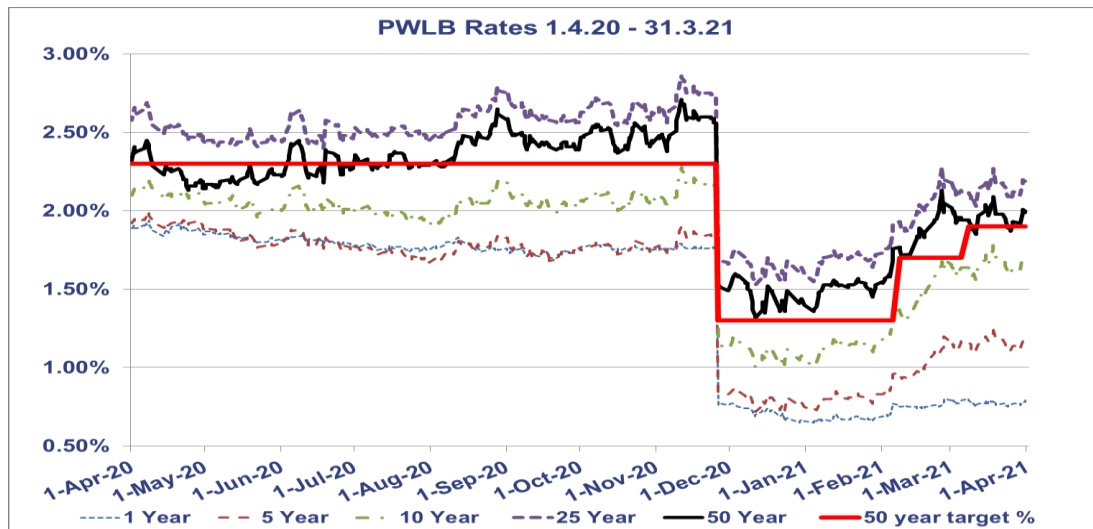
The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or 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
Low	0.65%	0.72%	1.00%	1.53%	1.32%
Low date	04/01/2021	11/12/2020	11/12/2020	11/12/2020	11/12/2020
High	1.94%	1.99%	2.28%	2.86%	2.71%
High date	08/04/2020	08/04/2020	11/11/2020	11/11/2020	11/11/2020
Average	1.43%	1.50%	1.81%	2.33%	2.14%
Spread	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 9th 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 11th March 2020, but not for mainstream non-HRA capital schemes. A consultation was then held with local authorities and **on 25th 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 6d



Corporate Policy and
Resources

Thursday, 22 July 2021

**Subject: Budget and Treasury Monitoring - Quarter 1 2021/2022
(1st April 2021 to 31st May 2021)**

Report by:

Assistant Director, Finance, Business and
Property Services

Contact Officer:

Sue Leversedge
Business Support Team Leader

sue.leversedge@west-lindsey.gov.uk

Purpose / Summary:

This report sets out the revenue, capital and
treasury management activity from 1 April 2021
to 31 May 2021.

RECOMMENDATION(S):

REVENUE

- a) Members accept the forecast out-turn position of a £0.005m net deficit as at 31st May 2021 (see Section 2) relating to business as usual activity.
- b) Members approve the use of Earmarked Reserves (2.4.1).
- c) Members accept the use of Earmarked Reserves during the quarter approved by the Chief Finance Officer using Delegated powers (2.4.2).
- d) Members accept the addition to the statutory fees and charges schedule for Planning Applications (2.3.2).

CAPITAL

- e) Members accept the current projected Capital Outturn as detailed in 3.1.1.
- f) Members approve the capital budget carry forwards of £3.364m

detailed at 3.1.2.

- g) Members are also asked to approve a capital budget of £0.1m for renovation of empty homes in Gainsborough and approve an initial spend of £0.02m for the renovation of the first two homes, detailed at 3.1.2.

TREASURY

- h) Accept the report, the treasury activity and the prudential indicators.

IMPLICATIONS

Legal: None arising as a result in this report.

Financial : FIN/33/22/B/SL

REVENUE

The draft revenue forecast out-turn position for 2021/2022 is currently reflecting a net deficit from reserves of £0.005m relating to business as usual activity as at 31st May 2021.

When then considering the impact of Covid-19 we are currently forecasting that the Covid Support Grants received from Government (£0.974m) will cover the additional costs and loss of income forecast for the financial year.

In addition, an Earmarked Reserve of £0.5m was approved through the MTFP for 2021/2022 as a contingency for the ongoing impacts of the pandemic on the Councils finances, and the position will continue to be monitored throughout the year.

The summary of forecast Covid financial implications are contained within the report at 2.2.7.

Summary of Out-turn Position 2021/2022	
	£ 000
FORECAST OUTTURN AS AT 31.05.21	(132) BEFORE CARRY FORWARDS
CARRY FORWARDS : BASE BUDGET-APPROVED IN YEAR	0 ALREADY APPROVED
CARRY FORWARDS : USE OF EARMARKED RESERVES	137 ALREADY APPROVED
NET CONTRIBUTION (TO) / FROM GENERAL FUND BALANCES:	5

The items with significant variances are contained within this report at 2.1 and 2.2.

CAPITAL

The anticipated capital out-turn position 2021/2022 is £11.118m. This is a variance of £3.234m on the approved budget. The variance requests for slippage into 2022/2023 are detailed at 3.1.2.

Members are also asked to approve a capital budget of £0.1m funded by Section 106 monies for renovation of empty homes in Gainsborough and approve an initial spend of £0.02m for the renovation of the first two homes. See 3.1.2 for details.

TREASURY

The Treasury Management activities during the reporting period are disclosed in the body of this report. Total external borrowing is currently £20m.

There have been no breaches of Treasury or Prudential Indicators within the period of this report.

Average investments for the period (Apr-May) was £20.217m, which achieved an average rate of interest of 8.86% (Jan-Mar was 23.752m,

0.763%).

Staffing: Salary budgets for 2021/2022 were set based on an estimated 0% pay award. The actual pay award for the year is yet to be confirmed.

There is an estimated 0.06% (£0.007m) surplus for the year against original employee budgets as a result of staff turnover.

This is after the 2% (£0.184m) Vacancy Factor included within the 2021/2022 Budget, which was applied to salary budgets for posts which are on our organisational establishment (basic pay, superannuation and national insurance).

Without the vacancy factor, there would be a 1.6% surplus across all employee budgets.

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

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

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

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

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

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

Risk Assessment: This is a monitoring report only.

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

1. Executive Summary

This report provides the oversight of financial performance for:

REVENUE

- 'Business as Usual' Revenue Forecast Out-Turn (after carry forwards) - Deficit £0.005m. (-0.04% of Net Revenue Budget – see 2.1 for details of significant variances).
- There is no forecast pressure above Covid-19 Support Grants from Government and contingency funds held within Earmarked Reserves at this time (see 2.2.7 for details).

CAPITAL

- Capital Forecast Out-Turn £11.118m, a variance of £3.234m against current budget £14.352m, this is made up of:
- Anticipated Slippage into 2022/2023 of £3.364m (see section 3.1.2).
- There is a request to increase the budget for the Disabled Facilities Fund by £0.094m. This is due to additional grant funding which was received in March 2021.
- £0.036m Budget is requested for Member Laptop refresh – the budget is to be funded from the revenue Covid Expenditure Support Grant. This is to ensure that Members have equipment which is fit for purpose, and supports remote working.

There are associated revenue costs of £0.022m, which will also be met from the revenue Covid Expenditure Support Grant. Total cost £0.058m.

- Members are also asked to approve a capital budget of £0.1m funded by Section 106 monies for renovation of empty homes in Gainsborough and approve an initial spend of £0.02m for the renovation of the first two homes. See 3.1.2 for details.

TREASURY MANAGEMENT

- Treasury Management Report and monitoring:
 - Average investment interest rate for April to May was 0.86%.
 - Total Investments at the end of Quarter 1 was £16.376m.

The tables below reflect investment movements and prudential borrowing analysis:

Investment Movements	Qtr. 1 £'000
Investments B/fwd. (at 31.3.2021 incl. bank)	16,872
(Less) Capital expenditure	-499
Add PWLB/Other LA Borrowing in year	0
Add/(Less) Net Revenue Expenditure	-2,604
Add/(Less) Net Collection Fund Movement (Ctax/NNDR)	13,631
Add Working Capital Movement	-11,024
Investments c/fwd. (at Period end)	16,376

Our prudential borrowing position reflects actual borrowing undertaken from the Public Works Loans Board/Other Local Authorities and the amount of internal borrowing required to meet the actual costs of borrowing up to the 31 May 2021.

	Qtr. 1 £'000
Prudential Borrowing	£'000
Total External Borrowing (PWLB) and Other Local Authorities	16,500 3,500
Internal Borrowing	18,832
Total Prudential Borrowing at 31.05.2021	38,832

REVENUE BUDGET MONITORING QUARTER 1
(1st April 2021 to 31st May 2021)
Forecast Outturn for 2021/2022

2. The Revenue Budget forecast for 'business as usual' out-turn currently stands at a net deficit of £0.005m as detailed in the table below.

This is after taking account of £0.137m of revenue budget carry forwards. The details of which are provided at Appendix 2.

Details of headline variances by Cluster can be found below at 2.1 and 2.2.

Details of the Covid-19 financial implications can be found at 2.2.7.

SERVICE CLUSTER	2021/2022			
	Original Budget	Revised Budget	Forecast Outturn	Outturn Variance
	£	£	£	£
Our People	1,529,000	1,940,800	1,813,274	(127,526)
Our Place	3,778,100	4,078,800	4,074,145	(4,655)
Our Council	6,372,700	7,073,500	7,090,972	17,472
Controllable Total	11,679,800	13,093,100	12,978,391	(114,709)
Corporate Accounting:				
Interest Receivable	(124,600)	(124,600)	(196,575)	(71,975)
Interest Payable	377,700	377,700	377,700	0
Investment Income	(1,434,900)	(1,434,900)	(1,434,432)	468
Precepts and Levies	2,574,700	2,574,700	2,572,300	(2,400)
Movement in Reserves:				
To / (From) General Fund	(1,943,700)	(3,357,000)	(3,357,000)	0
Use of Specific Reserves	(3,011,800)	(3,011,800)	(3,011,800)	0
Contribution to Specific Reserves	4,719,000	4,719,000	4,719,000	0
Repayment of Borrowing	442,900	442,900	442,900	0
Net Revenue Expenditure	13,279,100	13,279,100	13,090,484	(188,616)
Funding Total	(13,279,100)	(13,279,100)	(13,222,863)	56,237
NET SUBSIDY FROM / (CONTRIBUTION) TO RESERVES FOR THE YEAR	0	0	(132,379)	(132,379)

Carry Forwards - use of Earmarked Reserves	137,100
Net Contribution (To) / From General	4,721

2.1 The significant movements being;

Cluster	EXPENDITURE	Total £000	Direction of Travel
BUDGET UNDERSPENDS			
	Salary (<i>savings</i>) / pressure. Includes 2% vacancy factor £184k.	(£7)	New
PRESSURES			
Our Council	Software Licence Fee nationwide increase.	£52	New
	Various forecast outturn variances <£10k	£13	New
		£58	

Cluster	INCOME	Total £000	Direction of Travel
BUDGETED INCOME EXCEEDED			
Corporate Accounting-Interest Received	Interest Receivable.	(£72)	New
Our Council	Green Waste service income target exceeded.	(£31)	New
Our Place	Shopping Trolley reclaimed income.	(£16)	New
BUDGETED INCOME NOT ACHIEVED			
Funding	Government Grants - Localised Council Tax Support administration subsidy grant.	£56	New
Our People	Housing Benefits - forecast net subsidy position.	£10	New
		(£53)	

TOTAL VARIANCE	£5
-----------------------	-----------

2.2 Significant items (>£10k) of note by Cluster:

2.2.1 Interest & Investment Income

- (£0.072m) - Interest receivable on investments is forecast to be £0.072m above budget for the year.

2.2.2 Our Council

- (£0.031m) - Income from Green Waste subscriptions received above budget for the year to date.

- £0.052m - Pressure for software licenses. This is the result of a nationally agreed framework and an increase in the number of licensed users. The ICT Team will over the next year look to reduce these costs by converting some users to an alternative license model, and by reviewing the applications used and suggesting alternative approaches to reduce costs.

2.2.3 Our People

- £0.137m - approved carry forwards into 2022/2023 (see Appendix 2 for details).
- £0.01m - reflects the Housing Benefits forecast net subsidy position, a pressure of forecast subsidy against the budget set for the year.

2.2.4 Our Place

- £0.006m - There is a pressure on market fee income due to charges being suspended for April and May in support of traders in their financial recovery from Covid-19 impacts. Charges have been reinstated from 1st June 2021. This pressure will offset by the use of the Commercial Contingency budget.
- £0.016m of income has been received to date for the Shopping Trolley scheme. This scheme was not introduced to generate income but to help keep communities free of abandoned shopping trolleys, and we anticipate the number of reclaimed trolleys to reduce as supermarkets take action.

2.2.5 Funding

£0.056m reduction in funding against the budget. The budget was set at an estimated value of £0.159m. The final settlement was announced in March 2021 as £0.103m.

2.2.6 Establishment

A 2% vacancy factor against salary budgets was approved for 2021/2022 through the MTFP, which equates to a reduction of £0.184m.

Current vacancy levels after costs of interim staffing resources is forecast to achieve a further £0.007m budget underspend for the year; this represents 0.06% of the overall employee revised budget. This is detailed by cluster as follows:

Cluster	Sum of variance £
Our Council	(169,784)
Our People	973
Our Place	(22,898)
2% Vacancy Factor	184,400
Grand Total	(7,309)

2.2.7 Financial Implications of Covid-19

We are monitoring the ongoing financial implications of the Covid-19 pandemic and will update Members regularly.

We are currently forecasting that the Covid Support Grants received from Government (£0.974m) will cover the additional costs and loss of income forecast for the financial year.

In addition, an Earmarked Reserve of £0.5m was approved through the MTFP for 2021/2022 as a contingency for the ongoing impacts on the pandemic on the Councils finances, and the position will continue to be monitored throughout the year.

The tables below present the forecast financial impact of Covid-19 on the Council for 2021/2022.

Full Year 2021/2022 Financial Summary	£000
Total Covid-19 pressure to date	867
LA Covid Support Grant 20/21 - Balance Remaining Held in Earmarked Reserves	(434)
LA Covid Support Grant 21/22	(510)
Earmarked Reserve Approved 21/22 MTFP	(500)
Additional grant for loss of income (estimate)	(30)
Net Covid-19 Allocation Balance Remaining	(607)

Covid-19 Pressures	2021/22 Actuals £000
Loss of income due to service closures / changes - services covered by Sales, Fees and Charges Grant	230
Loss of Income - other service closures / changes	169
Loss of Income - dividends and investment returns	47
Cost Pressures - Covid costs funded from Support Grant *	483
Cost Pressures - Impact on Projects	36
Other Income Received to Support Services	(12)
Savings	(86)
Total Pressures	867

* Cost Pressures - Covid costs funded from Support Grant	£000
Additional Resources - agency, backfilling, overtime	232
Health & Wellbeing - Leisure Management contractor support	117
Elections - additional postal vote application costs, risk assessments of polling stations	16
Economic Development - additional resources for project development.	40
ICT Team - member laptop refresh (revenue)	22
Democratic Representation - hire of premises and equipment to hold meetings	15
Theatre - cost of equipment to comply with Covid regulations	17
Other costs <£10k	24
	483

Costs are mitigated by savings achieved and other income received to support services.

2.3 Fees and Charges

2.3.1 £1.444m has been received in Fees and Charges up to the end of the period against a budget for the period of £1.617m, a shortfall to date of £0.173m.

The most significant areas of additional income forecast for the year being:

- Garden Waste subscriptions £0.031m

The significant areas of forecast income losses are due to the ongoing impact of Covid-19 and will be subject to a claim against the Local Government Income Compensation Scheme for Lost Sales, Fees and Charges:

- Car Park income (season tickets and parking fees) £0.108m
- Trinity Arts Centre box office takings £0.066m
- Local Tax Collection – Court Costs Recovered £0.02m

2.3.2 Amendment to Fees and Charges Schedule

Prosperous Communities Committee		Planning Applications							
		2020/21		Proposed Increase		2021/22	VAT	2021/22	VAT
		£	%	Type	or £	£	Amount	Charge Inc. VAT	Rate
Prior Approval									
Erection, extension, or alteration of a university building		£0.00				£96.00	£0.00	£96.00	OS
Construction of new dwellinghouses	Not more than 50 Dwellinghouses	£0.00				£334.00	£0.00	£334.00	OS
	more than 50 dwellinghouses	£0.00				£100.00	£0.00	£100.00	OS
Approval/Variation/discharge of condition									
Discharge of condition(s) - Approval of details and/or confirmation that one of more planning conditions have been complied with	Householder Permissions	£0.00				£34.00	£0.00	£34.00	OS
	All other permissions	£0.00				£116.00	£0.00	£116.00	OS

Prior Approval

New fees that come into force on 30th July 2021 as a consequence of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2021 are to be added to the fees and charges schedule for Planning Applications as listed above.

Approval/Variation/Discharge of Condition

On 2nd September 2020, new fees were introduced by the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2020 are to be added to the fees and charges schedule for Planning Applications as listed above.

These are statutory fees, and are reported to Members for information.

2.4 2021/2022 Use of and Contribution to Reserves

2.4.1 Use of Reserves – Member Approval Required

The following use of Earmarked Reserves is greater than £0.05m and requires the approval of Corporate Policy and Resources committee:

- £0.079m from Unapplied Grants reserve. Balance of Covid Test & Trace Parent and Guardian Grant for distribution to eligible applicants.

2.4.2 Use of Reserves – Delegated Decision

The Chief Finance Officer has used delegated powers to approve the use of earmarked reserves up to £0.05m.

- £36k from IT reserve. To cover the cost of paying for the existing licences during the transition to the Customer Relationship Management (CRM) system.
-
- £22k from Redundancy Contingency Reserve. Pension strain payment.
- £20k from Unapplied Grants Reserve. Test & Trace Discretionary fund.
- £19k from I.T. Reserve. To cover the cost of a licence for the period Apr 21 to Dec 21 pending the implementation of ERP (approved CPR 23.07.20).
- £8.1k from Unapplied Grants reserve. Outbreak Prevention Grant to cover continuing agency costs.
- £7.4k from Unapplied Grants reserve. Test & Trace Parent & Guardian Admin grant.

2.5 Grants

As at 1st April 2021 we had an amount of £1.878m relating to grants received which had yet to be expended. Budget provision will be created throughout the financial year as required to deliver projects in accordance with grant terms. The forecast balance as at 31st March 2022 is £0.771m (including the use of earmarked reserves detailed at 2.4.1 and 2.4.2).

2.5.1 Successful Grant Bids and New Grant determinations

The following grants have been received/awarded during this period:

Grant Issued By	Name of Grant	£
Ministry of Housing, Communities & Local Government	Levelling Up Fund	TBC
Ministry of Housing, Communities & Local Government	Restart Grant (Business)	4,836,141
Ministry of Housing, Communities & Local Government	Disabled Facilities Grant	794,041
Ministry of Housing, Communities & Local Government	LA Support Grant (Covid)	509,966
Ministry of Housing, Communities & Local Government	Homelessness & Rough Sleepers 2021/22	179,541
Ministry of Housing, Communities & Local Government	New Burdens 2021 Grant	166,800
Dept Health & Social Care	Contain Outbreak Management Fund	131,604
Lincolnshire County Council	Outbreak & Prevention	100,000
Dept Business, Energy & Industrial Strategy	Decarbonisation Grant Scheme	68,000
Lincolnshire County Council	Winter Grant Payments (Test & Trace)	63,350
Cabinet Office	Local Elections Support Grant	36,250
Department for Work and Pensions	DWP New Burdens	32,448
Ministry of Housing, Communities & Local Government	Lower Tiers Services Grant	21,460
Sport England Council	Cultural Recovery Grant	18,331
England Sports Council	National Leisure Recovery Fund	12,358
England Sports Council	ESC Lottery Fund	5,000
Ministry of Housing, Communities & Local Government	Rough Sleepers Initiative	5,000
		6,980,290

Other Items for information

2.6 Planning Appeals

In Quarter 1 2021/2022 there were 2 appeals determined – 0 allowed and 2 dismissed.

There is 1 live application for costs.

Period	Number of Appeals	Allowed	Dismissed
April	0	0	0
May	2	0	2
Total for Quarter 1	2	0	2

2.7 Aged Debt Summary – Sundry Debtors Aged Debt Summary Quarter 1 Monitoring Report

At the end of May 2021, there was a total of £0.18m outstanding debt in the system over 90 days. The majority of this debt was over 150 days old and mainly comprised of:

- Environmental Protection & Licensing £0.054m
- Housing Benefits overpayments £0.041m the majority of which will look to be recovered through ongoing entitlement or where appropriate on agreed repayment schedules.
- Housing £0.043m

The level of outstanding debt for the same period 2020/2021 is provided below for information.

2020/2021 Total £	Month	90 – 119 days £	120 – 149 days £	150+ days £	2021/2022 Total £
227,938	Quarter 1 - ending May 2021	8,813	8,120	163,504	180,437

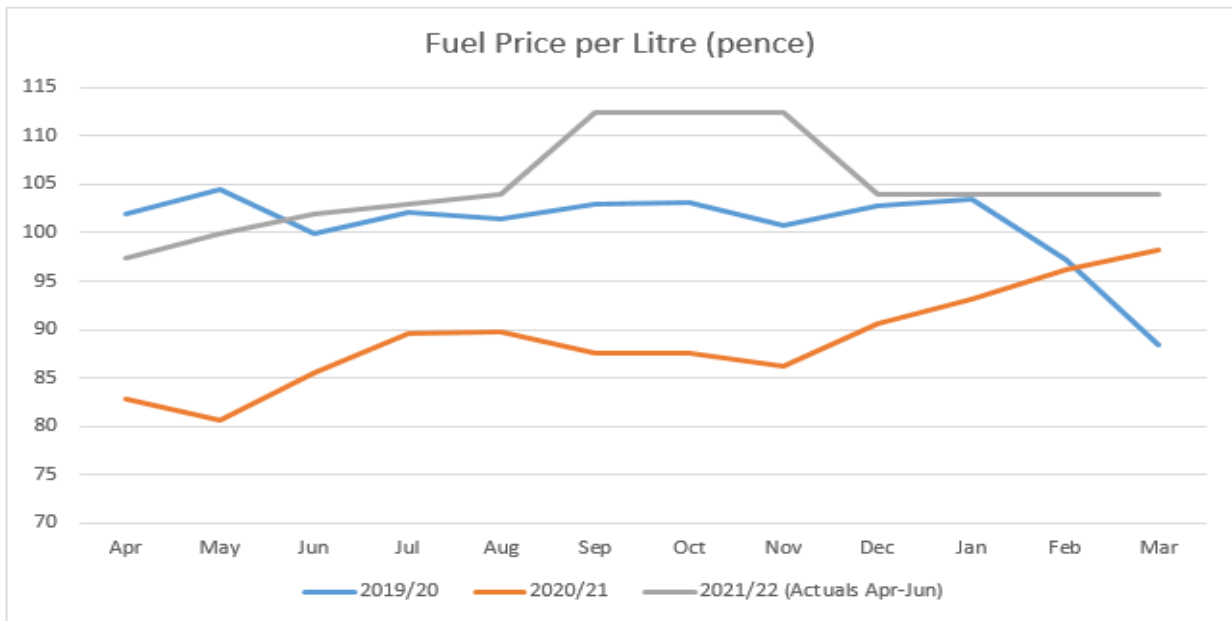
2.8 Changes to the Organisation Structure

- Our Council – a permanent administration post of ‘Change Support Officer’ has been approved. The impact on the MTFP is c£0.015m ongoing.
- Our Place – the post of Housing, Strategy and Supply Manager has been deleted, and the new post of Homes Health and Wellbeing Team Manager has been created. The impact on the MTFP is c£0.001m ongoing.

2.9 Fuel

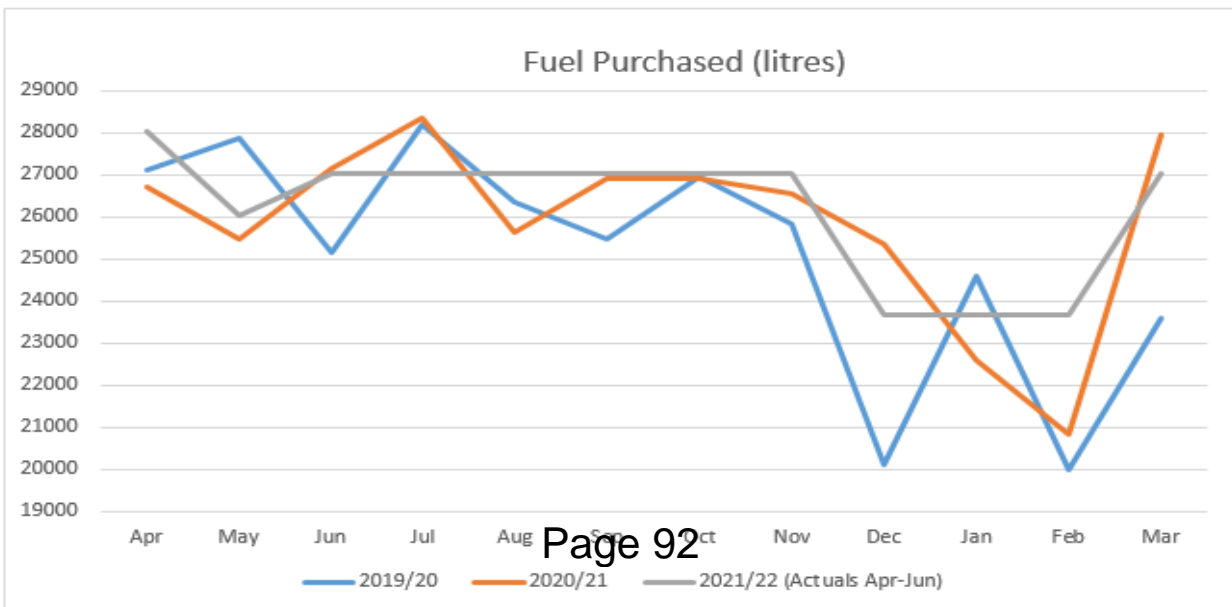
2.9.1 The chart below show the actual price paid per litre of fuel, in pence, during 2019/2020 and 2020/2021. The prices shown for 2021/2022 are actuals to date, for the period April to June 2021, and estimated rates for the remainder of the financial year.

There is a projected peak in fuel prices during the move to the new depot (estimated September to November 2021) when it is anticipated that fuel cards will be used during the transition, which will be payable at a higher rate than when we are able to fuel from our own tanks.



2.9.2 The chart below show the actual volume of fuel purchased, in litres, during 2019/2020 and 2020/2021. The volumes shown for 2021/2022 are actuals to date, for the period April to June 2021, and estimated consumption for the remainder of the financial year.

There is a drop in fuel purchased December to February, which reflects the pause in Garden Waste collections.



3.1 CAPITAL BUDGET MONITORING – Quarter 1

3.1.1 The Capital Budget forecast out-turn for schemes approved to spend (includes Stage 3 and BAU) totals £7.796m against a revised budget of £7.899m. Pipeline Schemes (Pre Stage 1, Stage 1 and Stage 2) are expected to spend £3.321m (subject to formal approval) against a revised budget of £6.453m. This gives an overall total spend of £11.118m against a total revised budget of £14.352m as detailed in the table below.

Capital Investment Programme 2021/2022

Corporate Priority / Scheme	Actuals to 31/05/2021	Original Budget 2021/2022	Revised Budget 2021/2022	Forecast Outturn 2021/2022	Over / (Underspend)	Carry Forward Requests/ Drawbacks
	£	£	£	£	£	£
Total Capital Programme Gross Expenditure - Stage 3 and BAU	498,552	3,892,445	7,899,063	7,796,495	94,232	(196,800)
Stage 2	0	3,292,000	4,122,000	1,272,000	0	(2,850,000)
Stage 1	0	1,842,300	1,935,950	1,654,250	35,600	(317,300)
Pre-Stage 1	0	369,800	394,800	394,800	0	0
Total Capital Programme Gross Expenditure	498,552	9,396,545	14,351,813	11,117,545	129,832	(3,364,100)

3.1.2 Approval to Carry Forward £3.364m to 2022/2023, are requested for the following schemes;

- £0.15m Market Rasen 3 Year Vision – final details of the scheme to be approved in September 2021 with anticipation that the scheme will open in Quarter 3 with expenditure been incurred into 2022/2023.
- £0.317m 5-7 Market Place Redevelopment contract unlikely to be signed off before Quarter 4. Only preliminary costs expected this financial year.
- £2.5m Gainsborough Growth – Grant for Development (Cinema) Acquisition of site expected this year but further works dependent upon the Levelling up Fund bid for which the outcome will not be known until November 2021.
- £0.197m Customer Relationship Management System – Artificial Intelligence and Planning integration are currently being scoped but unlikely to progress until 2022/2023.
- £0.2m ERP System Phase 2 – Still progressing with Stage 1. Stage 2 unlikely to progress until 2022/2023.

Approval is sought for amendments/additions/deletions to the following schemes:

- There is a request to increase the budget for the Disabled Facilities Fund by £0.094m. This is due to additional grant funding which was received in March 2021.
- £0.036m Budget is requested for Member Laptop refresh – the budget is to be funded from revenue Covid Expenditure Support Grant. There are associated revenue costs of £0.022m, which will also be met from the revenue Covid Expenditure Support Grant. Total cost £0.058m.

- Members are asked to approve a budget of £0.1m financed by Section 106 monies to renovate empty properties and bring them back into use. WLDC are working on this project in conjunction with LEAP who will purchase the empty properties in Gainsborough. A cost of £0.01m per property for renovation costs is anticipated with the intention to purchase ten properties. Members are also asked to approve an initial spend of £0.02m for the first two properties.

3.1.3 Individual schemes are detailed in the table below with commentary provided on performance.

Capital Investment Programme 2021/2022

Corporate Priority / Scheme	Stage (1 April 2021)	Stage	Actuals to 31/05/2021	Original Budget 2021/22	Revised Budget 2021/22	Forecast Outturn 2021/22	Over/ (Underspend)	Carry Forward Requests/ Drawbacks	Comments
			£	£	£	£	£	£	
Vulnerable Groups & Communities									
Extra Care Provision Scheme	Stage 1	Stage 1	0	1,500,000	1,500,000	1,500,000	0	0	
Health and Wellbeing									
Disabled Facilities Grants	BAU	BAU	94,841	857,714	803,008	897,240	94,232	0	Additional grant received in March 2021 - request to use in 2021/2022.
Private Sector Renewal	Stage 3	Stage 3	20,000	98,547	43,842	43,842	0	0	
Market Rasen Leisure Centre	Stage 4	Stage 4	(435)	0	0	0	0	0	
Economy									
Market Rasen 3 year vision	Stage 2	Stage 2	0	200,000	200,000	50,000	0	(150,000)	Final scheme to be approved by committee in September 21, anticipation that the scheme will open in Q3.
Hemswell Masterplan - Public Realm Improvements	Stage 2	Stage 2	0	0	50,000	50,000	0	0	
Crematorium	Stage 4	Stage 4	(7,330)	0	0	0	0	0	
Crematorium Phase 2	Stage 3	Stage 3	1,312	154,000	154,000	154,000	0	0	
Gainsborough Heritage Regeneration - THI	Stage 2	Stage 2	0	402,000	572,000	572,000	0	0	
Gainsborough Shop Front Improvement Scheme	Stage 3	Stage 3	0	70,000	72,713	72,713	0	0	
5-7 Market Place - Redevelopment	Stage 1	Stage 1	0	342,300	387,300	70,000	0	(317,300)	Contract not likely to be signed off until Q4, outturn this year are preliminary contract costs.
Trinity Arts Centre Improvement Projects	Pre-Stage 1	Pre-Stage 1	0	279,800	304,800	304,800	0	0	
Gainsborough Growth - Grant for development (Cinema)	Stage 2	Stage 2	0	2,390,000	3,000,000	500,000	0	(2,500,000)	Acquisition of site anticipated Q2, further works dependent upon Levelling Up Fund bid - outcome will not be know until November 2021.
Riverside Walk Acquisition	Stage 3	Stage 3	0	0	415,000	415,000	0	0	
Saxilby Industrial Units	Stage 4	Stage 4	(15,000)	0	0	0	0	0	
The Sun Inn - Capital Grant	Stage 3	Stage 3	0	0	32,856	32,856	0	0	
Hemswell Cliff Investment for Growth	Stage 2	Stage 2	0	100,000	100,000	100,000	0	0	
Public Safety & Environment									
Vehicle Replacement Programme	BAU	BAU	0	438,400	438,400	438,400	0	0	
Depot Review	Stage 3	Stage 3	379,572	1,650,000	2,464,245	2,464,245	0	0	
CCTV Expansion	Stage 3	Stage 3	0	0	199,265	199,265	0	0	

Capital Investment Programme 2021/2022

Corporate Priority / Scheme	Stage (1 April 2021)	Stage	Actuals to 31/05/2021	Original Budget 2021/22	Revised Budget 2021/22	Forecast Outturn 2021/22	Over/ (Underspend)	Carry Forward Requests/ Drawbacks	Comments
			£	£	£	£	£	£	
Housing Growth									
Unlocking Housing - Living over the Shop	Stage 3	Stage 3	0	0	175,000	175,000	0	0	
Housing Infrastructure (Southern SUE)	Stage 3	Stage 3	0	218,784	2,193,784	2,193,784	0	0	
Finances									
Financial Management System	Stage 3	Stage 3	25,593	145,000	198,150	198,150	0	0	
Capital Enhancements to Council Owned Assets	BAU	BAU	0	50,000	50,000	50,000	0	0	
Carbon Efficiency	Stage 3	Stage 3	0	210,000	210,000	210,000	0	0	Capital scheme for light replacement is currently under review due to issues regarding procurement of supplier. This will be reviewed by period 6 and is likely the scheme will be broken down into smaller projects to make the work more manageable for potential contractors.
Richmond House Conservatory	Stage 3	Stage 3	0	0	20,000	20,000	0	0	
Customer									
Telephony (incl. Contact Centre)	Pre-Stage 1	Pre-Stage 1	0	20,000	20,000	20,000	0	0	
Income Management	Stage 1	Stage 1	0	0	48,650	48,650	0	0	
3 D Secure Payment Software	Stage 3	Stage 3	0	0	12,000	12,000	0	0	
Customer Relationship Management System	Stage 3	Stage 3	0	0	206,800	10,000	0	(196,800)	Artificial Intelligence and planning integration are currently being scoped but unlikely to progress until 2022-23
Staff & Members									
ERP Systems (Phase 2)	Stage 2	Stage 2	0	200,000	200,000	0	0	(200,000)	Still progressing with Phase 1 - Phase 2 unlikely to progress until 2022-23
Document management system	Pre-Stage 1	Pre-Stage 1	0	70,000	70,000	70,000	0	0	
Storage Refresh	Stage 3	Stage 3	0	0	210,000	210,000	0	0	
Members laptop refresh	Stage 1	Stage 1	0	0	0	35,600	35,600	0	Members laptop refresh - budget requested from revenue (Covid grant)
Total Capital Programme Gross Expenditure			498,552	9,396,545	14,351,813	11,117,545	129,832	(3,364,100)	

Commercial Investment Properties 2021/2022

3.1.4 The Council has no plans to invest in any more properties during 2021/2022.

3.2 Acquisitions, Disposals and Capital Receipts

3.2.1 The Council has made no acquisitions in April/May 2021.

3.2.2 There have been no asset disposals during April/May 2021.

3.2.3 Capital Receipts - The total value of capital receipts at the end of Quarter 1 total £0.12m relating to;

- £0.88m from the Housing Stock Transfer Agreement share of Right to Buy receipts.
- £0.008m Loan repayments.
- £0.024m for the Council's share of the proceeds of two plots of land.

4. TREASURY MONITORING – QUARTER 1 (Apr - May)

The Treasury Management Strategy Statement (TMSS) for 2021/2022, which includes the Annual Investment Strategy, was approved by the Council on 01 March 2021. It sets out the Council's investment priorities as being:

- Security of capital;
- Liquidity; and
- Yield.

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with highly credit rated financial institutions, using our suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

4.1 Officers can confirm that there have been no breaches of Prudential Indicators as detailed at 4.7 below.

4.2 Interest received (Apr-May) has been in excess of the 7 day average libid (-0.07%) with an average yield of 0.860% (including CCLA) and 0.10% (excluding CCLA). It is now impossible to earn the level of interest rates commonly seen in previous decades as all investment rates are barely above zero now that Bank Rate is at 0.10%. Given this risk environment and the fact that increases in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31st March 2024, investment returns are expected to remain low. The Council budgeted to receive £0.125m of investment income, the forecast outturn is now £0.162m.

4.3 Interest Rate Forecasts (Further Detail Appendix 1)

The Council's treasury advisor, Link Group, have provided the following forecasts:

Link Group Interest Rate View		10.5.21											
		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	0.25	0.25	0.25
3 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.30	0.30	0.30
6 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.20	0.30	0.40	0.40	0.40
12 month ave earnings		0.20	0.20	0.20	0.20	0.20	0.20	0.30	0.30	0.40	0.50	0.50	0.50
5 yr PWLB		1.20	1.20	1.30	1.30	1.30	1.40	1.40	1.40	1.40	1.50	1.50	1.50
10 yr PWLB		1.70	1.70	1.70	1.80	1.80	1.90	1.90	1.90	2.00	2.00	2.00	2.00
25 yr PWLB		2.20	2.20	2.30	2.40	2.40	2.40	2.50	2.50	2.50	2.50	2.50	2.60
50 yr PWLB		2.00	2.00	2.10	2.20	2.20	2.20	2.30	2.30	2.30	2.30	2.30	2.40

4.4 Investments

The Council held investments of £16.376m at 31/05/2021. The table below details these investments for P1:

Investments at P1	P1 £'000
Lloyds Deposit Account	0
Lloyds (32 Day Notice	3,500
Lloyds (95 Day Notice	0
Santander (35 Day Notice Account)	5,000
Santander (95 Day Notice Account)	0
Lloyds Bank Account	116
LGIM Money Market Fund	0
CCLA Property Fund	3,000
Aberdeen Liquidity Fund	4,760
Total	16,376

4.5 Investment in Local Authority Property Fund (CCLA)

The total the Council has invested now stands at £3m (of an approved £4m). Interest is receivable on a quarterly basis with Q1 due during July. The effects of Covid-19 (coronavirus) had resulted in a sharp fall in economic activity and in significant declines in the value of many assets; however recent data has shown signs of a recovery underway.

Investments and redemptions from the property fund were placed on hold in the first half of the financial year. From the 28 September 2020 the fund re-opened for transactions, however redemptions are now subject to a 90-day notice period.

4.6 New External Borrowing

No new borrowing was undertaken in Quarter 1 of the financial year.

The Council's total external borrowing stands at £20m.

4.7 Total Prudential Borrowing at Quarter 1

Prudential Borrowing	Qtr. 1 £'000
Total External Borrowing	20,000
Total Internal Borrowing	18,832
Total Prudential Borrowing	38,832

4.8 Borrowing in advance of need

The Council has not borrowed in advance of need during the period ending 31 May 2021.

4.9 Compliance with Treasury and Prudential Limits

It is statutory duty for the Council to determine and keep under review the affordable borrowing limits. The Council's approved Treasury and Prudential Indicators (affordability limits) are included in the approved Treasury Management Strategy (TMS).

During the financial year to date, the Council has operated within these treasury and prudential indicators and in compliance with the Council's Treasury Management Practices.

The prudential and treasury Indicators are shown below and take into account the forecast outturn of the Capital Programme as detailed in section 3 of this report.

	Original £'000	Qtr. 1 £'000
Treasury Indicators		
Authorised limit for external debt	45,000	45,000
Operational boundary for external debt	40,062	32,500
External Debt	31,000	27,500
Investments	(12,133)	(12,645)
Net Borrowing	18,867	14,855
Prudential Indicators		
Capital Expenditure	9,396	10,930
Capital Financing Requirement (CFR)*	41,340	40,101
<i>Of Which is Commercial Property*</i>	22,999	20,585
Annual change in CFR*	1,278	1,575
External Debt Forecast	31,000	27,500
Under/(over)borrowing	10,340	12,601
Ratio of financing costs to net revenue stream*	7.12%	6.99%
Incremental impact of capital investment decisions:		
Increase/Reduction (-) in Council Tax (band change per annum)	£0.00	-£0.15

* CFR Commercial property assumes another VRP contribution will be made in 2021/22 of £0.374m

4.10 Detailed below is the monthly investment report.



West Lindsey District Council

Monthly Investment Analysis Review

May 2021

Monthly Economic Summary

General Economy

By rising to 66.1 in May from 60.9 in April, the Flash (i.e. provisional) UK Manufacturing PMI signalled that the sector grew at a record-breaking pace this month. Output, new orders and employment components all rose, whilst purchasing costs recorded their fastest increase since the series began in 1992. The Flash Services PMI, meanwhile, rose to 61.8 in May from 61.0 in April, signalling the fastest pace of expansion in service sector activity since October 2013. As a result, the Flash Composite PMI (which incorporates both sectors), rose to 62.0 in May from 60.7 in April, itself a record high since the index was first compiled in January 1998. The construction PMI, meanwhile, which is released one month behind, eased to 61.6 in April from 61.7 in March. Total new work increased for the 11th consecutive month and at the fastest rate for just over six-and-a-half years, while the pace of job creation was the steepest since December 2015.

GDP data for March showed that, ahead of the unwinding of the third national lockdown, the UK economy grew by 2.1% m/m compared to February's upwardly revised 0.7% m/m gain. Despite this improvement, output still contracted by 1.5% during the first quarter of 2021 thanks to January's contraction. At quarter end, the economy was still 6.1% below that seen just ahead of the pandemic, in Q1 2020. Trade data, meanwhile, revealed that an 8% jump in imports caused the UK's trade deficit to rise to £2.1 billion in March compared to a downwardly revised £0.9 billion in February.

The UK's unemployment rate fell to 4.8% in the three months to March, compared to 4.9% in the previous period and marginally below forecasts of 5%. Within the data, it was notable that employment in fact rose by 84,000 in the three months to March – posting its first gain since March 2020. Vacancies also rose by 36,000 during the period, although they remain 15% below their pre-pandemic level. More timely claimant count data for April also suggested that the number of people who claimed unemployment benefits during the month fell by 15,100 to 2.6 million. Finally, average weekly earnings (including bonuses) rose by 4% y/y in the three months to March compared to a 4.5% y/y rise previously. However, when excluding “compositional effects”, caused by the loss of low paid jobs during the pandemic, economists estimate that pay growth was nearer 2.5%.

UK inflation, as measured by the Consumer Price Index, rose to 1.5% y/y in April from 0.7% y/y in March and marginally above market forecasts of 1.4%. The biggest upward contributions came from rising fuel price inflation and energy prices as Ofgem's price caps returned to their pre-pandemic levels. On a monthly basis, consumer prices matched forecasts by rising 0.6% in April, compared to a 0.3% increase in March. With the annual rate still well below the Monetary Policy Committee's 2% target, the Committee voted to maintain Bank Rate at 0.1% and leave their quantitative easing strategy unchanged during their May meeting.

Retail sales, meanwhile, surged 42.4% y/y in April compared to a 7.2% y/y rise in March, significantly above expectations of a 36.8% gain. This abnormally high figure was due to the impact of the first national lockdown depressing sales in April 2020, thus setting an abnormally low base for comparative purposes. On a monthly basis, sales rose 9.2% during April following a 5.1% rise in March, largely the result of a 69.4% m/m leap in clothing and footwear sales following the re-opening of non-essential stores during the month. Reflecting increased optimism amid continued vaccination rollouts, the GfK Consumer Confidence index also posted a gain of 6 points during May to reach -9, exceeding expectations of a rise to -12.

The UK's public sector net borrowing (excluding public sector banks) reached £31.7 billion in April, although this was £15.6 billion less than in April last year. Nevertheless, it still represented the second highest April borrowing since monthly records began in 1993. Public sector net borrowing in the financial year-to-March, meanwhile, was estimated to have been £300.3 billion, £246.1 billion more than in the previous year and the highest nominal public sector borrowing in any financial year since records began in 1947.

In the US, non-farm payrolls rose by 266,000 in April, which was significantly less than both expectations of a rise of 978,000 and March's downwardly revised 770,000 gain. The "miss" was more put down to a lack of available workers, rather than a lack of available jobs. Despite this, the unemployment rate rose to 6.1% from 6% in March as more workers re-entered the labour market and began looking for work. The US economy, meanwhile, expanded at an annualised 6.4% (1.6% q/q) rate in Q1 2021, slightly less than market expectations of 6.5%, and following a 4.3% (1.08% q/q) expansion in the previous quarter. Against this backdrop, price growth (as measured by the Federal Reserve's preferred core Personal Consumption Expenditure deflator) accelerated to 3.1% y/y in April compared to 1.9% in March. This represented the highest inflation rate since the 1990s and well above the Fed's 2% target. Fed officials however, continued to reiterate that such price pressures, caused by fiscal stimulus, supply constraints and rising commodity prices, are expected to be transitory.

In contrast, the Eurozone economy contracted by 1.8% y/y during Q1, following a 4.9% slump during Q4, as several countries across the region reimposed social distancing and lockdown measures. This left output 5.5% lower than prior to the pandemic. Meanwhile, core inflation was confirmed at just 0.7% y/y in April compared to the Flash estimate of 0.9%.

Housing

Reflecting the continuation of the stamp duty holiday and the desire to re-evaluate living space requirements, the Halifax and Nationwide house price indices both posted robust gains in April. The former saw monthly increases of 1.4% and an annual improvement of 8.2%. This compared to a 2.1% monthly rise and a 7.1% annual gain for the latter.

Currency

The prospect of lockdown ending in June helped Sterling gain ground against both the Dollar and the Euro this month.

May	Start	End	High	Low
GBP/USD	\$1.3928	\$1.4215	\$1.4215	\$1.3885
GBP/EUR	€1.1535	€1.1625	€1.1674	€1.1513

Forecast

Link Group changed its Bank Rate forecast this month to incorporate a Bank Rate rise to 0.25% in 2023.

Bank Rate	Now	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.25%	0.25%	0.25%
Capital Economics	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	-	-	-	-	-

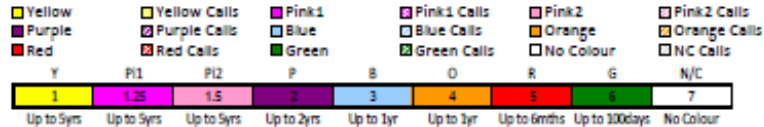
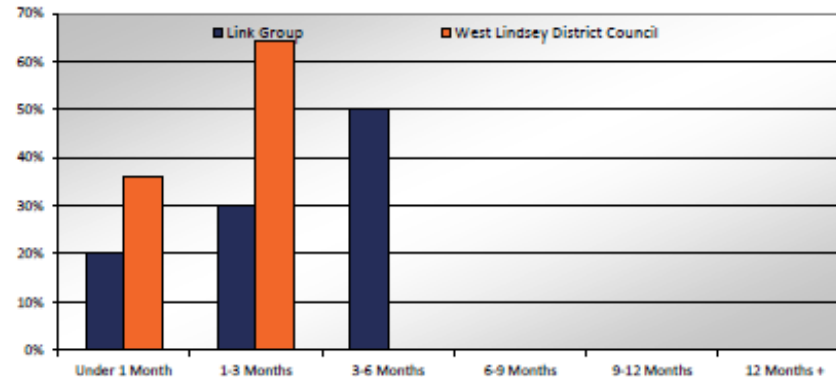
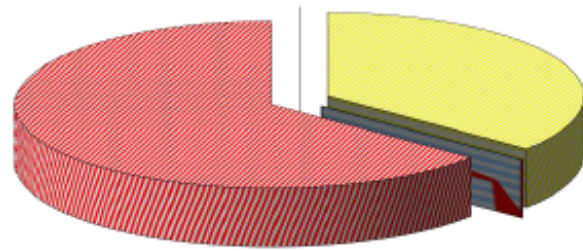
West Lindsey District Council

Current Investment List

Borrower	Principal (£)	Interest Rate	Start Date	Maturity Date	Lowest LT / Fund Rating	Historic Risk of Default
MMF Aberdeen Standard Investments	4,760,000	0.01%		MMF	AAAm	
Lloyds Bank Plc (RFB)	3,500,000	0.03%		Call32	A+	0.004%
Santander UK Plc	5,000,000	0.30%		Call35	A	0.005%
Borrower - Funds	Principal (£)	Interest Rate	Start Date	Maturity Date		
OCLA-LAPF	3,000,000	3.70%				
Total Investments	£16,260,000	0.78%				
Total Investments - excluding Funds	£13,260,000	0.12%				0.004%
Total Investments - Funds Only	£3,000,000	3.70%				

Note: An historic risk of default is only provided if a counterparty has a counterparty credit rating and is not provided for an MMF or USDBF, for which the rating agencies provide a fund rating. The portfolio's historic risk of default therefore measures the historic risk of default attached only to those investments for which a counterparty has a counterparty credit rating and also does not include investments which are not rated.

Portfolio Composition by Link Group's Suggested Lending Criteria



Portfolios weighted average risk number = 3.56

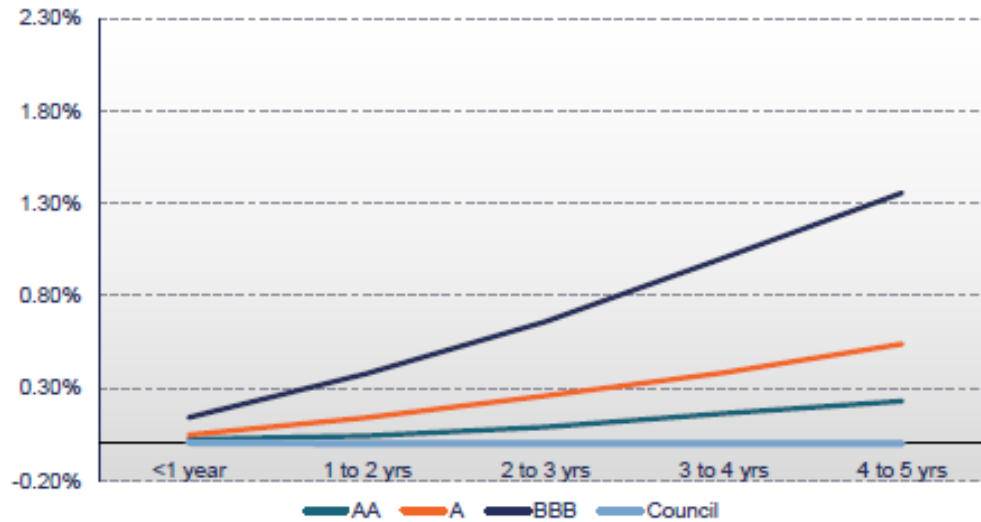
WARoR = Weighted Average Rate of Return
WAM = Weighted Average Time to Maturity

	% of Portfolio	Amount	% of Colour in Calls	Amount of Colour in Calls	% of Call in Portfolio	WARoR	WAM	WAM at Execution	WAM	WAM at Execution
Yellow	35.90%	£4,760,000	100.00%	£4,760,000	35.90%	0.01%	0	0	0	0
Pink1	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Pink2	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Purple	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Blue	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Orange	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Red	64.10%	£8,500,000	100.00%	£8,500,000	64.10%	0.19%	34	34	0	0
Green	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
No Colour	0.00%	£0	0.00%	£0	0.00%	0.00%	0	0	0	0
Total	100.00%	£13,260,000	100.00%	£13,260,000	100.00%	0.12%	22	22	0	0

West Lindsey District Council

Investment Risk and Rating Exposure

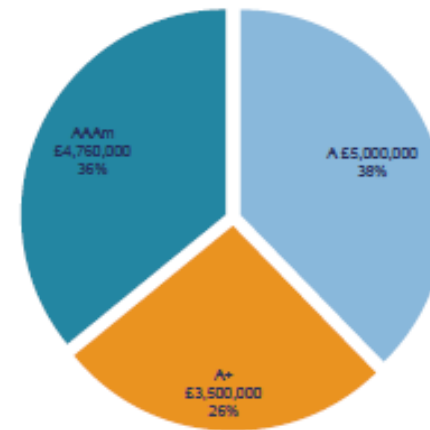
Investment Risk Vs. Rating Categories



Historic Risk of Default

Rating/Years	<1 year	1 to 2 yrs	2 to 3 yrs	3 to 4 yrs	4 to 5 yrs
AA	0.02%	0.04%	0.09%	0.16%	0.23%
A	0.05%	0.14%	0.26%	0.38%	0.54%
BBB	0.14%	0.38%	0.66%	1.01%	1.36%
Council	0.00%	0.00%	0.00%	0.00%	0.00%

Rating Exposure



Historic Risk of Default

This is a proxy for the average % risk for each investment based on over 30 years of data provided by Fitch, Moody's and S&P. It simply provides a calculation of the possibility of average default against the historical default rates, adjusted for the time period within each year according to the maturity of the investment.

Chart Relative Risk

This is the authority's risk weightings compared to the average % risk of default for "AA", "A" and "BBB" rated investments.

Rating Exposures

This pie chart provides a clear view of your investment exposures to particular ratings.

Note: An historic risk of default is only provided if a counterparty has a counterparty credit rating and is not provided for an MMF or USDBF, for which the rating agencies provide a fund rating. The portfolio's historic risk of default therefore measures the historic risk of default attached only to those investments for which a counterparty has a counterparty credit rating and also does not include investments which are not rated.

West Lindsey District Council

**Monthly Credit Rating Changes
FITCH**

Date	Update Number	Institution	Country	Rating Action
13/05/2021	1805	Citibank N.A.	United States	The Outlook on the Long Term Rating was changed to Stable from Negative.
19/05/2021	1806	Macquarie Bank Ltd	Australia	The Outlook on the Long Term Rating was changed to Stable from Negative.
27/05/2021	1809	Close Brothers Ltd	United Kingdom	The Outlook on the Long Term Rating was changed to Stable from Negative.

West Lindsey District Council

**Monthly Credit Rating Changes
MOODY'S**

Date	Update Number	Institution	Country	Rating Action
				There were no rating changes to report.

West Lindsey District Council

**Monthly Credit Rating Changes
S&P**

Date	Update Number	Institution	Country	Rating Action
13/05/2021	1804	Santander Financial Services Plc (NRFB)	United Kingdom	'A2' Long Term Rating and 'A-2' Short Term Rating were assigned to this entity. At the same time, a Negative Outlook was assigned to the Long Term Rating.
24/05/2021	1807	JP Morgan Chase Bank N.A.	United States	The Outlook on the Long Term Rating was changed to Positive from Stable.
24/05/2021	1808	Bank of America N.A.	United States	The Outlook on the Long Term Rating was changed to Positive from Stable.

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APPENDIX 2

REVENUE CARRY FORWARDS – USE OF EARMARKED RESERVES

Budget underspends to be carried forward into 2022/2023, which have been approved during the year are provided below for information only.

The following carry forwards are approved use of Earmarked Reserves where the project spend has slipped into future years.

- *Please note the figures quoted are as forecast as at May 2021 out-turn monitoring. The final carry forward will reflect the actual out-turn position at year-end.*

USE OF EARMARKED RESERVES				May 21
Committee	Cluster	Business Unit	£ 000	Purpose of Carry Forward
Prosperous Communities	Our People	General Grants etc	36	Members Local Grants - Balance to be cfwd (£144k over 4 years 19/20 - 22/23)
Prosperous Communities	Our People	General Grants etc	101	Community Grants - Balance to be cfwd (£500k over 5 years 18/19 to 22/23)
TOTAL			137	

Agenda Item 6e



**Corporate Policy and
Resources**

Thursday, 22 July 2021

Subject: Fees Charges and Concessions Policy Review

Report by:

Section 151 Officer

Contact Officer:

Sue Leversedge
Business Support Team Leader

sue.leversedge@west-lindsey.gov.uk

Purpose / Summary:

To summarise the process of reviewing Fees & Charges for 2022/2023 and to approve the updated Fees Charges and Concessions Policy.

RECOMMENDATION(S):

1. To approve the amended Fees Charges and Concessions Policy, to be applied to the review of Fees and Charges for the 2022/2023 MTFP.

IMPLICATIONS

Legal: Where fees and charges are set by legislation at national statutory rates, these will be applied as notified.

Financial : FIN/50/22/B/SL

The Fees Charges and Concessions Policy informs the approach to reviewing those fees and charges which are discretionary, and therefore within the Councils power to set.

The Policy has been reviewed for 2022/2023 to align to the Corporate Plan 2019-2023, and to provide the key focus points required for a robust and transparent review, and will be reviewed every 3 years as a minimum.

The outcome of the review of fees & charges for the financial year 2022/2023 will be reported to officers and members as part of the budget setting and MTFP approval process.

Staffing : None arising as a result of this report.

Equality and Diversity including Human Rights: Concessions are included within the policy.

Data Protection Implications : None

Climate Related Risks and Opportunities: The wider strategy for car parks fees is to be reviewed with a wider view, taking into account the impact on carbon emissions etc. of car travel/public transport.

Section 17 Crime and Disorder Considerations:

Some fees and charges are set to discourage anti-social behaviours i.e. the bulky waste services and impact on fly tipping.

CCTV service charges are set to encourage take up of the service to increase public safety in the district and reduce ant-social behaviour.

Fixed penalty notices are set by the Government to enable Local Authorities to take action against anti-social behaviour.

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

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

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

Risk Assessment :

There is a risk that an increase in fees and charges may impact on the usage of the service resulting in budget pressures. The forecast demand applied is an estimate of demand post-Covid and is subjective.

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. The Fees and Charges Review Process 2022/2023

The annual review of Fees and Charges for 2022/2023 will encompass several key factors to ensure that we have a detailed picture of the forecast impact on the MTFP for the period 2022/2023 to 2026/2027.

The Council will also seek to assess the bearing on chargeable services of expected demand for services as the District recovers from the pandemic, and any ongoing implications as we move to the 'new normal'. There will therefore be greater emphasis on looking at the long-term forecast, based on expected demand and proposed charging rates.

The focus of the fees and charges review for 2022/2023 will be:

1.1 Non-statutory discretionary fees, which are within our control:

- What would the fee need to be to achieve total cost recovery?
- Benchmarking data –
 - Geographical neighbours (**Appendix 1**)
 - Statistical 'near neighbour' groups – those councils identified by Cipfa (Chartered Institute of Public Finance and Accountancy) as having similar economic and social characteristics (**Appendix 1**)
 - Commercial businesses who offer the service

The challenge around benchmarking is that we are comparing apples to onions in some service areas, where different councils apply different criteria, particularly bulky waste, car parking and planning services, making comparisons difficult.

- Past demand – pre-Covid levels
- Future demand – what the expected demand is as we recover from the pandemic, over the 5 to 10 years of the MTFP
- Identify any ongoing pressures expected as we move to the 'new normal'
- Identify where savings are achieved as a direct result of a pressure on fee income (i.e. if trade waste income reduced, we would see a reduction in waste disposal charges)
- Sensitivity analysis – at what point will demand be affected by price?

1.2 Statutory non-discretionary fees:

- Review the statutory fees by viewing the latest published guidance for each service area
- Past demand – pre-Covid levels
- Future demand – what the expected demand is as we recover from the pandemic, over the 5 to 10 years of the MTFP
- Identify any ongoing pressures expected as we move to the 'new normal'
- Identify where savings are achieved as a direct result of a pressure on fee income (i.e. trade waste income was reduced, we would see a reduction in waste disposal charges)

1.3 Objectives of the Review

The objective of the review is to provide a clear and transparent picture for officers and Members of the ongoing impact of proposed fees and charges on the MTFP of the Council, and to ensure all parties are aware of the impact of any proposed amendments to the charging schedules, and the rationale behind proposals.

Where increases above inflation, or decreases in current fees, are proposed for a service area, a full explanation of the calculation and rationale behind the proposal will be provided to enable officers and members to make an informed decision, and to ensure the basis would stand up to public scrutiny.

Service managers will work with their Finance Business Partners (FBP) to collate the required information and provide a proposed charging schedule for each service area.

The initial proposal will then be discussed in a meeting with the Assistant Director for each service area to provide an additional layer of challenge and feedback before the final proposal proceeds through the reporting cycle.

1.4 Timelines

The timelines for the Fees and Charges review and approval process is outlined below:

Date	Action
08/06/2021	Commence fees and charges review
22/07/2021	Review of Fees Charges and Concessions Policy
20/08/2021	Meetings with Assistant Directors completed
31/08/2021	Review of Fees and Charges completed
24/09/2021	Commercial Board
04/10/2021	Management Team
02/11/2021	Prosperous Communities Committee
11/11/2021	Corporate Policy and Resources Committee
07/03/2022	Council

2. The Fees Charge and Concession Policy Review 2022/2023

The policy document has been updated to reflect the fees and charges profiles within the Council (i.e. concessions, discounts available), and to align the document to the Corporate Plan 2019-2023.

The amended policy is contained within the report at **Appendix 2**.

The key areas of change from the current version of the policy are;

- An emphasis on the rationale behind proposed fees being open and transparent to enable informed decision making by officers and members, and to ensure the basis would stand up to public scrutiny (2.3).
- Any major changes (i.e. new discretionary charges or significant changes) will require a detailed explanation of the basis for the proposal to be provided, which gives an analysis of the market, the financial implications, the risks associated with the proposal and how it meets the Corporate Objectives of the Council (4).
- Updated information regarding current Concessions (4.2.3) and Discounts (4.2.5)
- Focus on incorporating analysis of demand into the review of fees and charges, to provide a longer-term forecast of the impact on the MTFP based on both fee levels set and demand (5.1).
- To identify benchmarking data (5.1 & 5.2):
 - Geographical neighbours
 - Statistical 'near neighbour' groups – those councils identified by Cipfa as having similar economic and social characteristic
 - Commercial businesses who offer the service
- Apply inflationary increases as a minimum (5.1).
- Where the proposal is to maintain the charge at the current rate into the next financial year the service must provide a robust rationale (5.1).
- Where amendments to charges are proposed above the rate of inflation, the calculation basis and rationale behind the proposal must be presented to support the decision making (5.1).
- Where pressures within budget lines are identified based on projected volumes/demand any resultant savings on expenditure budgets must be identified i.e. a reduction in commercial waste would result in a saving on disposal costs (5.1)

APPENDIX 1

Cipfa 'Near Neighbours':

Those councils identified by Cipfa as having similar economic and social characteristics

- North East Derbyshire
- South Norfolk
- Broadland
- Mid Devon
- Staffordshire Moorlands
- Hinckley & Bosworth
- Amber Valley
- Torridge
- Forest of Dean
- Newark & Sherwood
- Melton
- Babergh
- Breckland
- South Holland
- North Kesteven

Geographical Neighbours:

- East Lindsey
- Bassetlaw
- City of Lincoln
- South Kesteven
- North East Lincolnshire
- North Lincolnshire



Fees, Charges and Concessions

Policy Framework

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1 **Purpose of Fees, Charges and Concessions**

Charging for local services makes a significant contribution to Council finances, totalling some £3.7m for 2020/2021 (budget £4.2m for 2021/2022), and the majority of which the Council has discretion over what it can charge (circa 70% of the income generated through fees and charges are non-statutory and therefore set by the Council). The more income generated through fees and charges, the less is needed from Council Tax; which means keeping Council Tax as low as possible.

Fees, charges and concessions can also play an important part in helping the Council deliver its objectives, by influencing service users' behaviour.

Some of the fees which the Council levies are set by statute (circa 30% of the income generated through fees and charges are statutory) and the Council has no say in what they should be, Planning Application fees are an example of this.

For some services, the Council no longer provides the service directly and therefore it has no say in the level of charge: however, it can offer subsidies or can instruct the service provider what concessions should be offered (i.e. Leisure Services).

In other cases the Council has the discretion to determine what charges should be made for a service and whether or not variations to the charge should be applied.

This policy relates to the fees and charges for services over which the Council has discretion about whether to charge and what the level of the charge should be, and to what concessions/subsidies should be offered on these services and those provided by third parties.

The purpose of the policy is to ensure that decisions about charges are made on a consistent basis across all services and to provide a framework for Members and Service Managers to work to in determining what the charges and concessions should be.

2. **Core Principles**

When considering whether to levy a charge for a service, Members and Service Managers should use the following principles to guide them.

In some circumstances, it may be the case that principles and objectives may be contradictory. For example, one of the core principles is that the opportunity to levy charges should be fully exploited to maximise income. However, this could potentially have a negative impact on service take up or potentially disadvantage lower income groups.

To resolve these possible dilemmas an examination and informed debate of the issues will be necessary. Part of the policy framework requires a better understanding of costs, demand for the service and usage patterns. This is key

information and should be used to model the impact of potential charges and how potentially detrimental effects can be offset by using other tools, such as concessions or discounts.

This policy is intended to facilitate informed decision-making and to encourage Members and Service Managers to rigorously examine existing fees and charges and to explore opportunities for using charging as a way of supporting the Council's priorities.

2.1 Generating Income

In considering fees and charges, Service Managers should apply the principle of maximising income wherever possible. That means ensuring that all opportunities for charging for services are identified and considered and also by ensuring that fees and charges are made at an appropriate level. The section on pricing strategy gives more guidance on this.

2.2 Managing Demand for Services

The second principle to be applied is that of using fees and charges as a mechanism for managing demand for services. This may be either as a means of introducing or increasing charges to limit demand if the service in question is oversubscribed; or through the use of discounts as a way of stimulating demand if there is poor uptake.

2.3 Council's Reputation

The third principle to be applied is that the reputation of the Council must not be damaged by the use of fees, charges and concessions, and that where possible these should be used to enhance the Council's reputation. Fees, charges and concessions can have a significant impact on the Council's reputation. When considering new or existing fees, charges or concessions Service Managers must ensure that appropriate consultation and communication has been carried out with service users and other relevant stakeholders, and that the rationale behind fees set are open and transparent to enable informed decision-making by officers and Members, and to ensure the basis would stand up to public scrutiny.

3. Delivering Objectives

The Councils vision is "West Lindsey is a great place to be where people, businesses and communities can thrive and reach their potential".

To meet this vision it has identified a number of values:

- to put the customer at the centre of everything we do
- to act as One Council
- to be business smart, act on evidence and take advantage of opportunities, thinking creatively and getting things done

- to communicate effectively with all stakeholders
- to have integrity in everything we do

When considering a charge or concession for a service, Members and Service Managers must consider how such a charge will affect the Council's overall priorities and the objectives for the individual service. Charges and concessions can clearly influence service users' behaviour and therefore can support or undermine service objectives and corporate priorities.

3.1 Delivering Corporate Priorities

When reviewing existing charges and concessions, or considering new ones Service Managers should indicate clearly which priority will be affected and in what way. Should there be a conflict between a service objective and a corporate priority, this will require discussion and resolution by the relevant committee.

For example, the core principle of income generation outlined above ensures the Council Tax requirement is as low as possible is to maximise income. However, introducing new charges for services may result in financial hardship for some of the poorer sections of the community, and might deter them from using the service or facility. This therefore conflicts with the theme of 'Our People' within the Corporate Plan, and the focus on Vulnerable Groups and Communities. In these cases the advantages and disadvantages, both financial and social should be explored and discussed by Members prior to any decision being made.

4. Pricing Strategy

All fees and charges are to be set in the context of a pricing strategy for each service, which will be determined by the objectives of the service, the core principles outlined above, corporate priorities and market intelligence. For major changes (i.e. new discretionary income sources, changes to concessions and removal of discretionary charges) a detailed explanation of the basis for the proposal must be provided, which gives an analysis of the market, the financial implications, the risks associated with the proposal and how it meets the Corporate Objectives of the Council.

The following principles should be applied to the pricing strategies for services:

4.1 Full Cost Recovery

For discretionary services, the Council is not allowed to recover more than the cost of providing that "kind of service" and as a general principle, charges should be set in order to recover the full cost of providing a particular service. Clearly market forces play a part in determining prices and in order to be competitive some charges may be lower than the cost of providing a service.

In determining the price to charge for a particular service it may be necessary to estimate the numbers of “units” of a service that are likely to be sold during a financial year. If there is no management information to support this, market research data and benchmarking data should be used as the best alternative.

Within a group of services, the cost of some individual discretionary services may exceed their cost in order to subsidise other services within the group. The key point is that the overall total cost for a service must not be exceeded. This is a complex area and Service Managers must agree with the Financial Services Manager what individual service groupings constitute a “kind of service”, setting out clearly which services they expect to recover more than their costs to offset those services which will not recover all of their costs.

A similar flexibility in recovery of total cost is allowed across clients: theoretically, as long as the total cost of a service is recovered, some client groups could be charged more and some less than full cost. As a general principle the Council would not anticipate subsidising one group of clients through increased charges to another. However, there may be some cases where this would be appropriate (e.g. Planning services might make a higher charge to commercial developers than domestic householders). These should be agreed with the Financial Services Manager on a case by case basis.

In some cases, the Council may decide not to recover the total cost of the service, in which case the full cost should be established so that the level of subsidy is clear, and the rationale for the proposed charge must be transparent i.e. benchmarking data, market knowledge, any detrimental impact anticipated from an increase in charging.

There are different methodologies for establishing the full cost of a service. The Council requires that the CIPFA Service Reporting Code of Practice (SeRCOP) definition of total cost is used. However, it will be appropriate to exclude certain costs such as those relating to pensions early retirement. The costings should therefore be established by the Service Manager and relevant finance business partner working together, using data from the main financial system.

4.2 Different Levels of Charges

The agreed charge for a service, determined by the factors outlined in 4.1 above, represents the “standard charge” for that service. Against that “standard charge” a range of variations may be offered.

4.2.1 Standard Charge

The price for a service, based on:

(Total cost of the service/number of units per year) less any direct subsidy.

In calculating the standard charge, Service Managers will need to adopt a pragmatic approach. It is suggested that services are categorised in one of three ways:

- Costs are likely to be far in excess of the potential income (based on an assessment of what the market will bear). In these cases the service manager should be clear to what extent the service is being subsidised and should be sure that it is appropriate to provide the service, in accordance with the Council's priorities.
- Costs are broadly equivalent to the likely income. Care should be taken that all costs are clearly identified, so that it can easily be demonstrated that the Council is not exceeding its charging powers.
- Costs are much lower than the potential charge which the market would bear. Care should be taken to ensure all costs are clearly identified and attributed. Consideration to be given to grouping the service with services that do not recover costs, in discussion with the Financial Services Manager. Consideration also to be given to greater differential charging between client groups, in discussion with the Financial Services Manager.

4.2.2 Commercial Charge

A premium charge for a service, which does not necessarily reflect the cost of providing that service, but rather is based on what the market will bear. This may only be applied for services within a "Service Group", where a subsidised service to another client group will mean that the overall charges for providing a service will not exceed the modified total cost for that service. Any commercial charges will need to be agreed with the Financial Services Manager. Potential examples of this type of charge could be commercial waste collection and theatre hire.

Setting property rents needs special consideration since in addition to having regard to the commercial market for the area, it may be that a specific rate of return would be required or perhaps to meet corporate objects it may be appropriate to offer substantial discounts in order to attract new businesses into the area. Due to the specialist nature of property rents, the Councils Property & Asset Manager should consult with the Assistant Director Finance, Business Support & Property Services for all proposals to review or introduce new property rents.

4.2.3 Concessions

The Council offers concessionary rates for some services to certain client groups. The basis for concessions is as follows:

- Financial hardship
- Age:

- School aged children (3 -15)
- senior discount (pension age +)
- Students

All groups entitled to a concession will receive up to a maximum discount of 50% of the standard charge for the service. Acceptable evidence for eligibility for a concession would be:

Financial hardship:

In receipt of Housing benefit, Council Tax relief, Job Seekers Allowance, Disability Living Allowance, Personal Independence Payment or state pension (as sole income).

Age (school age 3-15):

Passport/birth certificate/proof of age card (if not obvious)

Senior Discount (pension age):

Passport/driving licence/birth certificate/medical card/travel pass (if not obvious)

Student:

A valid NUS card

Services to which concessions apply:

- Planning applications
- Film showings
- Leisure services

4.2.4 Promotional and Premium Charges

Promotional charges offer a discount to the standard charge either for a time-limited period, or for bulk purchasing. They are generally used to stimulate demand.

Current examples;

- An annual season ticket at a bulk purchase rate for parking.
- New market traders offered a reduced rate per stall on Saturday for a maximum of 6 months.

Premium charges are higher charges than the standard for a particular service. For example, customers may be willing to pay extra to have bulky waste collected on a specific day.

4.2.5 Discounts

Discounts to the standard charge may be offered to certain client groups for specific services, if in support of specific corporate priorities or service objectives.

Current discounted services are:

- Green bins: 100% discount on first green bin per household, for all client groups
- Car parking: 100% discount for blue badge holders and 50% reduction for early payment of penalty notices (within 14 days)
- Fixed penalty notices (statutory) i.e. failure to comply with a receptacles notice: 25% discount if paid within 10 days of issue
- Fixed penalty notices (statutory) i.e. depositing litter: 33% discount if paid within 10 days of issue
- Leisure: Three price levels, adult, junior and concession
- Swimming: 25% for disabled users and free for accompanying carers
- Markets: Discounts for registered traders and vending vans

4.3 Compliance

All non-statutory services provided must be in accordance with the provisions of Part 1 Section 2 of the Local Government Act 2000 and any discretionary charging must be in accordance with Section 93 of the Local Government Act 2003.

The costs of provision of a service must be calculated as described in CIPFA's publication "A Practical Guide for Local Authorities on Income Generation (2019 Edition) and in accordance with CIPFA's Service Reporting Code of Practice for Local Authorities.

4.4 Consistency

All discretionary fees and charges for services provided by the Council must be in accordance with the policy framework outlined above.

5 Procedures

5.1 Frequency of Review of Fees and Charges

All fees and charges should be periodically reviewed and updated by covering the following:

- To establish the costs of providing the services within the group – identify the range between controllable cost and total cost recovery

- Identify past demand for the service, and expected future demand over the period of the Medium Term Financial Plan (MTFP).
- Apply market knowledge and sensitivity analysis to determine the impact of amendments to charges on demand for the service.
- To determine what the standard charge for the service should be as a base point (total cost of service/number of units per year)
- To identify any potential gap between current charges and the recalculated ones, and to develop a plan to close the gap over a suitable time period i.e. incremental increases over a period of years
- To identify benchmarking data:
 - Geographical neighbours
 - Statistical 'near neighbour' groups – those councils identified by Cipfa as having similar economic and social characteristic
 - Commercial businesses who offer the service
- Apply inflationary increases to non-statutory fees as a minimum to ensure increases in service costs are reflected in future income generation.
- Where there is a proposal to maintain the charge at the current rate into the next financial year, the service must provide a robust rationale, and any increase in subsidy of a service as a result be reported to senior officers and Members as part of the decision making process.
- Where amendments to charges are proposed above the rate of inflation, the calculation basis and rationale behind the proposal must be presented to support the decision making.
- Where pressures within budget lines are identified based on projected volumes/demand any resultant savings on expenditure budgets must be identified i.e. a reduction in commercial waste.

In establishing the standard charge for a service, consideration of anticipated usage and competitor pricing will need to be taken into account.

Thereafter, as a minimum, annual review of fees and charges should take place. This should take into account the cost of provision of the service, the volume used and therefore the income generated, and the prevailing market rates. The following year's prices should be adjusted accordingly in the light of the findings of the review.

Service Managers need to be flexible in their approach to reviewing charges. They need to be aware that maximising income may not always involve increasing fees and charges. In areas where there is competition for Council services or where demand is reducing it may be more appropriate to reduce fees and charges to gain a bigger market share. Service officers should therefore put in place systems to actively monitor income, performance and market forces during the course of the year.

Once new charges have been calculated, the annual review of fees and charges will be reported to both Prosperous Communities and Policy & Resources Committee for discussion and recommendation to Full Council for approval as part of the Medium Term Financial Plan.

The Fees Charges and Concessions policy to be reviewed every 3 years.

5.2 Identifying New Opportunities for Fees and Charges

Services should actively identify new opportunities for income generation. This is undertaken by keeping abreast of benchmarking, other developments within Local Authorities, being entrepreneurial in their approach to delivering their services for example.

Any new opportunities identified should be costed, initial market research undertaken to gauge potential demand and what competitor pricing is set at, and a proposed standard charge identified. This, together with forecast annual income and costs, risks of implementation, and wider impacts should form a business case for consideration initially by Management Team and then by Members.

The complexity of the business case will depend on the materiality of the potential fee income: if it is small, then the “business case” need not be complex, but should just summarise issues under each of the headings given. If the potential income is a significant figure and may incur additional costs to generate, then a more detailed business case will be required.

5.3 Budgeting and Price Setting

As described earlier in the framework, prices should be based on a “standard charge”, which is dependent on the total cost of a service and the anticipated volume of that service (which in itself is likely to be price sensitive). This will also take into account competition, “what the market will bear” and how far the Council may wish to subsidise the service in the pursuit of its objectives.

If the service is “marginal”, i.e. no additional resources or costs are incurred to provide that service, then a charge for the service may be based on an apportionment of costs, based on the time spent in providing the service.

Where a service is provided by an identifiable team or part of the organisation, specifically set up to provide that service, it should form a separate cost centre. In this case the standard charge for the service should be based on the costs of that service, divided by the number of units of the service provided.

So, the price for a service should be based on the following formula:

$$\frac{\text{(Total cost of providing service)}}{\text{(Number of units of service provided)}} \quad \text{less any subsidy}$$

Services may be subsidised for a number of reasons:

- The Council deems it desirable to provide the service, but the market would not bear the full cost of providing the service.
- The Council deliberately subsidises the service in order to achieve policy objectives.

However, care must be taken in this situation that the Council does not put itself in contravention of EU law by providing “state aid” in the provision of services. This is most likely where the service in question is also provided by the private sector. Advice should be sought from the Financial Services Manager if services are to be subsidised.

5.4 Financial Management and Monitoring of Income

The fundamental principle is that systems for accounting for income and administering charges should be as simple as practicable, to reduce the administrative overhead as much as possible.

Payment for services should be taken in advance, or at the point of delivery. A pre-set list of charges should be available, and be clearly publicised. Customer services agents should be fully apprised of all potential services, the charges, and the mechanisms by which customers may pay. In some circumstances it may be necessary to invoice for services; this should be done using the Council’s sundry debtors system.

Each service should have its own income code so that income relating to a particular service can be clearly identified.

Income should be monitored as part of the monthly budget monitoring process and should be measured against anticipated profiles. If significant deviation is identified the cause should be established as quickly as possible and suitable remedial action taken.

5.5 Gathering Market Intelligence

In order to set charges at the right level a wide range of information about the demand for services, the profile of service users and non-users, the wider market for services and competitors for the provision of the service will be required.

Systems should be developed for recording service take up, including not just volumes, but information which would allow for a more sophisticated understanding of usage patterns (such as seasonality, time of day etc.). If practical it would be useful to be able to segment users of a service by client group, at least to the extent of understanding the concession take up. This will allow Service Managers to determine who is using or not using a particular service. Latent demand for a service can be established by the use of waiting lists if appropriate.

Consultation exercises and attitudinal research can provide valuable information about what customers are willing to pay, their perceptions of value for money and what other factors affect their use of services. The cost of carrying out such research must be balanced against the significance and likely impact of the service in question.

Information about the local market for services is also important. This should cover not just the price charged for similar services, but also the quality of the services being provided. This information can be used to set charges in ways that will make the Council's services more or less desirable than those of other providers.

Benchmarking data should be gathered from a combination of:

- Geographical neighbours
 - Statistical 'near neighbour' groups – those councils identified by Cipfa as having similar economic and social characteristics
 - Commercial businesses who offer the service
- where available, and the data is comparable and meaningful.

Agenda Item 6f



**Corporate Policy and
Resources**

Thursday, 22 July 2021

Subject: Budget Consultation 2021

Report by:

Assistant Director of Finance and Property
Services and Section 151 Officer

Contact Officer:

Tracey Bircumshaw
Assistant Director of Finance and Property
Services and Section 151 Officer

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Purpose / Summary:

To present the proposed Budget Consultation
process for 2022/2023.

RECOMMENDATION(S):

1. That Members agree the Budget Consultation process.

IMPLICATIONS

Legal:

None from this report

Financial : FIN/46/22/B/TJB

None from this report

Staffing : None from this report

Equality and Diversity including Human Rights :

An equality questionnaire will be available to complete at the end of the survey

Data Protection Implications :

The residents and business to receive directed invitations have agreed by registering to receive Council information

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 :

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 :

We will assess the risk of holding face to face events and consider that in line with the Government's' guidance on not holding group events, the Covid-19 risk outweighs the benefit of holding such an event.

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 Each year a consultation is undertaken on the following years' budget prior to it being set. Although there is no legal requirement to undertake this we have a legal requirement under the Local Government Act 1992 section 65 to consult ratepayers who are persons or bodies appearing to be representative of persons subject to non-domestic rates within the district and must be about the authority's proposals for expenditure.

1.2 West Lindsey District Council (WLDC) are members of the Consultation Institute and in accordance with best practice, we ensure that all consultations are legal and appropriate processes are in place to lower the risk of a judicial review. Consultation according to the Consultation Institute is the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, with the objective of influencing decisions, policies or programmes of action.

1.3 Before 1985 there was little consideration given to consultations until a case (R v London Borough of Brent ex parte Gunning). This case sparked the need for change in the process of consultations when Stephen Sedley QC proposed a set of principles that were then adopted by the presiding judge. These principles, known as Gunning, were later confirmed by the Court of Appeal in 2001 (Coughlan case) and are now applicable to all public consultations that take place in the UK. These outline the principles which all consultations must abide by and are:

- **When proposals are still at a formative stage**
Public bodies need to have an open mind during a consultation and not already made the decision, but have some ideas about the proposals.
- **Sufficient reasons for proposals to permit 'intelligent consideration'**

People involved in the consultation need to have enough information to make an intelligent choice and input in the process.

- **Adequate time for consideration and response**

Timing is crucial – is it an appropriate time and environment, was enough time given for people to make an informed decision and then provide that feedback, and is there enough time to analyse those results and make the final decision?

- **Must be conscientiously taken into account**

Think about how to prove decision-makers have taken consultation responses into account.

The risk of not following these principles could result in a Judicial Review.

2. Proposal

2.1. To undertake this work it is proposed that multiple routes are taken to consult with our stakeholders.

Due to current guidelines from the Government in relation to avoiding public gatherings, it is felt inappropriate to host face to face events this year. We will however, be producing an online and paper survey, a booklet and written submissions. The responsible officer for this work is Tracey Bircumshaw, Strategic Finance and Business Support Manager with the accountable officer being Katy Allen, Corporate Governance Officer.

2.2. The objectives of the engagement are to:

- Raise awareness of the financial challenges.
- Raise awareness of the diversity of services the Council provides.
- Identify what areas of the Corporate Plan and the Business Plan should be prioritised.

3. Who and how to involve

3.1. The stakeholders which we would consult with on this subject would be:

- Business Rate payers
- Residents
- Citizen Panel members

Data from this consultation will go on to inform Councillors of WLDC who will take this information into consideration when setting the 2022/23 budget.

3.2. To ensure we are as inclusive as possible and allow as many residents as possible to take part we run a number of different routes to take part. These routes include events, online and paper survey and written submissions.

- Online and paper survey –To ensure there are as many views on the consultation as possible we would have an online and a matching paper survey which would be available to those on the citizen panel and any other resident that wishes to take part through requesting a survey, completing a survey on our website or through an invite from the Citizen Panel.
- Events – None to be held due to Covid-19 risks.
- Written Submissions – Although written submissions are not advertised as being accepted we would accept them. They are not advertised due to the amount of time analysis of these submissions take compared to other routes.

3.3. The communications strategy will include;

- Information Leaflet – a short booklet with the aim of which is to give context and challenges for budget setting, and to promote the council and what it does for our customers (residents/businesses). It will be published on social media and the Council’s website.
- Social Media – we would advertise the consultation on both Twitter and Facebook to try to spread the chance for residents to take part as wide as possible.
- Short introductory video
- Citizens’ Panel and Registered businesses will be contacted and asked to participate
- Parish/Town Council and Voluntary Groups e-brief
- Subscribed Residents Newsletter – e-brief
- Public Events – (subject to latest Covid Guidance/Risk Assessment)
- Website banner – prominent notice on our front page with link to access the booklet and survey.
- Press release
- Minerva
- Customer Service promotion and Corporate wide email signatures promotion

4. Timescales

4.1. The timescale for the consultation and future reporting is included as Appendix 1.

5. Survey contents

5.1. A copy of the survey can be found at Appendix 2.

6. Recommendation

6.1 It is recommended that Members accept the budget consultation process for 2021.

Appendix 1 – Proposed Timescale

Action	Detail	Date	Responsible Officer
Member Workshop	Workshop with members to develop consultation questions	20 th May 2021	Tracey Bircumshaw
Leaders Panel	Update on progress	28 th May 2021	Tracey Bircumshaw
Leaders Panel	Update on progress	25 th June 2021	Tracey Bircumshaw
Information booklet	To be ready for Member workshop	10 th July 2021	Julie Heath
CP&R	Report outlining consultations proposal	22 nd July 2021	Tracey Bircumshaw
Public/Business consultation and Engagement		2 nd August – 27 th September 2021	Katy Allen
Analysis and report writing		27 th September – 8 th October 2021	Katy Allen
Members Budget Workshop		TBC	Tracey Bircumshaw
Leaders Panel	Update on progress	29 th October 2021	Tracey Bircumshaw
CP&R	Report on public consultation and MTFP update	11 th November 2021	Tracey Bircumshaw
Leaders Panel	Update on progress	21 st January 2022	Tracey Bircumshaw
CP&R	Draft Budget 2022/23	10 th February 2022	Tracey Bircumshaw
Council	Budget 2022/23	7 th March 2022	Tracey Bircumshaw

Appendix 2 – Proposed consultation survey



West Lindsey District Council Budget Consultation 2021

HELPFUL HINTS FOR COMPLETING THIS QUESTIONNAIRE

- Please read each question carefully. In most cases you will only have to tick one box but please read the questions carefully as sometimes you will need to tick more than one box, or write in a response.
- Once you have finished please take a minute to check you have answered all the questions that you should have answered.
- If you have any questions about this survey please email the Engagement Team on engagement@west-lindsey.gov.uk.

Please insert your name or Citizen Panel reference:

Are you responding as:

- a citizen panel member
- a resident
- a Parish or Town Councillor
- a WLDC Councillor
- on behalf of a business

Corporate Plan Priorities

1. Last year you told us that the top five key corporate objectives were;
Economy - to ensure that economic regeneration in West Lindsey is sustainable and benefits all of our communities.
Finances - to remain financially sustainable.
Public Safety and Environment - to create a safer, cleaner district in which to live, work and socialise.
Customer - to put the customer at the centre of everything we do.
Vulnerable Groups and Communities - to create strong and self-reliant communities and promote positive life choices for disadvantaged residents.

Taking into account the recent Covid-19 pandemic do you agree that these services should continue to be our key priorities? **Please tick one box only**

- Yes
- No
- Partially

2. If you ticked partially or no, what should be our priorities?

Valued Services

3. In ensuring we align resources to the delivery of our Corporate Plan objectives, our Executive Business Plan details the actions we will take to deliver these initiatives. We are committed to supporting our communities by spending a net £3.7 million annually on our Place initiatives. How important are the following factors to you?

	Very important 5	4	Neither important nor unimportant 3	2	Unimportant 1
Neighbourhood Plans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Safety measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforcement activity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Economic Growth	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Affordable Housing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Investment

4. Our corporate priorities and activity to support delivery are contained in the Executive Business Plan which have been summarised within the information leaflet. Are there any suggestions where you see investment should be made to benefit our communities? Please list within the relevant categories:

Regeneration and job creation	<input style="width: 100%;" type="text"/>
Housing - new housing, maximising existing housing, social housing	<input style="width: 100%;" type="text"/>
Cultural - Heritage, arts, leisure, sport	<input style="width: 100%;" type="text"/>
Environmental - Climate reduction, recycling, enforcement	<input style="width: 100%;" type="text"/>

5. If you have any suggestions which do not fit into these categories, please detail below:

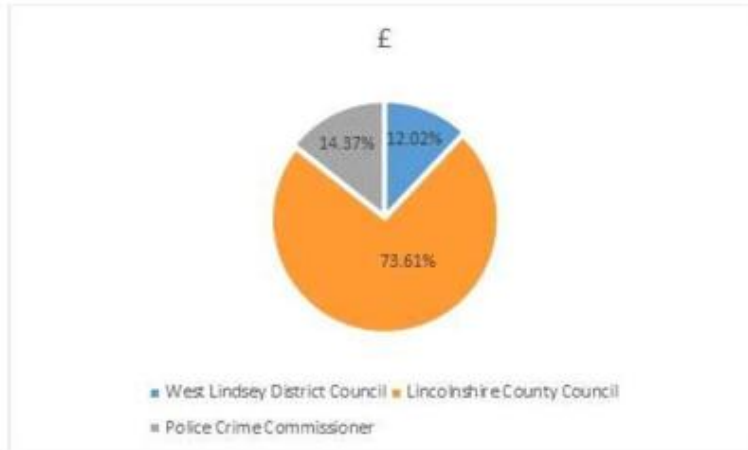
6. How would you prioritise investment decisions? **Please rank in order from 1-6 (1 being highest priority)**

	1	2	3	4	5	6
A commercial return - provides additional ongoing net revenues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
An environmental return - provides a reduction in CO2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
An economical return - provides job creation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A social return - improves health and wellbeing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Investments which deliver efficiencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Investments which meet the corporate priorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7. Any comments on these priority rankings:

Council Tax

Local Councils, the Police and Fire Authorities fund their services through government grant, fees and charges, Business Rates and Council Tax. There is one council tax bill for each domestic dwelling whether it is a house, flat, mobile home or houseboat. We collect the council tax on behalf of Lincolnshire County Council, the Police and Crime Commissioner and Parish and Town Councils. West Lindsey District Council share of your overall Council Tax is 12.02% (excluding Parish/Town Council Precepts) and funds around 50% of our overall budget.



8. With annual increases in costs of around 3%, what level of council tax increase would you support for 2022/23? **Please tick one box only**
- 0% change - A 0% change would give West Lindsey a total level of council tax income of £6.711m.
 - 1% increase - A 1% increase would mean a 4 pence per week increase for a band D property on the West Lindsey proportion of council tax and would give West Lindsey a total level of council tax income of £6.778m.
 - 2% increase - A 2% increase would mean a 8 pence per week increase for a band D property on the West Lindsey proportion of council tax and would give West Lindsey a total level of council tax income of £6.845m.
 - 3% increase - A 3% increase would mean a 12 pence per week increase for a band D property on the West Lindsey proportion of council tax and would give West Lindsey a total level of council tax income of £6.912m.
9. Do you think that local councils should have the ability to determine Council Tax without the need for a referendum if above the Governments Cap? **Please tick one box only**
- Yes
 - No
10. Any comments you wish to make around the level of Council Tax:

Fees and Charges

11. Our fees and charges have seen a reduction of over £700k during the covid-19 pandemic. Our policy is to set fees and charges to ensure total cost recovery, but it will however take time for our fees to reach pre-covid levels. We would therefore welcome your views on the following options for 2022/23. **Please tick one box only**
- Increase fees to take into account the current demand projections
 - Increase fees to assumed recovery demand projections with pricing increased in stages over a 2 year period
 - Increase fees by inflation only
12. Any comments you wish to make regarding the fees and charges options:

Green Waste Subscriptions

13. The Council has charged £35 for this subscription which includes 18 collections per annum for the past 3 years. The actual cost of running the service is now in excess of this on a cost recovery basis. Which of the following options do you feel is the best for West Lindsey? **Please tick one box only**
- To increase subscriptions annually to recover total cost of the service
 - To fix the fee for the next 2 years taking into account future cost projections
 - Inflationary increase only
14. Garden waste charges throughout Lincolnshire are set between £35-£52 with between 18-26 collections per annum included. What is your optimum charge you would be willing to pay?

15. If more collections are requested this would increase the WLDC subscription charge by £2 per collection. Would you agree to more collections being added? **Please tick one box only**
- Yes
 - No
16. How many collections would you like to see added? **Please tick one box only**
- 1
 - 2
 - 3
17. When would you like to see these additional collections? **Please tick all that apply**
- November
 - December
 - January
 - February
 - March

Further support

18. Is there any further support that you feel the Council should be providing due to the Covid Pandemic?

19. Any other comments you wish to make regarding this consultation:

Equalities questionnaire

By answering the equalities questions you will help us to understand how different groups of people from different areas feel about the budget consultation. All responses are anonymised and you do not have to answer these to take part in the budget consultation.

20. Are you willing to answer these questions?

- Yes
 No - If you answer no you will be taken straight to the end of this consultation

21. Are you?

- Male
 Female
 Transgender
 Prefer not to say

22. Do you consider yourself disabled?

- Yes
 No
 Prefer not to say

23. What age are you?

- 16-25
 26-35
 36-45
 46-55
 56-65
 66-75
 76 or over
 Prefer not to say

24. Which of these ethnic groups do you consider you belong?
- White - British, Irish or other
 - Black or Black British - Caribbean, African or other
 - Asian or Asian British - Indian, Pakistani, Bangladeshi or other
 - Arab/Middle Eastern
 - Chinese
 - Mixed Race
 - Other
 - Prefer not to say
25. Which of the following best describes your faith/religion/belief?
- No religion
 - Christian (all denominations)
 - Muslim
 - Buddhist
 - Sikh
 - Hindu
 - Jewish
 - Other faith
 - Prefer not to say
26. Which of the following statements best describes your sexuality?
- Heterosexual/Straight
 - Lesbian/Gay
 - Bisexual
 - Other
 - Prefer not to say

Thank you very much for your time completing this questionnaire.
Please click submit to ensure we receive your responses. You will then be taken to our website.

CP&R Work Plan as at 14 July 2021

Purpose:

This report provides a summary of reports due at the Committee for the rest of the Civic Year.

Recommendation:

1. That members note the contents of the report

Date	Title	Lead Officer	Purpose of the report	Date First Published
22 JULY 2021				
17 Jun 2021	Budget Consultation 2021	Tracey Bircumshaw, Assistant Director of Finance and Property Services and Section 151 Officer	To present the proposals for the 2021 Budget consultation exercise	22 January 2021
Sep 2021	Annual Treasury Report	Caroline Capon, Corporate Finance Team Leader	Annual Treasury Review	22 January 2021
22 Jul 2021	Budget and Treasury Monitoring Period 1 2021/2022	Sue Leversedge, Business Support Team Leader	this report sets out the revenue, capital and treasury management activity from 1 April to 31 May 2021	09 June 2021
17 Jun 2021	Data Protection Policy	John Bingham, Assistant Data Protection and Freedom of Information Officer	Compliance with the UK GDPR is described by this policy and other relevant policies such as the Information Security Policy along with connected processes and procedures.	
22 Jul 2021	Fees Charges and Concessions Policy Review	Sue Leversedge, Business Support Team Leader	review of the fees charges and concessions policy	
22 Jul 2021	Investment Portfolio Review	Gary Reeve, Property & Assets Manager	Annual Review / Update of WLDC's Investment Portfolio	
22 Jul 2021	Freedom of Information and Environmental	John Bingham, Assistant	This Policy outlines our approach to	

	Information Policy	Data Protection and Freedom of Information Officer	responding to requests for information made under the FOIA and the EIR.	
23 SEPTEMBER 2021				
23 Sep 2021	Recovery from Covid for services plan	Ady Selby, Assistant Director of Commercial and Operational Services	Information for members regarding the delivery of the Council's services as the recovery from Covid continues	
23 Sep 2021	Saxilby Footbridge Stage One	Liz Gabey, Senior Facilities Officer, Gary Reeve, Property & Assets Manager	Stage one documentation regarding the repairs and maintenance of Saxilby Footbridge	24 March 2021
23 Sep 2021	Emergency Planning and Business Continuity Policy	Ady Selby, Assistant Director of Commercial and Operational Services	Update for Members on Emergency Planning arrangements with Lincolnshire Resilience Forum and introduction of Business Continuity Policy	09 June 2021
23 Sep 2021	Health and Safety Policy update	Emma Redwood, Assistant Director People and Democratic Services	To update the Health and Safety Policy	09 June 2021
23 Sep 2021	ICT Governance	Cliff Dean, ICT Manager	Governance arrangements for the Corporate ICT function	09 June 2021
23 Sep 2021	MSRL	Sally Grindrod-Smith, Assistant Director of Planning and Regeneration	Following July Board meeting of MSRL, loan repayment schedule and 2022/23 business plan to be presented / approved	
11 NOVEMBER 2021				
24 Jan 2022	Mid Year Treasury Report 2021-22	Caroline Capon, Corporate Finance Team Leader	Review of Prudential indicators	22 January 2021
11 Nov 2021	Progress and Delivery Quarter 2, 2021-22	Ellen King, Senior	This report presents performance	24 March 2021

		Performance Officer	against the Council's key performance indicators for quarter two (July - September), 2021-22.	
11 Nov 2021	Budget and Treasury Monitoring - Period 2 2021/2022	Sue Leversedge, Business Support Team Leader	this report sets out the revenue, capital and treasury management activity from 1 April 2021 to 30 September 2021	09 June 2021
16 DECEMBER 2021				
16 Dec 2021	Hemswell Cliff Managed Estate Contract	Shayleen Towns, Senior Community Action Officer	WLDC contract to manage a private estate at Hemswell Cliff is a 5 year contract 1 July 2018 to 31 March 2023. This report is ask members to consider a further 5 years from 1 April 2023.	09 June 2021
24 Jan 2022	Local Council Tax Support Scheme 2022/23	Angela Matthews, Benefits Manager, Alison McCulloch, Revenues Manager	Local Council Tax Support Scheme 2022/23	09 June 2021
16 Dec 2021	Council Tax, Business Rates and Sundry Debtor Write Offs 2021/22	Alison McCulloch, Revenues Manager	Write offs over £2,500 relating to council tax, business rates and sundry debtor accounts	
13 JANUARY 2022				
13 Jan 2022	Progress and Delivery Measures and Targets 2022-23	Ellen King, Senior Performance Officer	This report presents for approval the Council's proposed performance measures, and corresponding targets for 2022-23.	24 March 2021
13 Jan 2022	Review of Whistleblowing Policy	Emma Redwood, Assistant Director People and Democratic Services	To review the Whistleblowing Policy taking into account G&A committee recommendations June 2021	
10 FEBRUARY 2022				
7 Mar 2022	Executive Business Plan and Medium Term Financial Plan 2022/23	Tracey Bircumshaw, Assistant Director of Finance and Property Services and Section 151	To present the Executive Business Plan, Budget 2022/23 and the Medium Term Financial Plan 2022/23-2026/27	22 January 2021

Officer

10 Feb 2022	Committee Timetable 2021-2022	Katie Storr, Democratic Services & Elections Team Manager (Interim)	To follow the format of previous years	24 March 2021
10 Feb 2022	Budget and Treasury Monitoring - Period 3 2021/22	Sue Leversedge, Business Support Team Leader	this report sets out the revenue, capital and treasury management activity from 1 April 2021 to 30 September 2021	09 June 2021
4 Apr 2022	Annual Treasury Report	Caroline Capon, Corporate Finance Team Leader	Annual Treasury Report for 2021/22	

14 APRIL 2022

14 Apr 2022	Lindsey Centre update	Sally Grindrod-Smith, Assistant Director of Planning and Regeneration, Elaine Poon, Local Development Order and Major Projects Officer	An update on the leisure scheme following the concurrent committee meeting on 11 June 2019	24 March 2021
14 Apr 2022	Budget and Treasury Monitoring - Period 4 2021/2022	Sue Leversedge, Business Support Team Leader	this report sets out the revenue, capital and treasury management activity from 1 April 2021 to 31 March 2022	09 June 2021

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

Document is Restricted