

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

AGENDA

PLEASE NOTE THE PUBLIC VIEWING GALLERY WILL BE BACK IN OPERATION FOR THIS MEETING

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

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

Notice is hereby given that a meeting of the Council will be held in the Council Chamber - The Guildhall, , on **Monday, 4th July, 2022 at 7.00 pm**, and your attendance at such meeting is hereby requested to transact the following business.

To: Members of West Lindsey District Council

1. APOLOGIES FOR ABSENCE
2. MINUTES OF THE PREVIOUS MEETING
To confirm and sign as a correct record the Minutes of the Annual Council Meeting held on 9 May 2022.

(TO FOLLOW)

3. MEMBERS' DECLARATIONS OF INTEREST
Members may make any declarations of interest at this point and may also make them at any point during the meeting.

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

Large Clear Print: Braille: Audio: Native Language

4. MATTERS ARISING

Setting out current position of previously agreed actions as at 24 June 2022.

(PAGES 6 - 17)

5. ANNOUNCEMENTS

- i) Chairman of Council
- ii) Leader of the Council
- iii) Chief Executive

6. PUBLIC QUESTION TIME

Questions, if received, under this Scheme will be published by way of supplement following closure of the deadline.

(TO FOLLOW)

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

Questions submitted by Members under Procedure Rule No.9 will be published by way of supplement following closure of the deadline.

(TO FOLLOW)

8. MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

Motion 1

“Members - Do you not think that the first priority of any government or governing body should be to ensure the ability to protect food sources and not become reliant on imports which adds to their carbon footprint?”

Using farmland for housing and solar farms means an ever-downward shift to an unacceptable inability to be self-sufficient in food production and recent events on the world stage shows how short-sighted that could be in an emergency.

Food and water is the first basic need for life surely we should be protecting these. We need to ensure that no more productive farmland is taken and if farmers are unable to be sustainable then we need to lobby the government for a fairer package or new cooperatives to make farming work and feed our nation.

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I would like Council to support this motion by requiring our representatives on the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) to ensure West Lindsey views on this matter be reported to future meetings of the (CLJSPC) and that this Council lobby relevant Government Ministers in a similar manner.

I so move

Councillor Anne Welburn”

Motion 2

Additional financial support for the Socially Vulnerable Households

“WLDC Corporate Plan for 2019 to 2023 has in its aims **‘improving the lives of its residents’** and the development of the **‘social and economic prospects’** of the district. It highlights Health & Wellbeing, Vulnerable Groups & Communities, Leisure, Skills, Educational Attainment and Social Regeneration as being priorities to obtain these aims.

Many households are facing the very real risk of poverty as a result of the current cost of living crisis with its associated price rises. This is definitely placing pressure on achieving these aims and objectives, with a high level of risk that they worsen rather than improve. Poverty not only effects living standards but also brings about social unrest and deterioration of both the physical and mental health. The long-term effects of these can be devastating as it brings about a deterioration in education, skills and enterprise adding to the material difficulties, time and pace of recovery. It also has the effect of adding to the already unaffordable burden of Health Services, Adult, and Children’s Social Care. In short it creates a self-generating worsening cycle of social decline. It is imperative that we all together to prevent this from happening.

The Chancellor of The Exchequer has during the year announced funding for various measures to help reduce this poverty. However, Think Tanks, including the well-respected Joseph Rowntree and Resolution Foundations, do not believe that the measures are likely to last long enough or indeed are of a sufficient level to avert all of the problem. They are also concerned that not all households facing poverty will be eligible for the much-needed support. It is likely that being in receipt of Free School Meals will be used to define child poverty. Whilst this makes sense for some it will not catch all in this category as Free School Meals are not available to all low-income families depending on which benefits they receive. Also, they are dependent on a household’s income and do not take into account the number of children in the unit.

To mitigate this in the West Lindsey area, we believe that the District Council should look to topping up this support by releasing funds from the general fund working balance. The General fund working balance is currently £5.406m, which exceeds the minimum level of £2.5m.

In particular, this support could be provided to vulnerable households by extending the Household Support Grant Scheme, currently being devised by Lincolnshire County Council on behalf of The Government, by including a discretionary element to extend the time length of the scheme and by making it available to as many low-income households as possible.

Council requests The Chief Executive and The Director of Corporate Services to ask Officers to develop such a scheme and bring it to the next appropriate meeting of The Council or relevant Committee.

I so move.

Councillor Stephen Bunney”

9. REPORTS FOR DETERMINATION

a. Adoption of the Sturton by Stow and Stow Neighbourhood Plan
(PAGES 18 - 22)

b. Outcome of the LGA Follow-Up Peer Review, 2022
(PAGES 23 - 53)

c. Recommendation from the Corporate Policy and Resources Committee -
Annual Treasury Management Report 2021/22
(PAGES 54 - 67)

d. Recommendation from the Governance and Audit Committee - to vary the
decision made by Annual Council in respect of the starting time for future
Governance and Audit Committee Meetings
(PAGES 68 - 71)

e. Recommendation from the Governance and Audit Committee - Amendment
to the Constitution
(PAGES 72 - 75)

- f. To Appoint to the vacancies remaining on the Overview and Scrutiny Committee following Annual Council

(PAGES 76 - 80)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Friday, 24 June 2022

Council Matters Arising Schedule

Purpose:

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

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

Matters arising Schedule

Meeting	Full Council				
Status	Title	Action Required	Comments	Due Date	Allocated To
Black	Promotion of Motions submitted to Full Council - Constitutional Query	Reference debate at Council on 6 September /1 November, this matter to be considered as part of the wider constitutional review	Matter was included in annual review considered by Council at AGM in May 22	01/05/22	Katie Storr
Black	Members Allowances Scheme 2022/23	The proposed scheme was approved. Statutory notice is required and publication of the new scheme	Relevant Statutory notice has been displayed. Scheme will be re-placed on-line and in the Constitution on 1 April when it becomes effective - completed	31/03/21	Katie Storr

Black	response to supplementary question relating to enforcement and monitoring of planning conditions	<p>Extract from mins of meeting 7/3/22 Supplementary question posed: - Please could the Leader advise when the Local Enforcement Plan was last reviewed or updated? In your answer you (Leader) refer to there being no practical way of knowing how many conditions there are outstanding or overdue. What does he mean by no practical way? Also, what assurance can be provided that planning conditions are not made that are impossible for applicants to fulfil, and that Officers only impose achievable conditions. Is there any external assurance on that?</p> <p>The Chairman of the Council indicated that that Leader would need to speak with relevant Officers further and she would ensure Councillor McNeill was provide further information outside of the meeting.</p>	<p>The Councillor has been provided with a response to his question as posed .</p> <p>This is attached at Appendix B</p>	21/03/22	Andy Gray
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Black	Motion to Council - Walking and Cycling to School – Road Safety Measures	<p>Extract from mins of mtg 7/3/22</p> <p>RESOLVED that the Leader and Chief Executive Officer write to Councillor Martin Hill OBE as Leader of Lincolnshire County Council and to Councillor Mrs Patricia Bradwell OBE Executive Member for Children Services and Councillor Richard Davies Executive Member for Highways to request, as a matter of urgency they help to bring about an increase in pupils undertaking active travel to and from school by providing outside and in the immediate vicinity of all schools in the District:</p> <ul style="list-style-type: none"> • adequate pavements and associated infrastructure • a mandatory speed limit of 20mph, in line with the '20 is Plenty Campaign' • parking free zones outside the school • help in identifying and providing suitable parent car parking in areas away from the school – which will allow park and stride schemes to operate. 	<p>Letter signed by both Leader and C Exec has been sent to the County Council as requested.</p> <p>Members were provided with a Copy . Response now received attached as appendix A to the matters arising</p>	18/03/22	Cllr. O Bierley
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Black	Motion to Council - Selective Licensing	<p>Extract from mins of meeting 7/3/22</p> <p>(a) the consultation process be halted and reformulated to address the limitations of the online consultation process including a district wide meeting between elected members and the private landlords of the designated areas.</p> <p>(b) the key findings be considered and implemented into the new selective licensing scheme;</p> <p>(c) a report be produced and presented to the following Prosperous Communities Committee prior to the new licensing scheme being implemented.</p>	<p>The consultation has been halted / removed from the website. All those who participated have been contacted and advised on the current position. A report will be submitted to PC Cttee in May 2022 in light of the resolution. Further reports as required will be programmed into the PC Cttee work plan in due course and dependent on any decisions taken by PC cttee in May</p> <p>Reports programmed in</p>	08/03/22	Andy Gray
Black	Public Question Time - response	<p>In accordance with the scheme The content of the question or statement will be published in the minutes of the meeting together with any response given and a copy will be forwarded to you (member of the public) in your preferred format.</p>	<p>The Member of the public has been provided with the response given at the meeting in writing</p>	18/03/22	Katie Storr
Black	Public Question time at Council	<p>Extract from mins of meeting 7/3/2022</p> <p>will consider the reasons and merits of this limitation (not permitted to raise questions on agenda items) in the Annual Constitution Review, which will be brought to Council in May.</p>	<p>Will be considered as part of the annual review submitted to Council in May - review has been considered and accepted by Council at AGM</p>	09/05/22	Katie Storr
Black	Letter of Thanks to Mr Walton	<p>A letter of personal thanks from Members be sent from the Ldr / C Exec on his resignation</p>	<p>issued</p>	15/05/22	Katie Storr

Green	New Code - Adoption by Parish Councils	<p>Extract from mins of mtg 6/11/21</p> <p>all Parish Council's across the District be encouraged to adopt West Lindsey's new Code of Conduct by May 2022</p> <p>(c) the implementation of the roll-out process detailed in Section 3 of the report and set out below be approved ;</p> <p>Communications to Parish and Town Councils November 2021</p> <p>Series of Workshops / Training to be held with Parish Councils to raise awareness and encourage adoption. These may be cluster events or attendance at individual Parishes Virtual arrangements will be used wherever possible Jan – March 2022</p>	<p>Communications issued to all Parish Council by end of February and matter promoted in parish news</p> <p>workshops to be held in March/April .</p> <p>Deadline was extended to June. at end of May 50% had notified us of adoption. Reminder issued .</p> <p>To date 44 parishes have notified us of adoption. The MO is attending a parish council networking day on 6 July and will issue further verbal reminders and written reminders to parishes.</p>	01/06/22	Emma Redwood
Amber	motion to council - street lights	<p>extract from mins of meeting 28/6/21</p> <p>(a) The Leader of the Council to commence robust discussions with Leading Members of the County Council with a view to seeking the re-introduction of street lighting in parts of West Lindsey, particularly into those communities we ourselves have deemed to be vulnerable; and</p> <p>(b) the Leader feed back to this Council, by way of reporting to Prosperous Communities, the outcome of these discussions, potential options which could be investigated and their</p>	<p>A written approach has been made to the Leader and relevant portfolio holder of LCC requesting a meeting to further discuss this matter initially – a response is awaited”</p> <p>Further information will be presented to The Prosperous Comms Cttee in accordance with the motion as this matter progresses”</p> <p>arising report will need programming into Prosp Comms workplan .</p> <p>This matter was again raised at the meeting on 6 September : -</p>	25/10/21	Cllr. O Bierley

		<p>associated costs.</p>	<p>The Leader of the Opposition expressed his disappointment and the lack of willingness from the Administration to provide an update regarding street lighting motion, passed by the Council, and which was important to many residents. He commented on the noticeable absence of any media coverage regarding the motion, surmised at the reasons for this, and spoke of opportunities missed by the Leader.</p> <p>The Chairman interjected and advised that he would request the Leader to respond in writing, but that Leader's announcements were concluded and not for debate.</p> <p>22/10 - Up to the time of writing Lincolnshire County Council has not responded to my (the Leaders) letter; however I have been informally advised that requests for specific lighting to be turned on overnight, made through the normal channels, will be considered. This clearly remains work in progress.</p> <p>Further communications have been issued to the Leader of LCC requesting engagement - it is hoped a report can be made to the Prosperous Communities Committee before the end of the civic year</p> <p>A further letter has been issued to LCC in light of no formal response, if no response has been received a report will be issued to Prosperous Communities Committee.</p>		
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Amber	Question to Council re Pay Award and ways of supporting staff	extract from mins of mtg 7/3/21 response from HPS - We do not offer pay advances, however through Joint Staff Consultative Committee I would ask that the subject of financial wellbeing be discussed to determine if there are further opportunities to support our staff.	Please ensure this matter is built into the JSCC work plan and please advise on its anticipated timeframe for consideration	30/04/22	Emma Redwood
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Via email

Councillor Owen Bierley
Mr Ian Knowles

Cllr.O.Bierley@west-lindsey.gov.uk
ian.knowles@west-lindsey.gov.uk

Councillor Richard Davies
Executive Councillor
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL

CllrR.Davies@lincolnshire.gov.uk

Ref: RD/AG/FC

6 April 2022

Dear Councillor Bierley and Ian,

WALKING AND CYCLING TO SCHOOL – ROAD SAFETY MEASURES – WEST LINDSEY DISTRICT

Thank you for the letter that you sent through to Lincolnshire County Council on the 23 March 2022, regarding walking and cycling to schools in the West Lindsey District. I have investigated your request and the information detailed in the following paragraphs should better inform you of the works and actions that Lincolnshire County Council is undertaking and reinforce to you how important we take the concerns raised within your letter.

You will have seen that we launched a series of initiatives over recent times to address the shortage of funds that we receive to maintain the highway services we provide for Lincolnshire's residents. Unfortunately, the recent 'Fix Our Funds To Fix Our Roads' campaign was unsuccessful and left a significant shortfall in available funding to maintain the existing highway assets. The DfT's allocation we did receive, doesn't factor in inflation or the fact that labour and material costs have significantly increased, and this leaves a £36m funding gap we need to fill over the next three years. We are still hopeful that the government and the DfT will recognise that Lincolnshire and other rural counties play an equally important role within the UK and deserve a fairer share of funding for roads and other essential services.

When it comes to maintaining our highways infrastructure, we'll continue working efficiently and making the most of the funding we have received. Funding priorities are based on our 'Highways Infrastructure Asset Management Plans', which balances up the needs of all assets that we have a duty to maintain. The funding allocated to footway and cycleway maintenance is prioritised to produce scheme programmes based on the exiting surveyed condition, insurance claims received, customer transactions and those with a high usage around schools and village amenities. We also carry out routine safety inspections that identify and arrange faults and programme rectification works for any works that could cause hazards.

Regarding speeding traffic, a 30mph speed limit is in place outside all statutory age schools in the county in accordance with our speed limit policy. In addition, requests for measures to manage parking outside schools are given priority and we continue to deliver schemes to introduce waiting restrictions and mandatory school keep clear markings in these areas across the county. The park and stride schemes you mentioned have also been introduced and are facilitated by local schools, where they have utilised village hall facilities to direct cars away from the immediate school roads.

Within your letter you mention the potential usage of a mandatory 20mph speed limits outside schools in line with new initiatives. We have previously held back from blanket 20mph zones across Lincolnshire, as it is felt this would reduce their overall effectiveness and not address driver behaviours if they became a standard feature. Our current speed limit policy does already allow for such provision, but we would normally only consider this option where they form part of a much larger scheme to promote accident reduction. The Speed Limit Policy was last amended in 2015 and is due for review in the near future. The review planned will include all aspects of speed management and other network management schemes and consider the aims and objectives within Lincolnshire's Local Transport Plan 5.

This council has recognised that there is a desire to invest in more sustainable travel options and has created a Sustainable Travel Group to set standards for travel to school, develop a programme of Links to School routes, carry out re-appraisal of unsuitable routes, engage with schools to develop Travel plans and continuing to deliver the Independent Travel Trainer and Max Respect programmes. We have been allocated £799,900 from Tranche 2 of the Active Travel Fund that has been promoted by the Department of Transport. As part of this fund, we are proposing a range of schemes for market towns around the county to encourage walking and cycling initiatives. We have engaged with our residents to gather information and feedback on a variety of proposed schemes with the intent to establish general attitudes to active travel measures around the county.

We have also enacted a series of educational concepts, through the Lincolnshire Road Safety Partnership, which focuses on engaging with schools and communities and attempting to change behaviours and offer alternative options through a series of free lessons. At a Primary school level, we help teach children important safety lessons in how to keep themselves and others safe, the road environment and how it functions and how to influence changes in that environment.

At the lower key stages, we help to teach how to appropriately address approaching road safety challenges through a series of lessons that include understanding visibility and how to stay the most visible when on and near the road, an introduction to crossing places, understanding and practicing pedestrian safety in a variety of circumstances, awareness and understanding of own responsibility inside a vehicle and some introduction to the law, knowledge of different crossing places and what to do in their absence, understanding your environment and adapting to different environments with the focus of road safety, understanding the importance of wearing a helmet and the potential consequences of not doing so and the Junior Road Safety Officer scheme - Direct and peer engagement focussing on local topics throughout the academic year.

At secondary school level we help to teach children important safety lessons in understanding and recognising unsafe situations, developing coping strategies and techniques to stay safer on the road, promoting positive related behaviour among peers and discouraging negative peer pressure.

At the upper key stages, we help to teach how to appropriately address approaching road safety challenges through lessons that include understanding consequences and generating prevention ideas and techniques around safe roadside use, staying safe inside a vehicle and being prepared to challenge behaviour, Johnny's Story around Cycle safety and maintenance importance, understanding large vehicles and me, Ghost Street around distractions and risks for pedestrians and cyclists, focussing on collision investigation and prevention and the 2fast2soon concept which focuses on understanding the risks, consequences, peer pressure and effects on the family following a road traffic collision as well as promoting prevention strategy planning.

Whilst I do understand that your requests relate to the schools within WLDC, this authority will always make decisions based on the needs of all residents across the County that can be applied in a fair and equitable manner. Your request for timescales is difficult to answer without knowing the specific locations that you are referring to and, as you will see from the information above, there is already a significant amount of works ongoing across a wide range of initiatives and improvements. If you do have any specific concerns that we are not already aware of, I would suggest that you ask these schools to engage with this authority directly so we are able to advise on any potential works that could be undertaken to address any potential concerns

Yours sincerely



Councillor Richard Davies
Executive Councillor
Highways, Transport and IT

Dear Councillor McNeill

Please find set out below response to the supplementary question(s) you posed at Council .

Supplementary Question

Please could the Leader advise when the Local Enforcement Plan was last reviewed or updated? In your answer you (Leader) refer to there being no practical way of knowing how many conditions there are outstanding or overdue. What does he mean by no practical way? Also, what assurance can be provided that planning conditions are not made that are impossible for applicants to fulfil, and that Officers only impose achievable conditions. Is there any external assurance on that?

Response

The Local Enforcement Plan was approved by Prosperous Communities Committee in 2018 and is due to come before committee again later in 2022. What we mean by “no practical way” relates to the resources and technical system support that would be needed in order to monitor and manage conditions.

There is currently no database for planning conditions and as per the response at Council, the number of entries into any system like this would be in the thousands. There are practical limitations as to how a “live database” of outstanding conditions would operate - we grant numerous planning permissions (subject to conditions) on every single working day – at the same time planning permissions will expire, or conditions be discharged, and so the database will constantly gain and lose entries on a daily (if not hourly) basis.

Every permission will have its own unique conditions. They will have different triggers – it may require an action prior to development (pre-commencement); during development; or after development. It may require the developer to submit further details to be agreed, which they must then apply to do. However, it may simply require the developer to adhere to previously agreed details. For instance – if the condition is simply that materials must match the existing building – the condition would remain “outstanding” unless, upon completion, the building has been physically inspected and a Council Officer has concluded that the materials met with the condition.

It is impracticable because it would require Council officers to monitor each and every site with planning permission to see whether it has commenced (we do not get notice of commencement); what stage the development is at; and, whether there are any conditions that have now been triggered that haven't yet been ‘discharged’. Planning enforcement should only be taken in the public interest. The Local planning authority has ten years to enforce against a breach of condition. If ten years have passed without members of the public having raised any concerns, it becomes unenforceable – presumably as it has raised no public interest / concern. Likewise, even if a lesser number of years have passed the Council would assess any alleged condition breach in line with its Local Enforcement Plan and then determine the most appropriate course of action. Seeking compliance would be the overall aim.

The manner in which planning condition may be applied to planning permissions, is set out within planning law, [national planning policy](#) and [planning practice guidance](#). Planning law states that where an application is made to a local planning authority for planning permission... they may grant planning permission, either unconditionally or subject to such conditions as they think fit; or they may refuse planning permission.

National Planning Policy ([paragraph 56](#) of the National Planning Policy Framework) sets out that planning conditions should be kept to a minimum, and only used where they satisfy the following tests: (1) necessary; (2) relevant to planning; (3) relevant to the development to be permitted; (4) enforceable; (5) precise; and (6) reasonable in all other respects. These are known as the “six tests” – and the Government has set out clear [Planning Practice Guidance on the Use of Planning Conditions](#) on the approach that should be taken to using conditions. The ‘six tests’ are applied every day by Planning Officers, and are routinely discussed at the Planning Committee.

Under Planning Law the Local Planning Authority may only impose pre-commencement conditions (that prevent any development beginning until the condition has been complied with) if they have the written agreement of the applicant to the terms of the condition. Finally, the applicant has a right of appeal to the Secretary of State against the grant of permission with conditions, and/or can apply directly to the Local Planning authority in order to develop land without compliance with conditions previously attached (a ‘s73 application’).

And so, where an applicant now considers a condition is unachievable (i.e. they consider it doesn’t meet the tests of being reasonable / precise / enforceable, for instance) then planning law gives them plenty of recourse through either appealing against the decision, and/or applying to remove/vary the condition under s73 (and if it was a pre-commencement condition, they would have had to have agreed to it in the first place).

Given the above, it is not to say that enhanced monitoring and assurance cannot be provided, however any proposals to do this would need to be developed separately to consider what additional benefits it may bring.

I trust this answers your questions.

Agenda Item 9a



COUNCIL

Monday, 4 July 2022

Subject: Adoption of the Sturton by Stow and Stow Neighbourhood Plan

Report by:

Director of Planning, Regeneration and Communities

Contact Officer:

Nev Brown
Senior Neighbourhood Planning Policy Officer

nev.brown@west-lindsey.gov.uk

Purpose / Summary:

To adopt the Sturton by Stow and Stow Neighbourhood Plan.

RECOMMENDATION(S): To adopt the Sturton by Stow and Stow Neighbourhood Plan in accordance with the Neighbourhood Planning Regulations 2012.

IMPLICATIONS

Legal:

This work is a duty under the Localism Act 2011 and the Neighbourhood Planning Regulations 2012.

Financial: FIN/43/23/JA/MT

For every neighbourhood plan successful at examination the Council receives a grant of £20k from the Department of Levelling Up, Housing and Communities to help support its neighbourhood planning role in the district. A claim of £20k has been submitted for the Sturton by Stow and Stow NP.

At the year-end 2021/22 £33.4k of Neighbourhood Planning Grant (NPG) was drawn down from the NPG earmarked reserve – with a balance of £34.4k at 31 March 2022, to support future costs of the neighbourhood planning process.

No further financial implications arising due to this report.

Staffing : HR???-??-??

Internal resources in place to deal with neighbourhood planning.

Equality and Diversity including Human Rights :

The Plan has been examined under the Neighbourhood Planning Regulations for any issues relating to equality and diversity.

Data Protection Implications : n/a

Climate Related Risks and Opportunities :

To succeed at examination a neighbourhood plan has to comply with national and strategic planning guidance on climate change. For the Sturton by Stow and Stow NP, the examiner found it to be sound in this respect. The NP seeks to ensure that developments are designed so that any potential negative impacts on climate change such as increased carbon emissions are mitigated and also developments should incorporate measures for resilience to climate change.

Section 17 Crime and Disorder Considerations : n/a

Health Implications:

To succeed at examination the Sturton by Stow and Stow NP had to comply with national and strategic planning guidance on health and well-being. The examiner found it to be sound in this respect. Health and well-being related policies in the NP include: conserving or enhancing of local green spaces, green infrastructure, community facilities and supporting the upgrading of the foot and cycle network.

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

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/sturton-stow-stow-neighbourhood-plan>

Risk Assessment : n/a

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 This report seeks Members' approval to adopt (make) the Sturton by Stow and Stow Neighbourhood Plan (SSNP) as part of the West Lindsey Development Plan. The report follows the SSNP's successful referendum which was held recently.

2. Background

- 2.1 Sturton by Stow and Stow Parish Councils (SSPCs), as the qualifying bodies, received Council approval in June 2018 to prepare a jointneighbourhood plan. The SSNP was submitted to the Council for examination in August 2021 and comments were invited from the public and stakeholders.

3. Decision & Reasoning

- 3.1 The Council in agreement with SSPCs appointed an independent examiner, Mr Andrew Ashcroft, to examine whether the SSNP met the basic conditions required by legislation and if it should proceed to referendum.

- 3.2 The Examiner's Report concluded that the SSNP met the basic conditions, and that subject to the modifications proposed in the report, the SSNP should proceed to a referendum. The report was considered under the Council's delegated powers and it was agreed that the SSNP should proceed to referendum and in the outcome of a successful referendum result it should be made by the Council.

- 3.3 The SSNP referendum met the requirements of the Localism Act 2011. It was held on 26 May 2022 in Sturton by Stow and Stow and posed the question:

'Do you want West Lindsey District Council to use the Neighbourhood Plan for Sturton by Stow and Stow to help it decide planning applications in the neighbourhood area'

- 3.4 At the referendum 88% of those that voted were in favour of the SSNP. Legislation requires that the Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan. Greater than 50% of those who voted were in favour of the SSNP being used to help decide planning applications in the plan area.

The results of the referendum were:	Votes recorded*	Percentage
Number of votes cast in favour of 'yes'	237	88.1%
Number of votes cast in favour of 'no'	32	11.9%

Electorate	1457
Ballot Papers Issued	269
Turnout	18.5%

* No ballot papers were rejected

- 3.5 The duty of adopting (making) the SSNP would not apply if the SSNP was found to breach, or would otherwise be incompatible with any EU obligation or Convention rights. The Council has assessed that the SSNP has been prepared in accordance with these requirements.
- 3.6 In accordance with national planning guidance, the adopted (made) Sturton by Stow and Stow Neighbourhood Plan must be given full weight in the determination of planning applications within the parish areas.
- 3.7 Having an adopted Sturton by Stow and Stow NP will mean that West Lindsey has a total of 23 neighbourhood plans in place covering a large part of the district. Neighbourhood plans have given many of our local communities the tools to shape and protect their areas. This is welcomed by the Government which sees neighbourhood planning as a key part of its ambition to deliver the Localism Act.
- 3.8 The total number of NPs should continue to rise as there are currently 19 neighbourhood plans in various stages of preparation. Scampton Parish Council has recently received approval to prepare a NP. There are also 4 plans being reviewed and around 40 areas remaining in the district that are suitable for neighbourhood plans but have yet to start the process. Compared to nationally, West Lindsey is performing well in terms of neighbourhood plan coverage.

4. Recommendation:

- 4.1 That Members formally agree to adopt (make) the Sturton by Stow and Stow Neighbourhood Plan in accordance with the Neighbourhood Planning Regulations 2012.**



Council

Monday 4 July 2022

Subject: Outcome of the LGA Follow-Up Peer Review, 2022

Report by:

Chief Executive

Contact Officer:

Ian Knowles
Chief Executive

ian.knowles@west-lindsey.gov.uk

Purpose / Summary:

To present the findings of the LGA Peer Review Follow-Up, which was undertaken to assess progress against the recommendations made in the original Peer Review conducted in 2020.

RECOMMENDATION(S):

1. That Members note the significant progress made by the Council against the ten original recommendations arising from the 2020 Local Government Association (LGA) Peer Review.
2. That Members note the findings of the LGA Peer Review Follow-Up Report, paying particular regard to the follow-up recommendations, and the actions being taken by the Council to ensure these are implemented in full.
3. That Members agree that the actions required are built into the Council's ongoing planning processes.
4. That Members agree for the LGA Peer Review Follow-Up Report (attached as Appendix B) to be published on the Council's website.

IMPLICATIONS

Legal:

No legal implications arising from this report.

Financial : FIN/5/23/SL

No financial implications arising from this report.

Staffing :

No staffing implications arising from this report.

Equality and Diversity including Human Rights :

Not applicable in the context of this report

Data Protection Implications :

Not applicable in the context of this report

Climate Related Risks and Opportunities:

Not applicable in the context of this report

Section 17 Crime and Disorder Considerations:

Not applicable in the context of this report

Health Implications:

Not applicable in the context of this report

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

Risk Assessment :

Not applicable in the context of this report

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 Local Government Association (LGA) offers all councils a Corporate Peer Review, and subsequent follow-up, every five years. The LGA describes this process as “a tried and trusted method of improvement; that provides councils with a robust and effective improvement tool which is owned by the sector, for the sector.”
- 1.2 In January 2020, West Lindsey District Council participated in an LGA Corporate Peer Review, which returned 10 key recommendations, as summarised below (a copy of the full text of the recommendations is attached as Appendix A).
- i. Implement the new senior management structure.
 - ii. Reduce the Customer First Programme to its core and rebrand it.
 - iii. Use the ‘purposeful pause’ regarding commercialisation and financial planning to understand and identify where future savings should come from.
 - iv. Clarify what ‘social regeneration’ means to the Council, what it is and how to resource it.
 - v. Improve communications with all stakeholders.
 - vi. Use the Local Plan review process to ensure the viability and deliverability of allocated housing sites across the district.
 - vii. Review the Overview and Scrutiny Function.
 - viii. Ensure a structured approach to workforce and succession planning.
 - ix. Ensure performance management processes are consistent at a service level.
 - x. Consider a Cultural Strategy
- 1.3 On 25th February 2022, the Council took part in a follow-up Peer Review, led by the LGA, to assess progress against each of these recommendations, and to identify any further areas for improvement. This report presents the findings of the Peer Review team, focusing on the significant progress that has already been made, and the actions that the Council is taking in relation to any further recommendations. A full copy of the LGA Peer Review team’s report is attached for information as Appendix B.

2 Scope of the Follow-Up Peer Review

- 2.1 The follow-up review took the form of a full day of remote activity on 25th February 2022 which included three group sessions with the Leader of the Council, Chairmen and Vice-Chairmen of those Council committees which the recommendations related to, the Chief Executive and senior management. Individual sessions were also offered to any elected member who wished to speak to the peer review team on a one-to-one basis.
- 2.2 Each session was facilitated by the Peer Review team, which was the same team that ran the full Peer Review in 2020, excepting one member who has since retired. A Peer Review team is a mixture of senior officers and experienced members who have wide ranging experience of local government. In recognition of the challenges posed by the pandemic, the LGA’s review process has been revised to account for this and the scope of the Council’s follow-up review was to explore:
- Positive progress against each of the 10 recommendations and;
 - Any additional areas and suggestions for improvement.

3 Findings emerging from the Peer Review follow-up

3.1 In its own assessment, submitted to the LGA team as part of the pre-review process, the Council reported that eight of the ten recommendations had been implemented and integrated into business as usual, with the remaining two (recommendations three and four) continuing to be monitored via Governance and Audit Committee. The Peer Review team corroborated these findings, stating in their report that “the Council has made significant progress against the recommendations from the peer team’s January 2020 report. This is no mean feat given that the Council has been responding to the various impacts of the Covid-19 pandemic throughout this time.” The peer team noted the following:

- Members’ and officers’ enthusiasm, commitment and skills to deliver the best services to the district’s residents, businesses and other customers.
- That members and officers have used their strategic skills and knowledge to progress, and plan the refresh of, their Corporate Plan. WLDC clearly knows what it wants to achieve and what it needs to do to achieve those aims
- More consolidated internal thinking of council specific concepts and programmes, e.g. around the Together 24 programme and Levelling Up.
- WLDC’s own self-awareness, openness, honesty and ideas as to what it could do better on its continuous improvement journey and why, both through and outside of this CPC process.

3.2 The feedback report builds as much on the Council’s own suggestions of how to improve as well as the peer team’s recommendations. A breakdown of the findings for each of the ten recommendations is summarised below, with the full content available in the feedback report attached as Appendix B.

4 Progress to Date and Further Recommendations

4.1 Recommendation One – Implement the new senior management structure:

Findings	<ul style="list-style-type: none">• The peer team found that the review of the senior management structure had been completed, with additional changes in light of staff departures since 2020.• Changes to the senior structure have been well communicated and well received by staff, as evidenced by high levels of staff and member satisfaction.• The appointment of the Assistant Director for Homes and Communities was welcomed as an important acknowledgement of the Council’s role in supporting the health and wellbeing of its residents.• The report recognises that “there is a determination at [the Council] to do things even better, based on its learning throughout the pandemic and the Council’s more strategic and cohesive footing since returning to the Chief Executive model in 2020.”
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Further recommendations	<ul style="list-style-type: none"> • Continue communicating any changes to the structure with staff to ensure they understand reporting lines and to reassure staff of stability at the senior level to deliver services • Resolve any temporary staffing arrangements throughout the Council to ensure the right number of skilled and experienced staff are in substantive posts.
Next steps	<ul style="list-style-type: none"> • The Council continues to keep staff updated of changes to the senior structure, with recent appointments of the Director of Corporate Services, and the Assistant Director of People and Democratic Services communicated with staff via the weekly bulletin and at the March Corporate Update. • Staffing is one of the core elements of the Together 24 (T24) Programme, ensuring the Council's services are supported by skilled and experienced officers. T24, along with a robust Workforce Planning Strategy, will ensure the Council maintains a highly skilled and fully-resourced workforce that is able to meet the changing demands faced by the Council.

4.2 **Recommendation Two - Reduce the Customer First Programme to its core and rebrand it:**

Findings	<ul style="list-style-type: none"> • In August 2020, the Council replaced Customer First with its flagship Together 24 Programme and the peer team found this was on track to review all Council services by December 2024. • The people-led approach of the Programme was commended by the peer team, ensuring staff are engaged at all stages of a service review so that a review is done 'with' staff and not 'to' them. • The report notes the successful service reviews completed so far, particularly in Land Charges which has seen a significant reduction in turnaround times for land charges searches as a result.
Further recommendations	<ul style="list-style-type: none"> • To ensure the Programme remains on track, the Together 24 Board should continue to monitor, and possibly accelerate, the momentum of service reviews. • The Council should consider how to involve members, residents and other customers in service reviews to ensure their needs are understood and responded to as effectively as possible. • T24 should align with the Council's customer satisfaction performance indicator (monitored via Progress and Delivery) to improve related performance as much as possible.
Next steps	<ul style="list-style-type: none"> • The T24 Board held an Away Day in March 2022 where these recommendations were considered and factored into the work of the Programme.

	<ul style="list-style-type: none"> • The Board recognised the need to keep residents informed of the tangible improvements to service delivery, such as reduced land charges turnaround times and improved bulky waste collections, and this will be reflected in the communications plan for the duration of the programme. Members will continue to be kept fully informed of the Programme’s progress via formal and informal channels such as committee reports, the Members’ Newsletter and Leader’s Panel. • Customer satisfaction is already monitored via Progress and Delivery reporting and the Board will ensure any additional data gathered during service reviews continues to be fed into this performance indicator.
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4.3 **Recommendation Three – Use the ‘purposeful pause’ regarding commercialisation and financial planning to understand and identify where future income and savings should come from:**

Findings	<ul style="list-style-type: none"> • The peer team acknowledged the completion of the Medium-Term Financial Plan for 2021-2026 and that new commercial opportunities and potential efficiencies continue to be developed through the business planning framework. • Although there is a projected funding gap of £1.6m for 2023-24, the peer team recognised the planning that the Council is undertaking to mitigate this, including a detailed review of every service’s budget and the Council’s investment programme to identify savings opportunities. The report also notes that the Council’s funding reserve is approximately £1m above the set minimum. • The report notes the appointment of a Commercial Development Manager to provide additional capacity and capability in this area.
Further recommendations	<ul style="list-style-type: none"> • The Council is encouraged to maintain its commercial momentum to ensure progress continues and is not wasted.
Next steps	<ul style="list-style-type: none"> • Commercial and savings opportunities will continue to be explored both through the business planning process, and through the T24 Programme. • The Commercial Board continues to meet regularly to monitor commercial activity and progress new ideas to ensure momentum is maintained.

4.4 **Recommendation Four – Clarify what ‘social regeneration’ means to the Council, what it will deliver, and how to resource it:**

Findings	<ul style="list-style-type: none"> • The Council’s Health and Wellbeing Strategy will ensure that the Council’s services address inequalities and tackle issues that lead to deprivation.
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	<ul style="list-style-type: none"> • The Council's successful £10m bid to the Levelling Up Fund means that the language of 'social regeneration' has been replaced with 'Levelling Up' • Members have firm ideas of what 'levelling up' means, while recognising that it means different things to different people. • The Council's Economic Recovery Plan also recognises that 'levelling up' is a more accessible term, but that its meaning remains unclear nationally and locally.
Further recommendations	<ul style="list-style-type: none"> • The Council is encouraged to work with members, staff, communities and partners from the outset to agree and clarify what 'levelling up' means for the district, especially the rural areas. • The Council should feedback its own definition of 'levelling up' to civil servants to help inform central government's Levelling Up approach. • The Council is encouraged to regularly communicate with communities and key stakeholders on its Health and Wellbeing Strategy and other related programmes.
Next steps	<ul style="list-style-type: none"> • The Council's Corporate Plan is due for review in 2023. In preparation for this, officers will be working with members to define what 'levelling up' means for West Lindsey as a district, and at the local level, particularly in rural areas. This will drive the priorities defined in the refreshed Corporate Plan. • Officers meet regularly with the Department for Housing, Levelling Up and Communities regarding its Levelling Up Programme which provides opportunities for the Council to feedback its own definition of what 'levelling up' means to West Lindsey. • Engagement relating to the Health and Wellbeing Strategy and other related programmes forms part of the Council's Communications Plan and this will continue to be reviewed and updated as necessary to ensure the right level of engagement continues.

4.5 **Recommendation Five – Improve communications with all stakeholders:**

Findings	<ul style="list-style-type: none"> • There has been a significant increase in communication with all stakeholders since 2020, not least in response to the pandemic which accelerated the need for more regular communication. • The report highlights the learning the Council has taken from this; singling out the successes of regular staff surveys, the Chief Executive's "ward walks" with ward members, and regular bulletins for staff and members.
Further recommendations	<ul style="list-style-type: none"> • The peer team advised the Council to review how it monitors the impact of increased

	communications in order to best motivate and engage with members and officers, and to enhance relationships and trust.
Next steps	<ul style="list-style-type: none"> • In March 2022, the Council conducted its fourth staff survey since the pandemic began, which includes questions about the level and impact of staff communication. Additionally, regular Corporate Updates are used as an informal, two-way forum for the senior management team to provide key updates and for staff to provide feedback or ask questions. The format of these updates is constantly being reviewed to ensure they are engaging and encourage relationship building between senior management and officers, as well as between teams. • Senior and Wider Management Team continue to foster positive relationships with elected members. The Strategy Away Day in January 2022 presented an opportunity to hold a workshop with ward members to understand what data they would like to be presented with at ward level to aid decision-making, with officers undertaking to scope ward level information packs for each ward member. The Policy and Strategy Team is working with the administration to plan the format and agenda for Core and Full Leader's Panel for the next 12 months, ensuring members' are fully engaged with the Corporate Plan review. The Democratic Services team encourages officers to make use of the Members' Newsletter to share updates where a committee decision is not required. The team also seeks regular feedback following training sessions and events to ensure they meet the needs of members.

4.6 Recommendation Six – Use the Local Plan process to ensure the viability and deliverability of allocated housing sites across the district:

Findings	<ul style="list-style-type: none"> • The peer team noted how the Council had brought together its Corporate Plan, Local Plan and Climate Change and Sustainable Environment Strategy under a central Policy and Strategy team to strengthen the corporate, strategic and political position of the Local Plan. • The new team is also working to enhance data and information collation to inform the reviews of the Local Plan and the Corporate Plan. The peer team notes that this has helped to build strategic and financial joint working with key partners and stakeholders. • The report highlights how the Council's senior management has delivered key outcomes from the Local Plan review, including a specific policy for RAF Scampton, and improved policy context for the market towns of Market Rasen and Caistor.
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	<ul style="list-style-type: none"> The peer team heard how elected members felt more involved in the Local Plan as a result of the changes made over the last two years.
Further recommendations	<ul style="list-style-type: none"> No further recommendations made.
Next steps	<ul style="list-style-type: none"> The Leader of the Council is currently Chairman of the Central Lincolnshire Joint Strategic Planning Committee, which considered the updated draft Local Plan at its most recent meeting in February 2022 with a view to proceeding with the final Regulation 19 consultation in the Spring of 2022. The final Plan is expected to be submitted to the Planning Inspectorate in the Summer of 2022. The Council continues to monitor the five-year land supply to ensure that delivery and supply keep pace with need and demand. The Council continues to work closely with landowners, developers and registered housing providers to deliver a quality offer across the district.

4.7 Recommendation Seven – Review the Overview and Scrutiny Function:

Findings	<ul style="list-style-type: none"> The peer team found that the Council recognises and supports scrutiny as a specific skill and has invested in regular training and support in order that members can maximise their role to make the most positive difference to Council decision-making. This has resulted in a more effective scrutiny function as a result. The report notes the increase in preparation time with members in advance of committee meetings, resulting in better informed reports and members of the committee taking greater ownership of the work programme. Working parties, enhanced questioning and feedback were all found to be more effective, noting the examples of flooding, draining and leisure. The peer team found a full work programme for 2021/22 inviting external partners to discuss their work on a regular basis. Performance management reviews are also scrutinised regularly and greater use has been made of task and finish groups.
Further recommendations	<ul style="list-style-type: none"> No further recommendations made.
Next steps	<ul style="list-style-type: none"> The function and operation of all committees is considered as part of the Council's annual review of its constitution, which includes the Overview and Scrutiny function. This work, in partnership with members, will continue going forward.

4.8 Recommendation Eight – Ensure a structured approach to workforce and succession planning:

<p>Findings</p>	<ul style="list-style-type: none"> • Many of the discussion and findings relating to succession planning have been covered in recommendations relating to the senior structure (para. 4.1) and the T24 Programme (para. 4.2), which addresses resilience, risk, capacity, training and development. • The feedback report notes that the T24 Board ensures linkages are made between business planning and service reviews, and that workforce planning forms part of strategic planning. • The business and strategic planning process was found to support staff development throughout the Council, supported by a clear framework of appraisals which strengthens the ‘golden thread’ from strategic objectives through to each member of staff’s contribution to these. • The report warns that reviewing services individually through the T24 Programme risks strengthening silo working, which could impact Council wide workforce and succession planning.
<p>Further recommendations</p>	<ul style="list-style-type: none"> • The Council should enable services to work better together to make the most of staff skills and experience and to avoid silo working. • The Council should progress member training and development to enhance their roles and the impact of these roles.
<p>Next steps</p>	<ul style="list-style-type: none"> • The Council’s Workforce Planning Strategy is due to be reviewed during 2022 which will reflect the findings of the peer challenge. • The Council is working on a Future Leaders’ / Talent Development programme for those officers undertaking, or wishing to undertake significant professional development qualifications or training programmes. • Schemes to retrain or upskill staff have been implemented successfully, such as retraining staff to work in the crematorium or to deliver waste collection services, which has created resilience for the future. • Such schemes and programmes are designed to support officers who either wish to progress to different roles or who want to perform at their best in the roles they are in. • A full member training and events programme is in place with the content reviewed regularly to ensure such events meet members needs. This will be reviewed again in preparation for whole Council elections in May 2023.

4.9 Recommendation Nine – Ensure performance management processes are consistent at service level:

Findings	<ul style="list-style-type: none"> • The Council has made good progress since 2020 to develop and support consistent performance management practices across service areas. • Assistant Directors and Team Managers take more ownership of their portfolio’s performance, including their contribution to the Corporate Plan and forward planning, with support from the Change, Performance and Programmes team. • The changes that have been implemented appear to be improving performance issues where they arise. Performance management is also a key element of Together 24 so that service improvements can be assessed and made.
Further recommendations	<ul style="list-style-type: none"> • No further recommendations made.
Next steps	<ul style="list-style-type: none"> • The Council is working to ensure performance management drives continuous improvement consistently across the Council and that it is a key element of delivering the ‘golden thread’. • Vital to achieving this is the rollout of the new OneCouncil performance system in April 2022. This system forms part of the OneCouncil platform which has already seen the rollout of the new finance system. It will provide decision makers with combined performance and finance data which, in turn, will enhance decision making, service planning and management and continuous learning and improvement in real time.

4.10 Recommendation Ten – Consider a Cultural Strategy:

Findings	<ul style="list-style-type: none"> • The peer team acknowledged the work that has been done in this area, such as identification of five work streams, which were approved by members in September 2021. • To support these workstreams, an action plan has been approved and capacity to deliver this has been created via a new fixed-term officer post.
Further recommendations	<ul style="list-style-type: none"> • The Council should make full use of the cultural action plan to ensure events taking place on the same day or being unnecessarily duplicated, and to ensure the plans are delivered to their full potential. • The Council should apply for funding strategically and selectively. • The Council should consider issues such as accessibility and affordability as part of its levelling up agenda so that opportunities are accessible, affordable and appealing to as many people as possible.
Next steps	<ul style="list-style-type: none"> • The Council is considering options to align cinema screenings and other cultural programmes between venues, including mobile ones, across the district so that cultural

	<p>opportunities can be maximised across the whole district.</p> <ul style="list-style-type: none"> • The Council is working with the local university to consider opportunities in Market Rasen and to develop Trinity Arts Centre as a cultural hub with the whole district, as well as developing links with Lincolnshire Showground. • In relation to funding, the Council is developing a £5m bid to the National Lottery Fund for capital investment, events and activities at the Trinity Arts Centre with progress being monitored by the Commercial Board. • Customer feedback is consistently gathered by the Arts Centre to monitor the impact of issues such as accessibility and affordability. This will feed into the conversation piece about what levelling up means to the district to ensure accessibility and affordability of cultural events are considered as part of this. • The Council is already considering the balance between its cultural action plan and that for its visitor economy which includes support from the Local Government Association to develop and finalise both action plans as part of the Council's commercial agenda.
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5.0 Next Steps

The Council is pleased that the peer challenge follow-up recognises the significant progress that has been made since 2020 to implement the recommendations and, in many cases, go beyond these to deliver further improvements to service delivery, ensure greater strategic alignment, secure a highly skilled and resilient workforce and ensure financial resilience, all of which puts residents at the heart of Council activity in line with its core values. The Council remains ambitious in its plans and recognises there is always more to do. This report sets out the next steps the Council is already taking on its journey of continuous improvement and officers will ensure that the additional feedback from the peer review team is aligned with existing governance structures and decision-making frameworks to become part of the Council's business as usual.

The Council would like to thank the LGA Peer Challenge team for undertaking the follow-up challenge and for preparation of its feedback report. West Lindsey's next, full peer challenge is scheduled to take place in 2024 and officers will begin work to prepare for this in collaboration with key stakeholders and decision makers.

LGA Peer Challenge Original Recommendations from 2020

The following sets out the recommendations in full made by the peer team following the full review undertaken in 2020. This is provided as a contextual aid to understand progress made since 2020.

1. Implement the new structure – this should be completed as soon as possible and include the senior management structure as well as the structure of council departments including the resolution of temporary arrangements. As far as possible this new structure should seek to ensure the right number of employees with the right skills and experience are in place in substantive posts in order to provide clarity and a firmer footing to enable delivery of the council's priorities.

2. Reduce the Customer First Programme to its core and 'rebrand' it – its objectives are sound but the vision is currently too big and undeliverable, with some confusion about its overall purpose or vision. It has had its successes, eg in service redesign, so has potential for more. Engage your staff, who want to serve customers to full effect, to consider what customers really need and therefore what you need to do to meet those needs. Develop a new programme that offers a clean break from the current one.

3. Use the 'purposeful pause' regarding commercialisation and financial planning to understand and identify where future income and savings should come from – there is understandable uncertainty about local government funding, Brexit and economic conditions generally but use your financial strength, commercial success, momentum and strategic economic thinking to shape your next steps. Much of your potential could be lost if you do not make the most of this pause.

4. Clarify what 'social regeneration' means to the council, what it will deliver and how to resource it – the peer team heard about this new concept throughout its visit as a possible development or even replacement as a new approach to growth. There were however different interpretations within WLDC of what it could mean. The council therefore needs to clarify and agree exactly what it is and is not. This clarity will enable WLDC to decide if social regeneration should be part of its longer-term plans. If so, the council can then confirm its purpose, and plan the required activities and resources.

5. Improve communications with all stakeholders - to keep staff and councillors abreast of developments and decisions so they are clear about what they need to do. To improve relationships and trust, inform all district stakeholders regularly about what the council is doing, why and explain how they can be kept updated and get involved.

6. Use the Local Plan Review process to ensure the viability and deliverability of allocated housing sites across the District – the current Local Plan sets challenging housing targets, a review of the objectively assessed housing need, alongside the proposed allocations required to ensure targets remain deliverable. It will be essential to use your political leadership to inform and influence the next Local Plan.

7. Review the overview and scrutiny function – there are mixed views and questions about the function generally, including its effectiveness and purpose. This was reviewed about 18 months ago but there are already differing opinions about the value it adds. A further review is therefore needed to identify the function's value and how it can be most effective, in particular how it can engage all members constructively.

8. Ensure a structured approach to workforce and succession planning – WLDC has an ageing workforce, there are pressures on staffing capacity and potential 'single points of

failure' – where there will be no or insufficient cover if certain staff are absent or if/when they leave the council. You also have a large number of staff on secondment and acting up, and this has added to an air of uncertainty for your teams which has also informed recommendation 1. All of this needs addressing before these issues reach crisis point.

9. Ensure performance management processes are consistent at service level – you have a corporate performance management team that want to support team managers to improve performance rather than report it. Further engage with team managers as necessary to enable this.

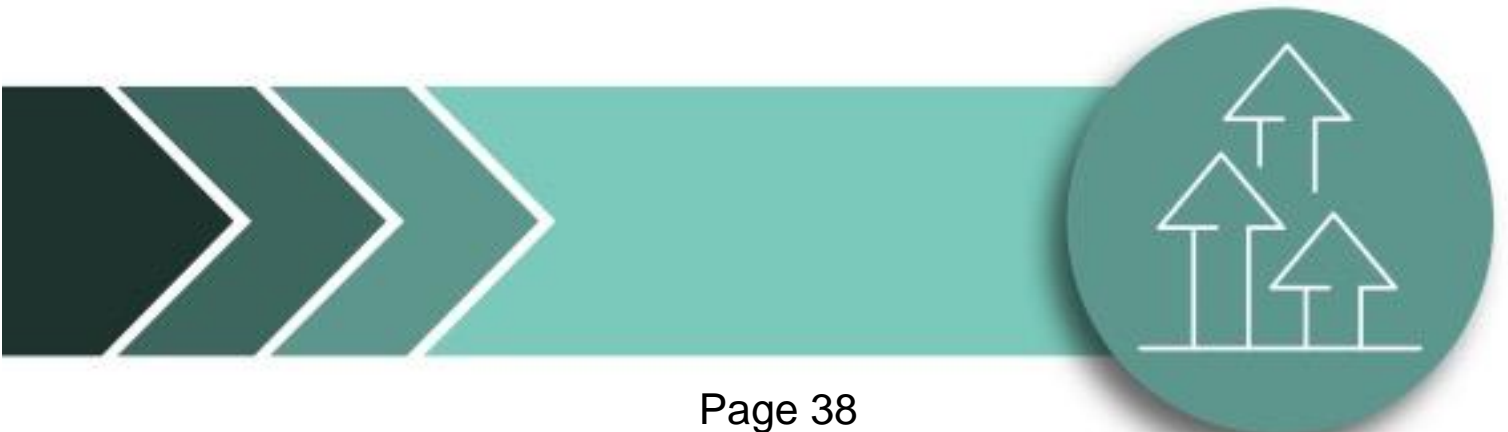
10. Consider a cultural strategy - there is potential to align and increase the use of, and maximise income from, your portfolio of existing and planned cultural assets.


LGA Corporate Peer Challenge Follow-Up

West Lindsey District Council

Friday 25 February 2022

Feedback report





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Vicki to update the above table and spell check right at the end

1. Executive summary

West Lindsey District Council (WLDC) received a Local Government Association (LGA) Corporate Peer Challenge (CPC) in January 2020. The purpose of the CPC follow-up with WLDC senior members and officers on Friday 25 February 2022 was to help the council take stock of progress made against the recommendations identified in the peer team's January 2020 report. This report summarises the peer team's key observations and suggestions from this follow-up work including background reading. Overall key messages and observations from this follow-up are:

The council has made significant progress against the recommendations in the peer team's January 2020 report. This is no mean feat given that the council has been responding to the various impacts of the Covid-19 pandemic throughout this time.

The peer team particularly noted:

- members' and officers' enthusiasm, commitment and skills to deliver the best services to the district's residents, businesses and other customers
- that members and officers have used their strategic skills and knowledge to progress, and plan the refresh of, their corporate plan. WLDC clearly knows what it wants to achieve and what it needs to do to achieve those aims
- more consolidated internal thinking of council specific concepts and programmes, eg around the Together 24 (T24) programme and Levelling Up
- WLDC's own self-awareness, openness, honesty and ideas as to what it could do better on its continuous improvement journey and why, both through and outside of this CPC process. This report builds as much on the council's own suggestions of how to improve as well as the peer team's recommendations.

2. Summary of the peer challenge approach

2.1. The follow-up review approach

Peer challenges and their follow-ups are focused on improvement and tailored to meet individual council's needs. They are designed to complement and add value to a council's own performance and improvement focus. It is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical assessment of plans and

proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material they read.

To ensure the peer team were familiar with the council, its context, plans for the future and the progress it has made, this work comprised the peer team:

- reading three key background papers provided by WLDC and undertaking additional research
- gathering information and views from 18 senior council members and officers via three main remote discussions, and two additional meetings with individual members on 25 February 2022.

This report provides a brief summary of what the council has done to address each recommendation and the peer team's collated, triangulated findings from this follow-up work. The peer team has provided this feedback as fellow local government members and officers as supportive, constructive critical friends, not as assessors, consultants nor inspectors.

Some notable council actions address more than one recommendation. For brevity, this report aims to mention such actions once, or cross reference them, rather than repeat them against each relevant recommendation.

2.2. The peer team

Peer challenges and their follow-ups are delivered by experienced elected member and officer peers. Peers from WLDC's January 2020 CPC peer team took part in this follow-up with LGA officers:

- Malcolm Johnston, Chief Executive, Rother District Council
- Cllr Stephen Parker, Hampshire County Council
- Caroline Ryba, Head of Finance and Section 151 Officer, Cambridge City Council
- Vickie Lee, Head of Human Resources and Organisational Development, Wychavon District Council and Malvern Hills District Council
- Penelope Galvin, Programme Adviser - Land Release Fund, One Public Estate Team
- Vicki Goddard, CPC Follow Up Manager, LGA
- Daniella Howell, Programme Support Officer, LGA.

2.3. Scope and focus

The peer team considered all 10 recommendations from its January 2020 report:

- 1. Implement the new structure** – this should be completed as soon as possible and include the senior management structure as well as the structure of council departments including the resolution of temporary arrangements. As far as possible this new structure should seek to ensure the right number of employees with the right skills and experience are in place in substantive posts in order to provide clarity and a firmer footing to enable delivery of the council's priorities.
- 2. Reduce the Customer First Programme to its core and 'rebrand' it** – its objectives are sound but the vision is currently too big and undeliverable, with some confusion about its overall purpose or vision. It has had its successes, eg in service redesign, so has potential for more. Engage your staff, who want to serve customers to full effect, to consider what customers really need and therefore what you need to do to meet those needs. Develop a new programme that offers a clean break from the current one.
- 3. Use the 'purposeful pause' regarding commercialisation and financial planning to understand and identify where future income and savings should come from** – there is understandable uncertainty about local government funding, Brexit and economic conditions generally but use your financial strength, commercial success, momentum and strategic economic thinking to shape your next steps. Much of your potential could be lost if you do not make the most of this pause.
- 4. Clarify what 'social regeneration' means to the council, what it will deliver and how to resource it** – the peer team heard about this new concept throughout its visit as a possible development or even replacement as a new approach to growth. There were however different interpretations within WLDC of what it could mean. The council therefore needs to clarify and agree exactly what it is and is not. This clarity will enable WLDC to decide if social regeneration should be part of its longer-term plans. If so, the council can then confirm its purpose, and plan the required activities and resources.
- 5. Improve communications with all stakeholders** - to keep staff and councillors abreast of developments and decisions so they are clear about what they need to

do. To improve relationships and trust, inform all district stakeholders regularly about what the council is doing, why and explain how they can be kept updated and get involved.

6. **Use the Local Plan Review process to ensure the viability and deliverability of allocated housing sites across the District** – the current Local Plan sets challenging housing targets, a review of the objectively assessed housing need, alongside the proposed allocations required to ensure targets remain deliverable. It will be essential to use your political leadership to inform and influence the next Local Plan.
7. **Review the overview and scrutiny function** – there are mixed views and questions about the function generally, including its effectiveness and purpose. This was reviewed about 18 months ago but there are already differing opinions about the value it adds. A further review is therefore needed to identify the function's value and how it can be most effective, in particular how it can engage all members constructively.
8. **Ensure a structured approach to workforce and succession planning** – WLDC has an ageing workforce, there are pressures on staffing capacity and potential 'single points of failure' – where there will be no or insufficient cover if certain staff are absent or if/when they leave the council. You also have a large number of staff on secondment and acting up, and this has added to an air of uncertainty for your teams which has also informed Recommendation 1. All of this needs addressing before these issues reach crisis point.
9. **Ensure performance management processes are consistent at service level** – you have a corporate performance management team that want to support team managers to improve performance rather than report it. Further engage with team managers as necessary to enable this.
10. **Consider a cultural strategy** - there is potential to align and increase the use of, and maximise income from, your portfolio of existing and planned cultural assets.

3. More Detailed Feedback

3.1. Implement the new structure

The council completed its senior management structure in 2020, comprising the Chief Executive, Director of Corporate Services and five Assistant Directors. The structure has been, and continues to be revised in light of departures since. These revisions include a new Director of Corporate Services role that will incorporate the Section 151 function, and the elevation of three Assistant Director roles to director level to strengthen flexible resilience and succession planning, and address WLDC's extended, strategic post-pandemic district wide programme. Such revisions aim to ensure all council services are represented within the senior structure.

The addition of the Assistant Director, Homes and Communities role is particularly notable, as it identified the council's role in supporting its communities' health and wellbeing, and helping more vulnerable people into homes and enforce decent housing standards across the district.

Senior structure changes since January 2020 have been well communicated to, and received by staff. The latter is evidenced by high member and staff satisfaction with senior management, with references to senior management's supportive, cohesive and constructive culture, and their additional capacity to progress strategy, culture, flooding and other work. **WLDC should continue communicating such structure changes to staff to ensure they continue to understand reporting lines, who oversees what services, and that there is senior stability and capacity to deliver WLDC's work in these uncertain times for all councils. As part of this work, the council should continue to gauge and respond to staff feedback.**

There had been notable interim and other temporary appointments throughout the council in January 2020, creating pressure on services and uncertainty for staff. These appointments needed resolving to improve overall organisational capacity, staff wellbeing and clarity of direction. WLDC has made such changes since, particularly within the finance, planning and land charges teams. It is also seeking to resolve food enforcement hygiene and planning staff vacancies. Other temporary arrangements still remain however, eg within the development management and growth teams, which are expected to be resolved shortly. **The council needs to resolve all these temporary arrangements throughout the council to fully**

overcome these issues. This will ensure the right number of skilled and experienced employees are in substantive posts to enable sound delivery of the council's priorities, and reassure staff of the structure.

Whole council elections in May 2023 will enable WLDC to plan longer term, and there is real determination at WLDC to do things ever better, based on its learning throughout the pandemic and the council's more strategic and cohesive footing since returning to the Chief Executive model in 2020.

3.2. Reduce the Customer First Programme to its core and 'rebrand' it

This programme had its successes but was too big and undeliverable, with confusion about its overall purpose or vision. WLDC also recognised that services needed supporting to best serve customers. The council therefore launched its T24 programme in August 2020 to review all council services by December 2024 and ensure they are fit for purpose and sustainable in terms of their work, finances and staffing. Qualified Change Management Practitioners work closely with each service team before and throughout their review to fully engage all staff to make maximum improvements.

T24 has been led from the outset by the Assistant Director, Operational and Commercial, to ensure reviews are led by, rather than 'done to', services. A T24 intranet page provides information and updates about the programme. Popular one to one sessions enable staff to share their personal views, which are fed back anonymously to managers. Staff are widely involved in service reviews generally as they can see how their views make a positive difference.

One of five completed reviews was with the land charges team, whose services were particularly affected by the first national lockdown in response to the pandemic from March 2020. Many people could not move house or faced significant delays in doing so because they could not acquire the necessary search information. This service review assisted these and other issues, most notably bringing response times to land charges requests down from typically 30 to five days. WLDC's response to fly-tipping has also significantly improved through this review process. Photos of fly-tips can be submitted and immediately addressed via the council's customer relationship management system.

These reviews have also delivered approximately £50,000 of savings to date, helping WLDC to meet its savings target of £300,000 by 2024. **The T24 (governance) Board will need to monitor, maintain and possibly accelerate the momentum of these reviews and address issues to keep this and other financial targets, budgets and the T24 programme on track.** This is particularly because costs of forthcoming senior structure changes could negatively impact these savings. **The T24 Board should also consider the potential benefits of training/recruiting further Change Management Practitioners to undertake reviews more quickly than currently scheduled.** This is further to the popularity of these reviews and consequent requests to bring scheduled reviews forward.

The peer team heard that residents do not necessarily know about T24, do not always get responses to their requests generally, and therefore approach members to resolve their issues. **WLDC should therefore consider how to involve members, residents and other customers in and after T24 service reviews to ensure their needs are understood and responded to as effectively as possible. This includes looking to agree with them and officers a standard response time to requests and publicise it,** so that these expectations are clear to all.

The peer team also heard that local partners do not always respond straight away to requests either but the council is working with them to improve this. Such approaches with government departments, the NHS, the Royal Airforce, the voluntary and community sector, and others have developed trusted local partnerships, which have particularly excelled through the pandemic to address local issues.

The council also learns from complaints and other experiences to improve services and processes, eg fly-tipping and waste collection. **T24 reviews should also align with WLDC's customer satisfaction corporate health indicators to improve related performance as much as possible.**

3.3. Use the 'purposeful pause' regarding commercialisation and financial planning to understand and identify where future income and savings should come from

WLDC has completed its Medium-Term Financial Plan (MTFP) 2021-2026, with additional commercial opportunities, potential efficiencies and savings under consideration through its annual and developing business planning/framework. The

council also appointed a Commercial Development Manager in July 2020 to provide additional capacity and capability, and WLDC's Commercial Board considers monthly updates and monitoring of council commercial activities, and new ideas.

Whilst the council has a current savings target of £300,000 by 2024, the target was originally £900,000, the latter based on a worst case scenario in case required. Detailed reviews of every service's budget and the council's investment programme have looked at savings opportunities. WLDC's general reserve is approximately £1 million above its set minimum.

The MTFP 2022-27 identifies a funding gap of £1.6 million for 2023/24, rising to £2 million for 2026/27. WLDC appears to be planning for these gaps but, like any other council, is operating in a volatile environment. Covid-19 has not impacted hugely on commercial income but has halted other progress, eg where people have not been able to use council services due to imposed restrictions. WLDC has however used the 'purposeful pause' and time that could not be spent delivering face to face services to review its commercial approach and activities. **WLDC needs to continue this commercial momentum to ensure it progresses and is not wasted.**

3.4. Clarify what 'social regeneration' means to the council, what it will deliver and how to resource it

Since the peer team's January 2020 report, the council has been drafting a health and wellbeing strategy with its districts, as well as internally. The internal strategy will ensure that WLDC's services address inequalities and tackle issues that lead to deprivation, overseen by the Assistant Director, Homes and Communities.

The council has also been awarded over £10m in Levelling Up Funding for its 'Thriving Gainsborough 2024' bid. 'Levelling Up' has therefore begun to replace the language of social regeneration within the council's plans to improve health and wellbeing and regenerate the district.

The peer team spoke to members who have firm ideas of what 'levelling up' means within the district, ie increasing access to services, facilities and life opportunities, especially for those who cannot access transport, or afford, to make the most of them. The council also recognises that 'levelling up' means different things to different people and how WLDC can help them, eg if people want to go to university,

get a job or are leaving the care system. Social regeneration was previously used cautiously at community level, as it could suggest that some areas were ‘that bad’ as to require such intervention. Yet whilst ‘levelling up’ is a more accessible term, its meaning remains unclear nationally and locally. WLDC recognises this through its recently adopted Economic Recovery Plan, and that the council needs to understand and address the needs of all its local communities, eg from the young and old to the most deprived. **To do this, WLDC needs to work with its members, staff, communities and partners from the outset to agree and clarify what ‘levelling up’ means for the district, especially its rural areas.** This will then be reflected in and delivered through WLDC’s next corporate plan, which is due for review in 2023. **WLDC should also feedback its own definition of ‘levelling up’ to civil servants to help inform central government’s Levelling Up approach.**

The council will also need to regularly engage and communicate with its communities, other external stakeholders and partners, members and officers on its health and wellbeing strategy, ‘levelling up’ and other related programmes, including local integrated care systems, and other operational and strategic plans. This will ensure they all continually contribute to the aims and delivery of these programmes to make a positive, practical difference to local people’s health and wellbeing.

3.5. Improve communications with all stakeholders

Communications with members and staff have increased significantly in various ways since January 2020, not least because of the pandemic. This includes more regular emails, staff surveys (with high response and approval rates), bulletins, activities, online and face to face fora, more access to the Chief Executive and his ward ‘walk arounds’ with each ward member to understand local issues, challenges and perspectives. Members are also more involved in the council’s work. Such communications have provided sources of support throughout the pandemic as well as work updates, often presented in a more informal, supportive and personal style by senior managers. The peer team did not hear so much about feedback from and impacts of these increased communications, so would advise WLDC to **review how the council monitors and addresses issues,** so communications best motivate and engage with members and officers, and enhance relationships and trust.

In its January 2020 report and during its February 2022 follow-up work, the peer team noted the perception that WLDC was and remains 'Gainsborough centric'. Much of WLDC's work was and still is understandably taking place in Gainsborough but much is also happening throughout the district, which is not as effectively communicated, hence this perception. The council sends information about its work to parishes via local publications, and is progressing its work to support markets and use the Gainsborough Trinity Arts centre hub facilities across the whole district. The council recognises this perception however and has its own suggestions to address this through its communications, eg referring to its wider plans for the district including its local lottery and community grants work, listing other places before Gainsborough, and naming members' wards as well as their names to promote their work throughout the district. **The council should action these and other ideas through its external communications strategy to address this Gainsborough centric perception.**

3.6. Use the Local Plan Review process to ensure the viability and deliverability of allocated housing sites across the District

A key part of this original recommendation was to ensure the council uses its political leadership as a credible partner to best inform and influence the next Local Plan. As part of this, WLDC has brought together its corporate plan, Local Plan and Climate Change and Environment Strategy under its central policy and strategy team. This has strengthened the corporate, strategic and political position of this work. The policy and strategy team is also enhancing data and information collation to best understand the district for the next corporate and Local Plan including to support the viability of the district and ultimately ensure deliverability of key sites. This has helped strategic and financial joint working with partners, council members and officers to recognise WLDC's contribution. Through enhanced partnership with the Central Lincolnshire Authorities, the council's senior management has also delivered key outcomes across West Lindsey in terms of the Local Plan review, including a specific policy for RAF Scampton and an improved policy context for the market towns of Caistor and Market Rasen. Council members also feel more involved.

The Central Lincolnshire Joint Strategic Planning Committee, which the Leader of the Council currently chairs, will consider the updated draft Local Plan at its meeting in

February 2022 with a view to proceeding with the final Regulation 19 consultation in spring 2022 before submitting the final plan to the Planning Inspectorate in the summer. Viability challenges still need resolving but WLDC continues to monitor the five year land supply to ensure delivery and supply keep pace with need and demand. The council also works closely with land owners, developers and registered housing providers to deliver a quality offer across the district.

3.7. Review the overview and scrutiny function

The function and operation of the overview and scrutiny committee is considered as part of WLDC's annual review of its constitution, eg through surveying members, presenting results to the governance and audit committee, and work through democratic services and committees to review overview and scrutiny.

The council also recognises and supports scrutiny as a specific skill and has therefore invested in regular training and support so members can maximise their scrutiny roles to make the most positive difference to WLDC's decision-making. The peer team heard how overview and scrutiny's work, challenge and feedback with senior officers has been more useful as a result. There is more preparation with members in advance of committee meetings, overview and scrutiny members take more ownership of their work, reports are better informed, working parties are more effective, as is enhanced questioning and feedback on flooding, drainage, leisure and other issues.

The focus for overview and scrutiny during 2021/22 has been a return to pre-pandemic business as usual, with a full work-plan inviting external partners, eg the police, NHS, leisure providers and the Environment Agency to discuss their work on a regular basis, scrutinising performance management reviews referred from the council's two policy committees, and greater use of informal workshops, and task and finish groups. Key improvements as a result of this enhanced approach includes those on local land charges and fly-tipping as mentioned earlier in this report.

3.8. Ensure a structured approach to workforce and succession planning

Succession planning has already been referred to in section 3.1 with regards to senior management. It also forms part of T24 service reviews to address resilience, risk, capacity, training and development throughout the council.

The T24 Board ensures linkages are made between business planning and service reviews, and that workforce planning is considered throughout the council's strategic planning processes. Business and strategic planning support progresses staff development across the council generally, through a clear framework of appraisals, one to one meetings etc. This strengthens the 'golden thread' from the council's strategic objectives to each member of staff's contribution to those through their service teams.

Reviewing services individually through T24 however runs the risk of strengthening silo working and impact council-wide workforce and succession planning. **The council should therefore enable services to work better together to make the most of staff's skills and experience and to avoid silo-working.**

Whilst services await their T24 reviews, they can implement their own talent development/future leaders programmes, which can lead to Masters in Business Administration qualifications. Frontline staff schemes, although limited, have also been implemented, eg retraining staff through the pandemic to deliver waste collection services, and creating crematorium trainee posts. Such schemes are helping to improve resilience and succession planning in frontline services.

WLDC recognises that it needs to further progress its workforce strategy across the whole council, especially at frontline level, although this has been complicated and exacerbated by the pandemic. Flexible/agile working for example requires more technology than before, and additional support is required to assist mental health and wellbeing. WLDC is also thinking ahead, eg to encourage staff to stay at the council by supporting their further development 'to be the best version of themselves'.

WLDC has appointed three Change Support Officers who provide additional capacity and support to teams in the event of long-term absence or vacancy filling. Additional resources can be called upon in times of need, eg external suppliers for technical or specialist expertise. It is not possible to call upon such resources across the whole council but WLDC considers them wherever possible.

The peer team heard that there is a council objective for more members to undertake training but did not hear much more on this subject. **WLDC should therefore progress member training and development**, to enhance their roles and impact.

3.9. Ensure performance management processes are consistent at service level

Since January 2020, the council has made good progress generally to develop and support consistent performance management across services. This includes for example Assistant Directors and service managers taking more ownership and regularly discussing their portfolio's performance, including their contribution to the corporate plan and forward planning, with the corporate performance team. The Management Team and Policy Committee then considers these updates. All such work appears to be improving performance where issues arise. The overview and scrutiny committee's work is also contributing as outlined in section 3.7.

Performance management is also a key element of T24, so that potential service improvements can be assessed and made.

WLDC recognises there is more to be done and wants performance management to be a constantly, consistently used improvement tool as a culturally wide principle. The roll-out and embedding of the council's new corporate performance management system from April 2022 will be key to this, enabling decision makers to access combined financial and performance data, to enhance decision making, service planning and management, continuous learning and improvement in real time.

3.10. Consider a cultural strategy

In June 2021, the council identified existing district wide cultural activity and suggested five relevant work streams. In September 2021, members approved those work streams, a cultural action plan to support them, fixed-term officer capacity and other related activity. Regular sessions with members and officers are progressing this work. The action plan will be monitored and measured through the council's Commercial Board, reported back to WLDC's two policy committees, and the Governance and Audit Committee will continue to monitor this recommendation.

The council should make full use of the cultural action plan, eg to avoid cultural events taking place on the same day or being duplicated/repeated unnecessarily, and to ensure all the plan's activities are delivered to their full potential. As part of this, WLDC is considering opportunities to align cinema screenings and other cultural programmes between venues, including mobile ones, across the district, so that all cultural opportunities are best used across the district. The council is also working

with its local university, considering opportunities in Market Rasen, developing the Trinity Arts Centre has a cultural hub for the whole district, and developing links with the Lincolnshire Showground.

WLDC is horizon scanning for external funding to support related activities. If it is not already doing so, **the council should apply for such funding strategically and selectively**. This will ensure staff capacity focuses on drafting the strongest bids relating to key, identified activities, which are more likely to be successful. This will avoid drafting multiple, potentially weaker bids that may negatively influence funders' future decisions.

Some cultural opportunities can exclude proportions of communities. This can be for example by tickets being too expensive, only available online, venues and tickets offices not being easily accessible by public transport, or by events not appealing or not being promoted equally to everyone. **The council needs to consider such issues, especially as part of its levelling up agenda, so opportunities are accessible, affordable and appealing to as many people as possible.**

WLDC is also carefully considering the balance and alignment between its cultural action plan and that for its visitor economy. This includes developing and finalising both plans with support from the LGA as part of the council's commercial agenda to ensure they are affordable and self-supporting.

4. Next steps

The LGA would like to thank WLDC for undertaking this follow-up. The peer team appreciate that senior officers and political leaders will want to reflect on the findings within this report to determine how the council wishes to take things forward.

Under the umbrella of LGA sector-led improvement, there is an on-going offer of support to councils. The LGA is well placed to provide additional support, advice, and guidance for development and improvement.

Mark Edgell (Principal Adviser) is a main point of contact between the council and the LGA at mark.edgell@local.gov.uk. The four political group offices of the LGA also provide continued support of councillors using accredited peers. These political group offices can be accessed through the LGA's website at www.local.gov.uk.

Agenda Item 9c



Council

Monday, 4 July 2022

Subject: Recommendation from the Corporate Policy and Resources Committee - Annual Treasury Management Report 2021/22

Report by:

Director of Corporate Services (S151)

Contact Officer:

Paul Loveday
Corporate Finance Team Leader

paul.loveday@west-lindsey.gov.uk

Purpose / Summary:

To report on Annual Treasury Management activities and prudential indicators for 2021-22 in accordance with the Local Government Act 2003

RECOMMENDATION(S):

1. That Full Council approve the Annual Treasury Management Report and actual Prudential Indicators 2021/22 as recommended by the Corporate Policy and Resources Committee.

IMPLICATIONS

Legal:

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

Financial : FIN/39/23/PJL

Treasury Investment activities have generated £0.167m of investment interest at an average rate of 0.762%.

Non-Treasury investments (Investment Property Portfolio) have generated a gross yield of 6.79%

Financing activities has resulted in a total of £21.5m of external borrowing at a cost in year of £0.372m.

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 :

Treasury Investment activities have generated £0.167m of investment interest at an average rate of 0.762%.

Non-Treasury investments (Investment Property acquisitions) have generated a gross yield of 6.79%

Financing activities has resulted in a total of £21.5m of external borrowing at a cost in year of £0.372m.

Risk Assessment :

The Treasury Management Strategy sets out our assessment of treasury risks.

Call in and Urgency:

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

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

Yes

No

Key Decision:

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

Yes

No

1. Executive Summary

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

- an annual treasury strategy in advance of the year (March 2021)
- a mid-year, (minimum), treasury update report (November 2021)
- 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 2021/22, 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	2020/21 Actual £000	2021/22 Original £000	2021/22 Actual £000
Capital expenditure	9,034	9,396	7,813
Capital Financing Requirement:	38,526	41,340	40,476
Of which – Investment Properties	20,959	22,999	20,585
Gross borrowing (External)	20,000	31,000	21,500
Finance Lease	0	0	0
Investments			
• Longer than 1 year	3,000	3,000	3,000
• Under 1 year	13,872	9,133	17,020
• Total	16,872	12,133	20,020
Net borrowing	3,128	18,867	1,480

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 2021/22 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

Capital and Financing	2020/21 Actual £000's	2021/22 Original Budget £000's	2021/22 Actual £000's
Capital expenditure	9,034	9,396	7,813
Financed in year by:			
Capital Receipts	2,519	542	441
Capital grants/contributions	3,314	2,860	1,087
Revenue	1,576	4,251	3,478
Leases	0	0	0
S106	17	0	33
Prudential Borrowing	1,608	1,743	2,774

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 2021/22 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 2021/22 MRP Policy, (as required by DLUHC Guidance), was approved as part of the Treasury Management Strategy Report for 2021/22 on 1 March 2021. Due to a change in statutory guidance MRP will now also be charged on Commercial Investment Property for 2022/23 and future financial years. A voluntary revenue provision of £0.374m has been made for 2021/22

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. With the introduction of the MRP for 2022/23, this reserve and minimum balance will be reviewed on an annual basis. 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.

Capital Financing Requirement (CFR)	31 March 2021 Actual £000's	31 March 2022 Actual £000's
Opening balance	37,905	38,525
Add adjustment for Prudential Borrowing	1,608	2,774
Less MRP/Finance Lease Repayments	(281)	(449)
Less VRP	(707)	(374)
Closing balance	38,525	40,476
<i>Movement on CFR</i>	<i>620</i>	<i>1,951</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 (2020/21) plus the estimates of any additional capital financing requirement for the current (2021/22) 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 2021/22. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	31 March 2021 Actual £000's	31 March 2022 Actual £000's
Prudential borrowing position	38,453	40,404
CFR	38,525	40,476

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 2021/22 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.

	2021/22 £000's
Authorised limit	45,000
Operational boundary	40,476
Financing costs as a proportion of net revenue stream	9.60%

4. Treasury Position as at 31 March 2022

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 2021/22 the Council's treasury, (excluding borrowing and finance leases), position was as follows:

TABLE 1	31 March 2021 Principal £000's	Rate/ Return	Average Life yrs.	31 March 2022 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	5,000	0.15%	1
Total debt	20,000		22	21,500		21
CFR	38,525		-	39,734	-	-
Over / (under) borrowing	(18,525)	-	-	(18,234)	-	-
Investments:						
	16,872	0.896%	-	20,020	0.762%	-
Total investments	16,872	0.896%	-	20,020	0.762%	-
Net debt	3,128	-	-	1,480		-

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

The maturity structure of the debt portfolio was as follows:

	31 March 2021 Actual £000's	31 March 2022 Actual £000's	%
Less than 5 years	6,000	7,500	35
5 years and within 10 years	3,000	3,000	14
10 years and within 20 years	0	0	0
20 years and within 30 years	2,500	2,500	12
30 years and within 40 years	0	0	0
40 years and within 50 years	8,500	8,500	39

£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 £5m has been undertaken with another Local Authority at a fixed rate on a maturity basis for a period of 301 days.

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 in [Page 61](#) 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 2021 Actual	31 March 2022 Actual
Ratio of Financing Costs to Net Revenue Stream	7.41%	9.60%
Increase/(Reduction) in Council Tax	(£0.02)	£1.88

4.2 Investments

Investment Policy – the Council’s investment policy is governed by DLUHC investment guidance, which has been implemented in the annual investment strategy approved by the Council on 01 March 2021. 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 2021 £000’s	31 March 2022 £000’s
General Fund Balance	7,338	5,406
Earmarked reserves	19,209	19,214
Provisions	1,045	1,582
Usable capital receipts	1,168	1,472
Capital Grants Unapplied	2,366	2,516
Total	31,126	30,190

Investments held by the Council

- The Council maintained an average balance of £23.681m of internally managed funds.
- The internally managed funds earned an average rate of return of 0.762%.
- The comparable performance indicator is the average 7-day LIBID rate, which was -0.07% (as at 31 December 2021). This indicator was discontinued at the end of December 2021. The new equivalent Sterling

Overnight Index Average (SONIA) showed a rate of 0.14% as at 31 March 2022.

- Total investment income was £0.167m compared to a budget of £0.125m.

Types of investments	31 March 2021 Actual £000	31 March 2022 Actual £000
Deposits with banks and building societies	9,052	2,070
Money Market Funds	4,820	14,950
Other Local Authorities	0	0
Property funds	3,000	3,000
TOTAL TREASURY INVESTMENTS	11,872	20,020

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

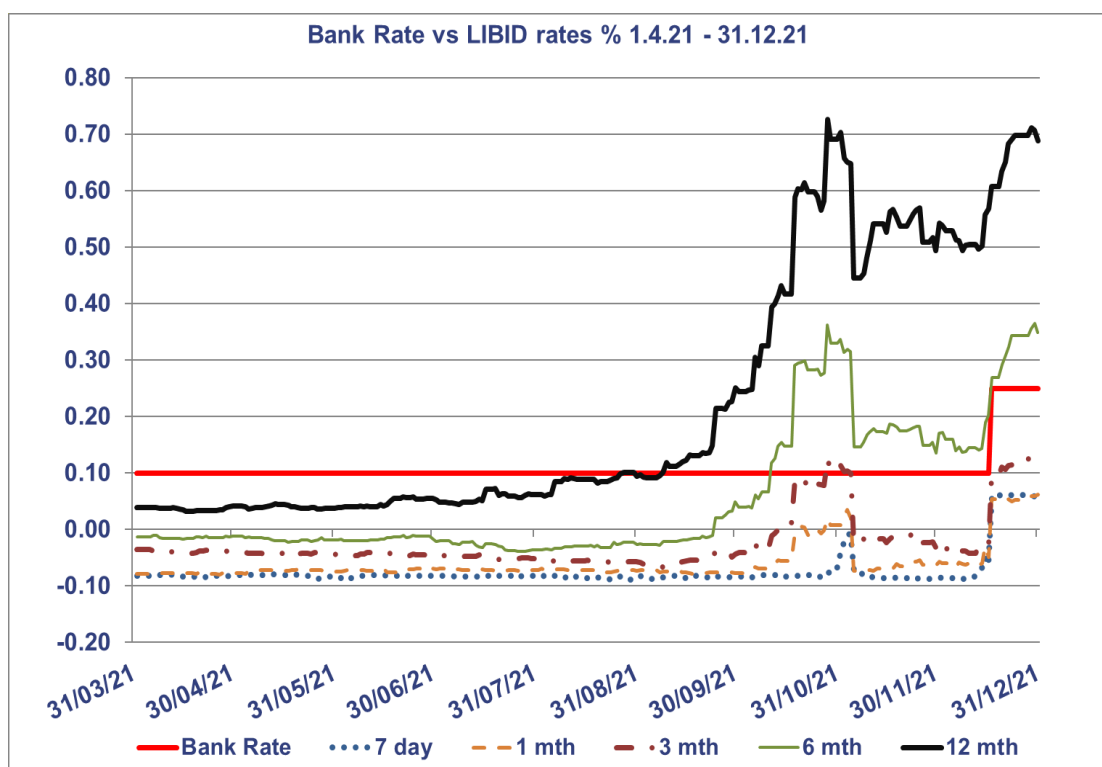
The investments are held on the balance sheet at their Fair Value (*the price expected to be received in current market conditions*). The Fair Value as at 31 March 2022 for the Commercial Property Portfolio is £21.754m, effectively reflecting an increase on the costs of purchase.

This investment portfolio is generating a gross yield of 6.79% and £1.418m 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 2022 is £1.084m.

5.0 The Strategy for 2021/22

5.1 Investment strategy and control of interest rate risk



	Bank Rate	7 day	1 mth	3 mth	6 mth	12 mth
High	0.25	0.06	0.06	0.14	0.36	0.73
High Date	17/12/2021	29/12/2021	31/12/2021	31/12/2021	30/12/2021	28/10/2021
Low	0.10	-0.09	-0.08	-0.07	-0.04	0.04
Low Date	01/07/2021	27/08/2021	17/09/2021	08/09/2021	27/07/2021	08/07/2021
Average	0.11	-0.07	-0.05	-0.01	0.09	0.31
Spread	0.15	0.15	0.14	0.20	0.40	0.68

Investment returns remained close to zero for much of 2021/22. Most local authority lending managed to avoid negative rates and one feature of the year was the continued growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2021/22 was that Bank Rate would remain at 0.1% until it was clear to the Bank of England that the emergency level of rates introduced at the start of the Covid-19 pandemic were no longer necessitated.

The Bank of England and the Government also maintained various monetary and fiscal measures, supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the various lockdowns/negative impact on their cashflow. 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 remained low until towards the turn of the year when inflation concerns indicated central banks, not just the Bank of England, would need to lift interest rates to combat the second-round effects of growing levels of inflation (CPI was 6.2% in February).

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 2021/22, 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.

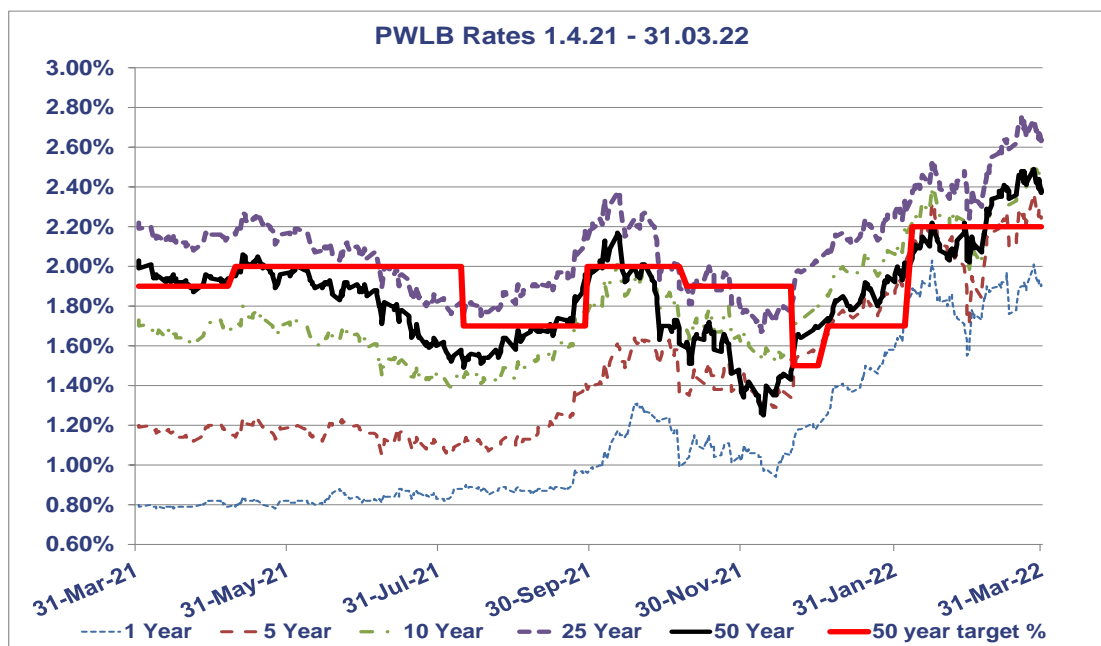
The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or 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 2021/22 and the two subsequent financial years until the turn of the year, when inflation concerns increased significantly. Internal, variable, or short-term rates, were expected to be the cheaper form of borrowing until well in to the second half of 2021/22.

Link Group Interest Rate View		7.2.22											
	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25
BANK RATE	0.75	1.00	1.00	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
3 month av. earnings	0.80	1.00	1.00	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20
6 month av. earnings	1.00	1.10	1.20	1.30	1.30	1.30	1.30	1.30	1.30	1.30	1.30	1.30	1.30
12 month av. earnings	1.40	1.50	1.60	1.70	1.70	1.60	1.60	1.50	1.40	1.40	1.40	1.40	1.40
5 yr PWLB	2.20	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30
10 yr PWLB	2.30	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40
25 yr PWLB	2.40	2.50	2.50	2.60	2.60	2.60	2.60	2.60	2.60	2.60	2.60	2.60	2.60
50 yr PWLB	2.20	2.30	2.30	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40



	1 Year	5 Year	10 Year	25 Year	50 Year
Low	0.78%	1.05%	1.39%	1.67%	1.25%
Low date	08/04/2021	08/07/2021	05/08/2021	08/12/2021	09/12/2021
High	2.03%	2.37%	2.52%	2.75%	2.49%
High date	15/02/2022	28/03/2022	28/03/2022	23/03/2022	28/03/2022
Average	1.13%	1.45%	1.78%	2.10%	1.85%
Spread	1.25%	1.32%	1.13%	1.08%	1.24%

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. Recently, yields have risen since the turn of the year on the back of global inflation concerns.

Gilt yields fell sharply from the spring of 2021 through to September and then spiked back up before falling again through December. However, by January sentiment had well and truly changed, as markets became focussed on the embedded nature of inflation, spurred on by a broader opening of economies post the pandemic, and rising commodity and food prices resulting from the Russian invasion of Ukraine.

At the close of the day on 31 March 2022, all gilt yields from 1 to 5 years were between 1.11% – 1.45% while the 10-year and 25-year yields were at 1.63% and 1.84%.

Regarding PWLB borrowing rates, the various margins attributed to their pricing 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 a further rise in short dated gilt yields and PWLB rates over the next three years as Bank Rate is forecast to rise from 0.75% in March 2022 to 1.25% later this year, with upside risk likely if the economy proves resilient in the light of the cost-of-living squeeze. Medium to long dated yields are driven primarily by inflation concerns but the Bank of England is also embarking on a process of Quantitative Tightening when Bank Rate hits 1%, whereby the Bank's £895bn stock of gilt and corporate bonds will be sold back into the market over several years. The impact this policy will have on the market pricing of gilts, while issuance is markedly increasing, is an unknown at the time of writing.

5. Other Issues

5.1 Counterparty Limits

There have been no breaches of Prudential Indicators.

Agenda Item 9d



Council

Monday, 4 July 2022

Subject: Recommendation from the Governance and Audit Committee - to vary the decision made by Annual Council in respect of the starting time for future Governance and Audit Committee Meetings

Report by:

Monitoring Officer

Contact Officer:

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

Purpose / Summary:

To consider the recommendation from the Governance and Audit Committee.

RECOMMENDATION(S):

That Council accept the recommendation from the Governance and Audit Committee that Minute 87 resolution (c) from the Annual Meeting of Council held on 9 May 2022, relating to the commencement time for Governance and Audit Committee, be varied, and as such Council agree that the Governance and Audit Committee meet at 10.00 am for the remainder of the civic year.

IMPLICATIONS

Legal:

Given this recommendation seeks to vary a Council decision it is governed by Council Procedure Rule 13.1 and the recommendation can either therefore be accepted or rejected.

Financial : FIN/60/23/FC/EF

No Implications arising from this report

Staffing :

No Implications arising from this report

Equality and Diversity including Human Rights :

No Implications arising from this report

Data Protection Implications :

No Implications arising from this report

Climate Related Risks and Opportunities:

No Implications arising from this report

Section 17 Crime and Disorder Considerations:

No Implications arising from this report

Health Implications:

No Implications arising from this report

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

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

Risk Assessment :

Call in and Urgency:

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

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

Yes

No

Key Decision:

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

Yes

No

1 Introduction

- 1.1 Annual Council at its meeting on 9 May 2022 considered a report which asked Members to determine the normal commencement time of each of the Committees.

<https://democracy.west-lindsey.gov.uk/documents/s30609/Appointment%20of%20Committee%20Chairmen%20and%20Vice-Chairmen%20for%20the%20202223%20Civic%20Year%20and%20to%20agree%20the%20norm.pdf>

- 1.2 At that meeting, following a number of proposals, it was resolved that the normal commencement time for meetings of the Governance and Audit Committee would be 2pm.

- 1.3 The Constitution provides a route by which decisions, made by Council within the last six months may be varied or rescinded, as follows: -

“Rule 13.1

A motion or amendment to rescind or vary a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 10 Members or upon the recommendation of a committee. Every such notice or recommendation shall refer to the resolution to be rescinded or varied.”

- 1.4 Following the decision made by Council, concern was expressed by serving Members of the Governance and Audit Committee, that the current timing of the Committee would see difficulty arise for some Members to attend, and as such the Committee considered this matter further at its meeting on 14 June.

- 1.5 Following debate the Governance and Audit at its meeting on 14 June **RESOLVED THAT: -**

Minute 87 resolution (c) from the Annual Meeting of Council held on 9 May 2022, relating to the commencement time for Governance and Audit Committee, be varied, and as such Council be recommended to agree that the Governance and Audit Committee meet at 10.00 am for the remainder of the civic year, as recommended by this Committee.

2. Recommendation

- 2.1 Council are therefore asked to consider and accept the recommendation from the Governance and Audit Committee and vary its previous decision.

Agenda Item 9e



Council

Monday, 4 July 2022

**Subject: Recommendation from the Governance and Audit Committee
- Amendment to the Constitution**

Report by:

Monitoring Officer

Contact Officer:

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

Purpose / Summary:

To consider the recommendation from the Governance and Audit Committee regarding an amendment to the Constitution

RECOMMENDATION(S):

That Council considers the recommendation from the Governance and Audit Committee and approves that the Constitution be amended as follows: -

Paragraph 5.1, of Part V, Rules of the Procedure, the following words be inserted after the first sentence, "Where necessary and expedient, the Head of Paid Service can vary the time of committee meetings in consultation with the Chairman of the Committee, and where practicable, the Committee as well".

IMPLICATIONS

Legal:

Financial : FIN/61/23/FC/EF

No Implications arising from this report

Staffing :

No Implications arising from this report

Equality and Diversity including Human Rights :

No Implications arising from this report

Data Protection Implications :

No Implications arising from this report

Climate Related Risks and Opportunities :

No Implications arising from this report

Section 17 Crime and Disorder Considerations :

No Implications arising from this report

Health Implications:

No Implications arising from this report

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

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 Governance and Audit Committee arising from its meeting on 14 June made the following recommendation: -

That Council be recommended to agree to amend paragraph 5.1, of Part V, in the Rules of the Procedure, in the Constitution, by inserting after the first sentence, the words "Where necessary and expedient, the Head of Paid Service can vary the time of committee meetings in consultation with the Chairman of the Committee, and where practicable, the Committee as well."

- 1.2 The Governance and Audit Committee do have within their terms of reference that they can make recommendations to Council regarding amendments to the Constitution.

2 Recommendation

- 2.1 That Council considers the recommendation from the Governance and Audit Committee and approve that the Constitution be amended as follows: -

paragraph 5.1, of Part V, Rules of the Procedure, the following words be inserted after the first sentence, "Where necessary and expedient, the Head of Paid Service can vary the time of committee meetings in consultation with the Chairman of the Committee, and where practicable, the Committee as well."

Agenda Item 9f



Council

Monday, 4 July 2022

Subject: To Appoint to the vacancies remaining on the Overview and Scrutiny Committee following Annual Council

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic and Elections Team Manager
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

That Council appoint Members to the vacancies remaining on the Overview and Scrutiny Committee following Annual Council on 9 May 2022, and to elect a Vice-Chairman for the Committee.

RECOMMENDATION(S):

- (1) That Council appointments five Members of Council to serve on the Overview and Scrutiny Committee for the remainder of the 2022/23 Civic Year; and**
- (2) That Council appoint a Vice- Chairman of the Overview and Scrutiny Committee from within the existing Membership of the Committee.**

IMPLICATIONS

Legal:

In accordance with the provisions of regulation 15 of the Local Government and Housing Act 1989.

Voting on appointments is governed by Council Procedure Rule 14.6.

Financial : FIN/62/23/FC/EF

An allowance of £1,492 is payable to the Vice-Chairman of the Overview and Scrutiny Committee and is payable from agreed budgets.

Staffing :

None

Equality and Diversity including Human Rights :

None

Data Protection Implications :

None

Climate Related Risks and Opportunities :

None

Section 17 Crime and Disorder Considerations :

None

Health Implications:

None

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

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 Annual Council at its meeting on 9 May, considered a report which set out the details of the political groups on the Council, the number of Members to be appointed to serve on each committee and the allocation to different political groups of seats on the committees.
<https://democracy.west-lindsey.gov.uk/documents/s30605/Review%20Of%20The%20Allocation%20Of%20Seats%20To%20Political%20Groups%20On%20CommitteesSub%20-Committees.pdf>
- 1.2 Having determined the allocations, Council were asked to appointment Members to serve on each of the Committees in accordance with the wishes expressed by political groups.
<https://democracy.west-lindsey.gov.uk/documents/s30608/Appointment%20Of%20Committees%20for%20the%20202223%20Civic%20Year.pdf>
- 1.3 The Liberal Democrat Group were afforded 5 places on the Overview and Scrutiny Committee but indicated at Annual Council they would not be nominating Members from the Group to resume the seats afforded.
- 1.4 The allocation of seats to Political Groups is governed by the Local Government and Housing Act 1989.
- 1.5 Regulation 15 provides for occasions where a political group has failed to express it wishes

Appointments where political group fails to express wishes

15. Where a political group has failed to express its wishes in relation to the appointment to such a seat as is mentioned in regulation 14 within the period of three weeks beginning with the date on which notice was given under that regulation, the authority or committee may make such appointment to that seat as they think fit.

- 1.6 Further opportunity has been provided to the Leader of the Opposition since Annual Council, but in the continued absence of wishes having been expressed, it is now permissible for Council to appoint any Members to the remaining 5 seats on the Overview and Scrutiny Committee.
- 1.7 Furthermore, at Annual Council, no nominations were forthcoming for the position of Vice-Chairman of the Overview and Scrutiny Committee.

2 Recommendations

- 2.1 Council are asked to appointment five Members of Council to serve on the Overview and Scrutiny Committee for the remainder of the 2022/23 Civic Year; and
- 2.2 Council are also asked to appoint a Vice- Chairman of the Overview and Scrutiny Committee from within the existing Membership of the Committee.