

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

This meeting will be webcast live and published on the Council's website
via: <https://west-lindsey.publici.tv/core/portal/home>

AGENDA

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

Notice is hereby given that the 50th Annual Meeting of West Lindsey District Council will be held in the Council Chamber - The Guildhall, , on **Monday, 13th May, 2024 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. OUTGOING CHAIRMAN'S WELCOME
2. APOLOGIES FOR ABSENCE
3. MEMBERS' DECLARATIONS OF INTEREST
Members may make any declarations of interest at this point and may also make them at any point during the meeting.
4. TO ELECT A CHAIRMAN OF THE DISTRICT COUNCIL FOR THE 2024/25 CIVIC YEAR
Following which, the Chairman elected will take the Chair and make the Declaration of Acceptance of Office.

5. TO ELECT A VICE-CHAIRMAN OF THE DISTRICT COUNCIL FOR THE 2024/25 CIVIC YEAR

Following which, the Vice-Chairman elected will make the Declaration of Acceptance of Office.

6. CHAIRMAN'S CHAPLAIN

(a) to move a vote of thanks to those who presided over prayers, on behalf of the Chairman, at Council during the past year;

(b) to receive the appointment of Chairman's Chaplain for the ensuing year and investment of the Stole.

7. TO ELECT A LEADER OF THE COUNCIL

The following nomination(s) have been received in accordance with Article 6 of the Constitution: -

Nominee:	Councillor Trevor Young
Proposer:	Councillor Stephen Bunney
Seconder:	Councillor Karen Carless

8. TO ELECT A DEPUTY LEADER OF THE COUNCIL

9. MINUTES OF THE PREVIOUS MEETING

To confirm and sign as a correct record the Minutes of the Meeting of Full Council held on 8 April 2024.

(PAGES 4 - 10)

10. REPORTS FOR DETERMINATION

a. REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS COMMITTEES/SUB -COMMITTEES

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

Large Clear Print: Braille: Audio: Native Language

To note the Group Leaders of each Group and the number of Members to be appointed to serve on each Committee in accordance with the provisions of Section 15 of the Local Government Act.

(PAGES 11 - 19)

b. APPOINTMENT OF COMMITTEES FOR THE CIVIC YEAR 2024/25

In accordance with the provisions of Section 16 of the Local Government and Housing Act 1989, to appoint Members to Committees for the Civic Year, in accordance with the wishes expressed by the Political Groups.

(PAGES 20 - 25)

c. APPOINTMENT OF COMMITTEE CHAIRMEN AND VICE-CHAIRMAN FOR THE 2024/25 CIVIC YEAR and to agree the normal commencement time for each Committee.

(PAGES 26 - 31)

d. REVISIONS TO APPOINTMENTS ON OUTSIDE BODIES

(PAGES 32 - 38)

e. RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - MONITORING OFFICER ANNUAL REPORT 2023/24 AND APPOINTMENTS TO LAY POSITIONS

(PAGES 39 - 55)

f. Overview & Scrutiny Annual Report 2023/24

(PAGES 56 - 79)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Friday, 3 May 2024

Agenda Item 9

West Lindsey District Council - 8 April 2024

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 8 April 2024 at 7.00 pm.

Present: Councillor Stephen Bunney (Chairman)
Councillor Matthew Boles (Vice-Chairman)

Councillor Emma Bailey	Councillor John Barrett
Councillor Eve Bennett	Councillor Owen Bierley
Councillor Trevor Bridgwood	Councillor Liz Clews
Councillor Frazer Brown	Councillor Karen Carless
Councillor Christopher Darcel	Councillor David Dobbie
Councillor Jacob Flear	Councillor Ian Fleetwood
Councillor Paul Key	Councillor Paul Lee
Councillor Jeanette McGhee	Councillor Peter Morris
Councillor Lynda Mullally	Councillor Maureen Palmer
Councillor Roger Pilgrim	Councillor Mrs Diana Rodgers
Councillor Mrs Lesley Rollings	Councillor Tom Smith
Councillor Jim Snee	Councillor Paul Swift
Councillor Baptiste Velan	Councillor Trevor Young

In Attendance:

Ian Knowles	Chief Executive
Emma Foy	Director of Corporate Services and Section 151 Officer
Lisa Langdon	Assistant Director People and Democratic (Monitoring Officer)
Katie Storr	Democratic Services & Elections Team Manager

Apologies

Councillor Mrs Jackie Brockway
Councillor Sabastian Hague
Councillor Paul Howitt-Cowan
Councillor Mrs Angela Lawrence
Councillor Roger Patterson
Councillor Mrs Mandy Snee
Councillor Moira Westley

72 MINUTES OF THE PREVIOUS MEETING

The Chairman highlighted to the meeting two typographical amendments contained within the Minutes.

The first being the word "be" missing from Minute 66, Matters Arising. The second being within Minute 67, Announcements by Chairman, where reference to Wold Pines in paragraph three, should have read Wild Pines.

The meeting's consent was sought and received that these amendments be made to the published record.

Having been proposed and seconded, it was: -

RESOLVED that the Minutes of the Meeting of Full Council held on 4 March, be confirmed, approved and signed as a correct record, subject to the typographical amendments detailed above being made.

73 MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made at this point in the meeting. The Chairman reminded Members that they could make a declaration at any point in the meeting should they feel it necessary to do so.

74 MATTERS ARISING

The Chairman introduced the report advising Members that it would be taken "as read" unless Members had any questions that they wished to raise.

With no comments or questions, and with no requirement to vote, the matters arising were **DULY NOTED**.

75 ANNOUNCEMENTS

Chairman

The Chairman addressed the Council, referencing briefly some of the events in which he had been involved and attended since Council last met.

Starting with supporting fellow Councillor, Councillor Darcel, at an Environment Agency meeting to further some work Councillor Darcel had been undertaking with regards to potential flood protection or alleviation schemes in the south of the county. The Chairman had found it extremely interesting and thanked Councillor Darcel for the opportunity.

The Chairman, in his civic capacity had visited the His Church in Binbrook, a charity which collects surplus food and other items from supermarkets and other sources before re-distributing it to those in need, both in this country and internationally. He spoke of the incredible work undertaken at the site and of the operation's national and international recognition. The visit had left an impression, had been worthwhile and the Chairman indicated he looked forward to learning more about their work.

It had been a pleasure to attend at the fifth Annual Illuminate event in Gainsborough which

had been a great success once again. Thanks were expressed to all Officers and Members involved in delivering the event which had been most enjoyable and had seen large numbers gathering in and around the Marketplace due to it being combined with the food market which had been welcomed. Those who the Chairman had spoken with had enjoyed the event and he hoped that similar festivals could be held, both in Gainsborough and around the District.

The Chairman had raised a flag for Commonwealth Day, filming the event and making this available via the Authority's social media accounts on this occasion.

It had been a pleasure to attend at the Lincolnshire Carers' Awards, an event the District Council had sponsored and played a role in the judging of some award categories. He spoke of the amazing and under-celebrated work of Carers and the evening had provided opportunity for them to be celebrated and honoured.

The Chairman had attended the Civic Dinner of the Mayor of Kirton Lindsey. The Mayor, who was also a Clerk to a Parish Council within West Lindsey, had complimented the Authority on its facilities fund from which her Parish had received a grant for play equipment, she had asked that personal thanks be shared with elected Members.

Over the Easter weekend the Chairman had had the pleasure in attending and sponsoring a number of guests at the Market Rasen Racecourse, in celebration of its 100th anniversary, hosted by the Jockey Club. It had been a most successful day, despite the cool weather, and expected traffic issues.

The Saturday of the Easter weekend had seen the inaugural Antiques Market in Gainsborough and markets in both Market Rasen and Caistor, with the Chairman visiting them all. It had been a pleasure to see the marketplaces experiencing increased footfall, and people enjoying their experiences.

The second Antiques Market in Gainsborough had built on its experience from the previous week, with an increased number of stalls again and higher footfall, the Chairman hoped that these sorts of activities could be continued in the marketplaces, and the spaces used and enjoyed by the District's residents.

Leader

The Leader made the following address to Council: -

"Welcome Members - as a Council our work in trying to secure the agreement around the use of the former RAF Scampton site continues and I was pleased to secure a meeting with Minister Tom Pursglove two weeks ago in London, where we hoped to make progress in our discussions around the site. Later that afternoon, the Government laid the SDO, the Special Development Order, in Parliament, a procedure which is a mechanism for bypassing the local planning authority's planning permission process.

As with other applications, once the application has been made, any stop notices should be lifted as it is seen as the applicant is attempting to regularise the permissions on the development. The talks were very productive with the

Minister who recognised what we are trying to achieve in terms of allowing our £300 million project plan for the site to develop. He attempted to reassure us that the numbers would reduce by 800 on the site to a further 300, with a further 300 to be allowed in emergency situations, though it's unclear, as we know, what might constitute an emergency. Those discussions will continue, the Minister was very supportive and offered Councillors from West Lindsey an opportunity to visit Bibi Stockholm barge and the Weatherby site to get a better idea of the way large asylum centres are now working. We are keen to arrange these visits as soon as we can and to protect the site, enabling the development, whilst working to ensure the disruption to local communities is minimised, that is our key priority.

I also attended the District Council Network conference, which provided opportunity to work with other Councils and look at what they were doing, to consider alternative ways and to be forward thinking in our approaches here at West Lindsey.

Finally like you Chairman, the weekly Antiques Market started two weeks ago and it was great to see the number of traders who visited and the hundreds of people who came to support. We hope that this continues to be a big success in Gainsborough.”

Chief Executive

The Chief Executive addressed Council and started by echoing the Leader's comments in respect of the meeting with Minister Pursglove.

The Corporate Policy and Resources Committee on 21 March, had approved a list of 16 negotiation criteria for reaching an agreement, good progress had been made since that meeting. The Chief Executive further advised that he would be setting up an online Member briefing for Wednesday (10 April) at 7pm. Apologies were offered for the short notice with the Chief Executive indicating he wished to ensure that all Members were aware of the principles that were being put into place with the Home Office. He expressed his thanks to Sally Grindrod-Smith for getting the Council to this stage.

The Chief Executive further advised that all of the Authority's Council Tax and Business Rate bills had been sent and issued on time and before the end of March. The financial year-end had approached and the close-down of the accounts was progressing smoothly and in line as expected.

Finally, the Chief Executive also took the opportunity to comment on the introduction of the Antiques Market on the 30 March, commenting that the first market had gone well with the second week seeing more traders. He looked forward to seeing the offer grow over the coming weeks.

This brought announcements to a conclusion.

76 PUBLIC QUESTION TIME

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

77 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that no questions had been submitted by Members under Council Procedure Rule No.9.

78 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

The Chairman advised the meeting that no motions had been submitted by Members under Council Procedure Rule No.10.

79 NEIGHBOURHOOD PLAN REVIEWS - SCHEME OF OFFICER DELEGATION

Members considered a report presented by the Chairman of Council which sought to update the Officer Delegation Scheme in respect of Neighbourhood Planning, in particular responsibilities in relation to Neighbourhood Plan Reviews, with a number expected to be conducted during 2024/2025.

The report primarily sought to grant delegated authority, to allow Officers to deal with minor reviews, and reaffirmed that more substantial reviews would remain the responsibility of Full Council to “make” following Public Examination.

The Chairman moved the recommendations en-bloc from the Chair before opening the matter for debate.

During brief discussion Members complimented the work of the Neighbourhood Planning Team and the support given to communities. Members believed the success of Neighbourhood Plans across the District was a testament to the support offered and the support was often commented on by Groups, when achieving “made and adopted” Plan status.

Neighbourhood planning was also seen as a real opportunity for communities to better understand the planning process and with reviews now coming around it was suggested by Members it may be opportune to hold an information session for those wishing to develop their Plans. Members considered West Lindsey had a real opportunity and role to play in increasing engagement, understanding and involvement in Neighbourhood Plan making.

Members from all sides of the Chamber were supportive of the sharing of workshops and seminars with Parish Councils being explored and encouraged.

Having been seconded, on being put to the vote it was

RESOLVED that: -

- (a) the varying levels of Neighbourhood Plan Reviews which could be undertaken be noted;
- (b) delegated Authority be granted to the Director of Planning, Regeneration and Communities to approve minor (non-material) modifications to Neighbourhood Plans, following a review, and this be added to the Scheme of Officer Delegation;
- (c) Full Council continue to “make” all Neighbourhood Plans following a Neighbourhood Plan review which is deemed by the Examiner to contain material modifications; and
- (d) Where a Neighbourhood Plan Review results in a referendum, the Neighbourhood Planning Group / Parish Council be invited to present their Plan to Full Council as they were at its first “making”.

80 OUTCOME OF THE GREATER LINCOLNSHIRE DEVOLUTION DEAL CONSULTATION EXERCISE

Members considered a report, introduced by the Chief Executive which presented the findings of the Lincolnshire Devolution consultation exercise. The report also highlighted the proposed amendments to the Greater Lincolnshire Devolution Deal, as a result of the consultation findings.

Section 3 had the overall findings arising from the consultation with the table at 3.5 showing West Lindsey specific responses.

It had been mentioned by the Chairman that one category question, relating to governance or the mayoral question, appeared to be missing from the table of West Lindsey specific data, apologies were offered, and the Chief Executive undertook to circulate this data to Members.

Based on the consultation, there were a few amendments the constituent members had sought and approved, and these were detailed in Section 4 of the report and highlighted and summarised to Members.

Debate ensued and whilst Members commented on apathy around the mayoral proposals, given the length of time discussion had been ongoing, with the consultation now complete and data presented it was proposed the report be accepted.

The Leader of the Council expressed concern in a general sense around apathy to consultations, using the Devolution consultation exercise as an example to highlight his concerns, noting that only circa 4,000 responses had been received throughout Greater Lincolnshire. Despite apathy towards Mayoral proposals, they remained within the proposal, something he considered further fed apathy towards completing consultations.

From a West Lindsey perspective, the Leader wanted to ensure all consultations in the future were engaging and meaningful and when people took time to respond their comments were taken on board.

Devolution in Lincolnshire had many consequences and had communities understood this better, it was suggested more would have engaged. The Leader was of the view that in years to come when communities understood the impact of the decision, the additional layers of Local Government it created and the cost, there would be public upset.

Bringing comments to a close, having previously highlighted a West Lindsey specific statistic having been omitted from the report, the Chairman advised the meeting that Lincolnshire-wide support for a Mayor had been 38%, West Lindsey specific that figure had been 40%. It was further clarified that that was 40% of those responding to the survey as opposed to 40% of all residents.

With no requirement to vote on recommendations one and two, Members **DULY NOTED** the findings of the Greater Lincolnshire Devolution consultation exercise and the proposed amendments to the Greater Lincolnshire Devolution Deal, which had been approved by the three constituent authorities.

With recommendation three having been proposed and seconded, on being put to the vote it was

RESOLVED that West Lindsey District Council continue to engage with the implementation of devolution arrangements.

The meeting concluded at 7.34 pm.

Chairman



Annual Council

Monday 13 May 2024

Subject: Review Of The Allocation Of Seats To Political Groups On Committees/Sub -Committees

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic and Elections Manager and Deputy
Monitoring Officer
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

This report sets 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.

RECOMMENDATION(S):

- 1) that the details of political groups, as set out in Appendix A, be noted;**
- 2) that the number of Members to be appointed to serve on each Committee, arising from the Head of Paid Service's delegated decision, be noted; and**
- 3) that the allocation to different political groups of seats on committees, as set out in Appendix B, arising from the Head of Paid Service's delegated decision, be noted.**

IMPLICATIONS

Legal:

Council is required to review the allocation to different political groups of seats on committees and sub-committees, in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989, when either a trigger is met (election, resignation change in Group Membership) or at least annually at its annual meeting as set out in the Constitution.

This review is borne out of the Council's commitment to review the balance annually at its AGM. No changes have arisen within the Groups since the last review in May 2023 following all out District Elections.

There has been notification to the Head of Paid Service of a change of Group Leader for the Lincolnshire Independent Group.

Financial :

None directly arising as a result of this report.

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

Staffing :

None directly arising as a result of this report.

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

Equality and Diversity including Human Rights :

None directly arising as a result of this report.

Data Protection Implications :

None directly arising as a result of this report.

Climate Related Risks and Opportunities :

None directly arising as a result of this report.

Section 17 Crime and Disorder Considerations :

None directly arising as a result of this report.

Health Implications:

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

Working Papers and Options considered in May 2023 held by Democratic Services.

Notice to Head of Paid Service advising of new Group Leader for Lincolnshire Independents held by Democratic Services

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 In accordance with the provisions of Section 15 of the Local Government and Housing Act 1989, the Council is required to review the allocation to different political groups of seats on committees and sub-committees.
- 1.2 The last review of the allocations took place in May 2023 following the all-out District Elections.
- 1.3 This review is borne from the Council's commitment in its Constitution to, at each Annual Meeting, review the allocation of seats to political groups in accordance with the political balance rules. No changes which would affect political balance, have been made to the Groups since the last review in May 2023. However, the Lincolnshire Independent Group have given due notice of a change to their Group Leader.
- 1.4 Existing political groups for the purposes of the Local Government (Committees & Political Groups) Regulations 1990 are as follows:

Group	No. of Members	Leader	Deputy
The Liberal Democrat Administration Group	19	Councillor Trevor Young	Councillor Lesley Rollings
The Opposition Group	15	Councillor Ian Fleetwood	Councillor Roger Patterson
The Lincolnshire Independent	2	Councillor Paul Key	Councillor Chris Darcel

- 1.5 The Council currently has no unaligned Independents.
- 1.6 The Council has delegated authority to the Head of Paid Service to agree, following consultation with the Group Leaders, the overall allocation of seats to groups resulting from the application of rounding.
- 1.7 Full details of group membership are set out in Appendix A.

2. The Allocations

- 2.1 In accordance with the provisions of section 15 of the Local Government and Housing Act 1989 (Duty to allocate seats to political groups), the Council is required to give effect, so far as reasonably practicable, to the following specified principles:

- (a) that not all the seats on a Committee/Sub-Committee are allocated to the same political group;
 - (b) that the majority of the seats on a Committee/Sub-Committee are allocated to a particular political group where the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that authority as is borne by the number of Members of that group to the membership of the authority;
 - (d) subject to paragraphs (a) to (c) above, that the number of seats on the Committee/Sub-Committee which are allocated to each political group bears the same proportion to the number of all the seats on that Committee/Sub-Committee as is borne by the number of members of that group to the membership of the authority.
- 2.2 (b) above applies as there is a group with a majority of seats on the Council.
- 2.3 In order to give effect, so far as is reasonably practicable, to the principles specified above and in consultation with Group Leaders as required by the delegation, it has previously been determined that the best fit to meet the political balance rules is for the: -
- Planning Committee, Corporate Policy and Resources Committee, Prosperous Communities Committee, Licensing Committee, Regulatory Committee and Overview and Scrutiny Committee to comprise 11 Members;
 - Chief Officer Employment Committee and Governance and Audit Committee to comprise 9 Members.
- 2.5 As agreed as part of the Annual Review of the Constitution during 2017/2018, the same 11 Members comprise both the Licensing Committee and the Regulatory Committee.
- 2.6 All of the Group Leaders were consulted on the number of Members to be appointed to serve on the Committees/Sub-Committees in May 2023 and given there have been no changes effecting political balance, no additional consultation was undertaken to arrive at the reported position.
- 2.7 Applying group numbers to the seats available on the Committees and Sub-Committees gives the allocation set out in Appendix B, which is supported by the Group Leaders as the most reasonably practical in the circumstances.

Local Government & Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990

Political Groups on the District Council – May 2023

Liberal Democrat Administration Group (19 Councillors)

(Comprising 18 Liberal Democrat Councillors and 1 Independent Councillor)

Liberal Democrat (18)

Councillor Emma Bailey

Councillor Eve Bennett

Councillor Matthew Boles

Councillor Stephen Bunney

Councillor Karen Carless

Councillor Liz Clews

Councillor David Dobbie

Councillor Jacob Flear

Councillor Sabastian Hague

Councillor Jeanette McGhee

Councillor Lynda Mullally

Councillor Lesley Rollings

Councillor Jim Snee

Councillor Mandy Snee

Councillor Paul Swift

Councillor Moira Westley

Councillor Baptiste Velan

Councillor Trevor Young

Independent Councillor

Councillor Paul Howitt Cowan

The Opposition Group (15 Councillors)

(Comprising 14 Conservative Councillors and 1 Independent Councillor)

Conservative (14)

Councillor John Barrett

Councillor Owen Bierley

Councillor Trevor Bridgwood

Councillor Jackie Brockway

Councillor Frazier Brown

Councillor Adam Duguid

Councillor Ian Fleetwood

Councillor Angela Lawrence

Councillor Paul Lee

Councillor Peter Morris

Councillor Maureen Palmer

Councillor Roger Patterson

Councillor Roger Pilgrim

Councillor Tom Smith

Independent Councillor

Councillor Diana Rodgers

Lincolnshire Independents Group (2 Councillors)

Councillor Chris Darcel

Councillor Paul Key

Appendix B

Political Make-up of the Council, on which calculations have been based: -

Liberal Democrat Administration Group(LDA)	The Opposition Group (OGrp)	Lincs Independent Group (LI)	Total
19 members	15 Members	2 Members	36 Members
52.78%	41.67%	5.56%	100%

TABLE 1 – ORDINARY COMMITTEES

	LDA	OGrp	LI	Total
Prosperous Communities (11)	6	5		11
Corporate Policy and Resources (11)	6	5		11
Governance and Audit (9)	5	3	1	9
Planning (11)	6	4	1	11
Chief Officer Employment (9)	5	4		9
Total no. of seats (51)	28	21	2	51
As a %	54.90	41.67	3.92	100

NOTES: This would meet the criteria with the LDA Grp having a majority on each Committee, followed by the OGrp having the next largest proportion and so on.

TABLE 2

WITH POLITICAL BALANCE APPLIED	LDA	OGrp	LI	Total
Overview and Scrutiny Committee (11)	6	4	1	11
Total no of seats as a %	54.55	36.36	9.09	100

TABLE 3

	LDA	OGrp	LI	Total
Licensing (11)	6	5		11
Regulatory (11)	6	5		11
Total no. of seats (22)	12	10	0	22
Total no of seats as a %	54.55	45.45	0	100

Note the membership of the two committees above has to be identical. Licensing Committees must comprise at least 10 Members

Agenda Item 10b



Annual Council

Monday, 13 May 2024

Subject: Appointment Of Committees for the 2024/25 Civic Year

Report by:

Monitoring Officer

Contact Officer:

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

Purpose / Summary:

This report sets out the wishes expressed by political groups in respect of appointment of Members to serve on the Committees of the Council for the 2024/2025.

RECOMMENDATION(S):

- (1) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, Members be appointed to serve on the Council's Committees for the 2024/2025ⁱ civic year as set out within this report or provided verbally at the meeting.**

IMPLICATIONS

Legal:

In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups

Financial :

None directly arising from this report

Staffing :

None directly arising from this report

Equality and Diversity including Human Rights :

None directly arising from this report

Data Protection Implications :

None directly arising from this report

Climate Related Risks and Opportunities:

None directly arising from this report

Section 17 Crime and Disorder Considerations:

None directly arising from this report

Health Implications:

None directly arising from this report

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

Notices received from the Group Leaders on the allocation of Committee/ Sub-Committee places – documents available from the Guildhall, Gainsborough (on request).

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 In accordance with the provision of section 16 of the Local Government and Housing Act 1989, it is the duty of the Council to make appointments to Committees in accordance with the wishes expressed by political groups following the determination under section 15 (the allocation of seats to political groups).

1.2 Section 2 details the wishes expressed by the political groups.

2. Appointment of Committees

2.1 Chief Officer Employment Committee (9 Members)

Councillor Owen Bierley
Councillor Mrs Jackie Brockway
Councillor Stephen Bunney
Councillor Paul Lee
Councillor Peter Morris
Councillor Mrs Lesley Rollings
Councillor Mrs Mandy Snee
Councillor Moira Westley
Councillor Trevor Young

2.2 Corporate Policy and Resources Committee (11 Members)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Ian Fleetwood
Councillor Roger Patterson
Councillor Mrs Lesley Rollings
Councillor Tom Smith
Councillor Mrs Mandy Snee
Councillor Paul Swift
Councillor Trevor Young

2.3 Governance and Audit Committee (9 Members)

Councillor Stephen Bunney
Councillor Mrs Jackie Brockway
Councillor Christopher Darcel
Councillor David Dobbie
Councillor Sabastian Hague
Councillor Mrs Angela Lawrence
Councillor Lynda Mullally
Councillor Roger Pilgrim
Councillor Baptiste Velan

2.4 **Licensing Committee (11 Members)**

Councillor John Barrett
Councillor Eve Bennett
Councillor Trevor Bridgwood
Councillor Liz Clews
Councillor David Dobbie
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Maureen Palmer
Councillor Jim Snee
Councillor Mrs Mandy Snee
Councillor Baptiste Velan

2.5 **Regulatory Committee (11 Members)**

Councillor John Barrett
Councillor Eve Bennett
Councillor Trevor Bridgwood
Councillor Liz Clews
Councillor David Dobbie
Councillor Mrs Angela Lawrence
Councillor Paul Lee
Councillor Maureen Palmer
Councillor Jim Snee
Councillor Mrs Mandy Snee
Councillor Baptiste Velan

2.6 **Planning Committee (11 Members)**

Councillor Emma Bailey
Councillor John Barrett
Councillor Matthew Boles
Councillor Karen Carless
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Peter Morris
Councillor Tom Smith
Councillor Jim Snee
1 x Vacant seat – allocated to the Lincolnshire Independent Group

2.7 **Prosperous Communities Committee (11 Members)**

Councillor Emma Bailey
Councillor Owen Bierley
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Karen Carless
Councillor Jacob Fildes

Councillor Paul Lee
Councillor Roger Patterson
Councillor Mrs Diana Rodgers
Councillor Mrs Lesley Rollings
Councillor Trevor Young

2.8 Overview and Scrutiny Committee (11 members) –

Councillor Trevor Bridgwood
Councillor Liz Clews
Councillor Jacob Flear
Councillor Paul Howitt-Cowan
Councillor Paul Key
Councillor Jeanette McGhee
Councillor Lynda Mullally
Councillor Maureen Palmer
Councillor Roger Pilgrim
Councillor Moira Westley
1 x Vacant Seat – allocated to the Opposition Group

Agenda Item 10c



Annual Council

Monday, 13 May 2024

Subject: Appointment of Committee Chairmen and Vice-Chairmen for the 2024/25 Civic Year and to agree the normal commencement time for each Committee.

Report by:

Monitoring Officer

Contact Officer:

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

Purpose / Summary:

This report seeks to appoint Chairmen and Vice-Chairmen to each of the Committees and determine the normal commencement time of each of the Committees.

RECOMMENDATION(S):

- (1) That the number of Vice-Chairmanships on the Corporate Policy and Resources Committee be increased from one to two
- (2) That Council appoint the Chairmen and Vice-Chairmen, as detailed in Table 1 of the report, for the 2024/25 Civic Year to the following Committees: -
 - (a) Chief Officer Employment Committee
 - (b) Corporate Policy and Resources Committee
 - (c) Planning Committee
 - (d) Governance and Audit Committee
 - (e) Licensing Committee
 - (f) Overview and Scrutiny Committee
 - (g) Regulatory Committee
 - (h) Prosperous Communities Committee
- (3) That Council agree the normal commencement time for each of the above named Committees in accordance with the schedule detailed in Table 1 of the report.



IMPLICATIONS

Legal:

It is the responsibility of Full Council to agree Chairmanships, Vice-Chairmanships, and start times for meetings at its Annual meeting.

Financial :

Special responsibility allowances are payable to Committee Chairmen and Vice-Chairmen at a rate agreed by the Independent Remuneration Panel. These costs are met from the Members' Allowance budget which is set following any recommendation from the Panel and subsequent approval by Full Council

Increasing the Vice-Chairmanships on the Policy and Resources Committee has had no impact on the budget at this stage as the allowance will be shared.

This matter will be considered further by the Independent Remuneration Panel in due course and appropriate recommendations made if deemed necessary.

Staffing :

None directly arising as a result of this report.

Equality and Diversity including Human Rights :

None directly arising as a result of this report.

Data Protection Implications :

None directly arising as a result of this report.

Climate Related Risks and Opportunities:

None directly arising as a result of this report.

Section 17 Crime and Disorder Considerations:

None directly arising as a result of this report.

Health Implications:

None directly arising as a result of this report.

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

Notices received from the Group Leaders on the allocation of Committee/ Sub Committee places – documents available from the Guildhall, Gainsborough (on request).

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 Following the Constitutional changes agreed in March 2019, Council are now the responsible body for the appointment of Chairmen and Vice-Chairmen to each Committee, thereby avoiding the need for the traditional “mini-meets”, following each Annual Council.
- 1.2 Council are also now responsible for determining the normal commencement time for each of the Committees.
- 1.3 Council can also determine whether a Committee should have one or two Vice- Chairmen, no Committee is permitted to have more than two.
- 1.4 A request has been received from the ruling Liberal Democrat Administration Group that the number of Vice-Chairmanships afforded on the Corporate Policy and Resources Committee be increased from one to two.
- 1.5 As this is an unbudgeted change – the allowance will be shared and the matter considered further by the Remuneration Panel. As a result there is no impact on the overall allowances budget.
- 1.6 Table 1 below sets out the nominations for each available position and proposed commencement time for each Committee.

Table 1

Committee	Chairman	Vice Chairman/men	Normal Start Time
Chief Officer Employment Committee	Councillor Moira Westley	Councillor Mandy Snee	Meetings to be convened as and when required
Corporate Policy and Resources Committee	Councillor Trevor Young	Councillor Lesley Rollings Councillor Paul Swift	6.30pm
Planning Committee	Councillor Matt Boles	Councillor Jim Snee	6.30pm
Governance and Audit Committee	Councillor Stephen Bunney	Councillor David Dobbie Councillor Velan Baptiste	2.00pm
*Licensing Committee	Councillor Jim Snee	Councillor Mandy Snee	6.30pm
Overview and Scrutiny Committee	Councillor Paul Howitt-Cowan	Councillor Jacob Flear Councillor Jeanette McGhee	6.30pm
*Regulatory Committee	Councillor Jim Snee	Councillor Mandy Snee	6.30pm
Prosperous Communities Committee	Lesley Rollings	Councillor Trevor Young Councillor Emma Bailey	6.30pm

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

Agenda Item 10d



Annual Council

13 May 2024

Subject: Revision to Outside Body Appointments

Report by:

Monitoring Officer

Contact Officer:

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

Purpose / Summary:

To make revisions to outside body appointments.

RECOMMENDATION(S):

That Councillor Stephen Bunney be appointed to the Central Lincolnshire Joint Strategic Planning Committee until Annual Council May 2027 in replacement of Councillor Jim Snee.

IMPLICATIONS

Legal:

Appointment to outside bodies is a requirement of the Constitution

Financial :

Members are entitled to claim allowances for attendance at bodies and groups they have been formally appointed to. Costs can be met from within existing member travel budgets.

Staffing :

None arising from this report

Equality and Diversity including Human Rights :

None arising from this report

Data Protection Implications :

None arising from this report

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations:

None arising from this report

Health Implications:

None arising from this report

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

Correspondence with Outside Body agencies, held by Democratic Services

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 Council makes a number of appointments to Outside Bodies, where such bodies have requested formal representation, and is required annually to make appointments to such outside bodies where vacancies exist. The Full list of Outside Bodies is shown at Appendix 1.

1.2 The majority of Outside Body appointments now have a four-year term and expire in-line with the elections cycle. There are none due to expire this year however the Administration have asked for the following replacement to be made:-

- **Central Lincolnshire Joint Strategic Planning Committee**

Councillor Stephen Bunney to replace Councillor Jim Snee

1.3 Council are therefore asked to appoint Councillor Stephen Bunney to Central Lincolnshire Joint Strategic Planning Committee until Annual Council May 2027.

To appoint representatives to the following Statutory, Strategic, Charitable and Community organisations.

Name of body	Type of organisation	no. of places	member 1	member 2	member 3	member 4
Age UK Lindsey	Charity	1	Cllr Karen Carless 2027			
Ancholme Internal Drainage Board	Statutory	1	Cllr Stephen Bunney 2027			
APSE LEADER		1	Cllr Trevor Young			
Citizens Advice Lindsey	Charity	1	Cllr Jim Snee 2027			
CLJSPC Central Lincs Joint Strategic Planning Committee (LEADER)		3 + 1 reserve	Cllr Trevor Young 2027	Cllr Matt Boles 2027	Cllr Jim Snee 2027	Cllr Ian Fleetwood 2027 (reserve)
(The) Conservation Volunteers	Charity	2	Cllr Paul Howitt-Cowan 2027	Cllr Eve Bennett 2027		
District Councils' Network LEADER	Strategic	1 + sub	Cllr Trevor Young 2027	Cllr Ian Fleetwood (sub) 2027		
District Council Health and Wellbeing Briefing (renamed)	Community	1	Cllr Trevor Young 2027			
East Midlands Council LEADER & DEPUTY LEADER	Strategic	1 + sub	Cllr Trevor Young 2027	Cllr Lesley Rollings 2027		
Flood & Water Management Scrutiny Cttee		1 + sub	Cllr Ian Fleetwood 2027	Cllr Lesley Rollings 2027 (res)		
Gainsborough Adventure Playground Association	Charity	1	Cllr Matthew Boles 2027			
Gainsborough Transport Strategy Delivery Board (GTSDDB)	Strategic	2 + res	Cllr Jacob Flear 2027	Cllr Trevor Young 2027	Cllr Roger Patterson 2027 (reserve)	
Health Scrutiny Committee for Lincolnshire MEMBER OF SCRUTINY BUT NOT PROSPEROUS	Strategic	1 + sub (O and S)	Cllr Jeanette McGhee 2027	Cllr Moira Westley 2027 (res)		
Healthwatch Provider Network Meeting (Public event: YourVoice@HWL)	Strategic	4	Cllr Diana Rodgers 2027	Cllr Owen Bierley 2027	Vacant 2027	Vacant 2027

Housing, Health & Care Delivery Group (HHCDG) CHAIR OF PROSPEROUS	Statutory	1	Cllr Jeanette McGhee 2027			
Humber 2100+ Elected Member Forum		1	Cllr Lesley Rollings 2027			
Humberside International Airport Consultative Committee	Statutory	1	Cllr Owen Bierley 2027			
LEP (Local Enterprise Partnership) LEADER		1	Cllr Trevor Young 2027			
LGA General Assembly LEADER	Strategic	1	Cllr Trevor Young 2027			
Lincoln Area Dial-a-Ride Management Committee	Community	1	Cllr Jeanette McGhee 2027			
Lincoln Transport Strategy Delivery Board (LTSDB)	Strategic	2 + res	Cllr Sabastian Hague 2027	Cllr Paul Swift 2027	Cllr Roger Patterson 2027 (reserve)	
Lincolnshire Branch of the Campaign for the Protection of Rural England	Charity	1	Cllr Stephen Bunney 2027			
Lincolnshire Police and Crime Panel	Statutory	1	Cllr Emma Bailey 2027			
Lincolnshire Waste Partnership	Strategic	1	Cllr Stephen Bunney 2027			
Lincolnshire Wolds Countryside Management Project	Community	2	Cllr Stephen Bunney 2027	Cllr Moira Westley 2027		
PATROL (CPE)	Statutory	1 + sub	Cllr Trevor Young 2027	Cllr Matt Boles (sub) 2027		
Pensions Committee	Statutory	1	Cllr Paul Key 2027			
Rural Services Network (SPARSE)	Community	1	Cllr Owen Bierley 2027			
Scunthorpe & Gainsborough Water Level Management Board	Statutory	2	Cllr Lesley Rollings 2027	Cllr Ian Fleetwood 2027		
Trent Valley Internal Drainage Board	Statutory		Cllr David Dobbie 2027		Nb appointed 6/11/23 to this new Body	
Trustees of Charles Cooper Trust	Charity	4	Cllr Jessie Milne to 2026	Cllr Lynda Mullally 2027	Cllr Mandy Snee 2027	Cllr Paul Howitt-Cowan 2026

Trustees of Dixons Almshouses	Charity	1	Cllr Lynda Mullally 2027			
Trustees of Francis Barker Trust	Charity	2	Cllr Jessie Milne 2026	Cllr Matt Boles 2025	*****	
Trustees of Gainsborough Education Charity	Charity	2	Cllr Jessie Milne 2026	Cllr Matt Boles 2025	*****	
Trustees of W G Rose Memorial	Charity	2	Cllr Jessie Milne 2026	Cllr Matt Boles 2025	*****	
Upper Witham Internal Drainage Board	Statutory	1	Cllr Peter Morris 2027			
West Lindsey Churches Festival	Charity	2	Cllr Paul Howitt- Cowan 2027	Cllr Lesley Rollings 2027		
Witham Third Internal Drainage Board	Statutory	4	Cllr Peter Morris 2027	Cllr Ian Fleetwood 2027	Cllr John Barrett 2027	Mr Terry Williams
Wolds Community Transport Association Limited	Charity	1	Cllr Tom Smith 2027			

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88 ***** nb for future years, note that the rep for Gainsborough Educational, is also naturally the rep for Francis Barker, and WG Rose. This is because the meeting starts with Gainsboro Educ, followed by Francis Barker, and ending with WG Rose.



Annual Council

13 May 2024

Subject: Recommendation from the Governance and Audit Committee - Annual Report of the Monitoring Officer 2023/2024 and appointment to lay positions.

Report by:

Monitoring Officer

Contact Officer:

Lisa Langdon
Assistant Director for People and Democratic
Services and Monitoring Officer.
Lisa.Langdon@west-lindsey.gov.uk

Purpose / Summary:

The Annual Report from the Monitoring Officer aims to provide an overview of governance matters.

The Governance and Audit Committee considered this report on 16 April and have RECOMMENDED the report to Council.

The report has historically been accompanied by the Annual Review of the Constitution including any proposed amendments to the Financial and Contract Procedure Rules. An alternative approach has been taken for 2023-2024 review period. This report provides Members with details of that approach and the anticipated timeline for the outcome to be reported to this Committee.

The report also seeks approval of a number of appointments to lay positions.

RECOMMENDATION(S):

That Council: -

- (1) accept the RECOMMENDATION from the Governance and Audit Committee and receive and endorse the information contained with the Monitoring Officer's Annual Report including the intentions in respect of the pending Constitutional Review; and
- (2) Accept the RECOMMENDATION from the Governance and Audit Committee and approve the appointments to lay positions as follows: -
 - (a) the appointment of Mr Richard Harvey as a Member of the Independent Remuneration Panel until Annual Council May 2028 (Section 5.1)
 - (b) the appointment of Mr Andrew Middleton as an Independent Person, assisting with Code of Conduct issues, until Annual Council May 2028 (Section 5.2)
 - (c) the appointment of Parish Councillor Elizabeth Hillman as Parish Councillor Representative on the Standards Committee until Annual Council May 2028 (Section 5.3)

IMPLICATIONS

Legal:

The Council is required by law to prepare, and keep up to date, the Constitution. There is no legal requirement for the Monitoring Officer to produce an annual report of this nature, however it has previously been requested by Members and aims to provide transparency in respect of the wider governance associated work the Monitoring Officer is involved with on an annual basis.

Financial : FIN/10/25/VA

No financial implications arising from this report. Lay Members do attract a remuneration fee which is established by the independent Remuneration Panel. The fees are contained within existing budget provision.

Staffing : There are no staffing implications arising from this report. The work is conducted by the Monitoring Officer, Deputy Monitoring Officer and wider departments.

Equality and Diversity including Human Rights : It is imperative that when dealing with all governance issues, people are treated equally and fairly. The Monitoring Officer, Deputy Monitoring Officer and wider team are aware of Equality legislation and due to the sensitive nature of this work, particularly that relating to complaints made under the Standards regime, ensure that equality and diversity is considered and applied as appropriate at all times.

The provisions under the Regulation of Investigatory Powers Act 2000 are founded on the premise of protecting human rights, and the governance surrounding this legislation ensures the human rights of the residents of West Lindsey are protected.

Data Protection Implications : The information contained in this report is, by its very nature, personal and often sensitive data. Therefore, staff only know about specific information if they need to, and information is kept confidential as appropriate, with care being taken in relation to the sending out of correspondence (such correspondence being marked "confidential" where necessary).

Climate Related Risks and Opportunities: The organisation is aware of its responsibilities surrounding climate change, and much of the work referred to within this report is conducted over email with limited printing of paper documents, and where possible meetings and discussions are held virtually using the MS teams function, thereby saving in fuel costs and emissions.

Section 17 Crime and Disorder Considerations: Whilst there are no direct implications, the work carried out by the Monitoring Officer and wider teams contributes to cohesion and informal resolutions within communities, and therefore promotes community safety. The Monitoring Officer and Deputy Monitoring Officer are able to provide a police contact to anyone who suspects or alleges criminality.

Health Implications: There are no health implications arising from this Report.

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

Monitoring Officer Annual Report 2022/23 submit to Council in May 2023

Risk Assessment :

Good governance and up to date practices and procedures for decision making ensure the organisation is legally compliant, whilst protecting against ultra vires decisions. Further, good governance is essential for ensuring value for money and that the Council is acting within its own powers and procedures at all times. Ensuring good governance at all levels protects the organisation from external claims and challenges.

“Failure to comply with legislation” and “inability for the Council’s governance to support quality decision making” are strategic risks for the organisation and these risks are considered regularly by the Management Team prior to consideration at the Governance and Audit committee.

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 and Summary

- 1.1 This report sets out the Annual Report of the Monitoring Officer for 2023-2024, which aims to provide an overview in respect of governance matters associated with the Governance and Audit Committee.
- 1.2 The report includes for information purposes: -
- details of the governance arrangements in place to manage Commercial and Economic Growth, including WLDC owned companies;
 - presents a data analysis of the number, nature and outcome of complaints received under the Code of Conduct, during the 2023/24 civic year;
 - notification of pending appointments of Independent Lay Persons to various roles across the Council, for recommendation to Council where terms of office are due to expire;
 - support the Monitoring Officer has provided to a number of Parish Councils to ensure their continued functioning;
 - the use and frequency of urgent delegated committee decisions taken by the Head of Paid Service; and
 - information in respect of the Council's Regulation of Investigatory Powers (RIPA) Policy and the number of times the Council has used it powers.
- 1.3 Historically the Monitoring Officer's Annual report has been accompanied by the Annual Review of Constitution, including any proposed amendments to the Financial and Contract Procedure Rules.
- 1.4 An alternative approach has been taken for the 2023-2024 year, as was pre-empted in last year's review. This report provides Members with details of that approach and the anticipated timeline for the outcome to be reported to the Governance and Audit Committee and subsequently recommended to Full Council.

Monitoring Officer's Annual Report

2. Governance arrangements in place to manage Commercial and Economic Growth

- 2.1 The Sections below provide updated positions, together with information on how the Council governs its business interests.

2.2 West Lindsey Owned Companies

- 2.2.1 West Lindsey District Council controls ownership in the four companies listed below.. These are managed using nominated representatives acting as Directors and carrying out the shareholder function. In practice the shareholder role is carried out by way of formal reporting to the Corporate Policy and Resources Committee.

Company	Reg. No.	Date incorporated	WLDC Staff/Roles		Shareholding
WLDC Trading Ltd	10547086	Jan 2017	AS – Director		Sole Shareholder
WLDC Staffing Services Ltd	10276205	Jul 2016	EF – Shareholder Representative		
SureStaff (Lincs) Ltd	06476932	Jan 2018	PD - Secretary		
Market Street Renewal Ltd	10298200	Jul 2016 – moved to wholly owned company in Sept 2023	SGS	Director	Sole Shareholder
			AM	Director	
			EF	Shareholder Representative	

Key: -

AM – Andrew Morriss – Independent Lay Member of the Governance and Audit Committee

PD- Finance Manager

EF – Director of Corporate Services and S151

AS – Ady Selby - Director of Operational and Commercial Services

SGS – Sally Grindrod-Smith – Director of Planning and Regeneration, Projects and Growth

- 2.2.3 During 2023 – 2024 (September 2023) the Corporate Policy and Resources Committee took the decision to purchase remaining shares from the Market Street Renewal Limited Joint Venture partner and now holds the properties through a wholly owned company arrangement.
- 2.2.4 There have been no new or revised appointments made to Directors, Shareholder representatives, or secretariats of West Lindsey owned companies during the 2023 – 2024 civic year. However, the Directors appointed by the other side of the Joint Venture company have duly resigned from Market Street Renewal Limited.
- 2.2.5 As advised in the 2022 – 2023 Monitoring Officer’s Annual Report, at the time of writing, Business Plans for West Lindsey Owned Companies were being updated and were anticipated to be presented to the Corporate Policy and Resources Committee in late 2023.
- 2.2.6 This work was successfully completed in January 2024, with revised and approved Business Plans now in place. Business Plans will continue to be reviewed and presented to the Corporate Policy and Resources Committee annually.
- 2.2.7 In conclusion there have been no issues raised around the governance of the West Lindsey owned companies and they have not been subject to any legal challenge during the year 2023 – 2024.

2.3 Development Agreements

2.3.1 A development agreement is a term which is used to cover a variety of agreements amongst developers, landowners, purchasers, tenants and funders. Each agreement will, of course, require to be tailored to the parties and the circumstances of the particular development, but they tend to have a number of elements in common.

2.3.2 Many include some or all of the following obligations on the developer:

- to carry out the particular development in line with agreed plans and specifications;
- to procure the provision of collateral warranties by the contractor and consultants to the purchaser/tenants and funder;
- provisions which are designed to ensure the quality of the development;
- letting obligations, which set out the minimum criteria for any prospective leases which the developer seeks to secure, perhaps with an agreed form of lease attached; and
- A timetable for the development, including a longstop date for completing it.

2.3.3 The Council currently has a number of development agreements in place, all have been procured and authorised according to our constitutional requirements.

2.4 Commercial Property Portfolio.

2.4.1 At the Corporate Policy and Resources Committee on 13 April 2017 Members agreed a criteria for investment in commercial properties.

2.4.2 The criteria included Lot size, Location, Asset quality, Tenant ease term, Tenant Covenant, Occupation and Tenure. In addition the committee agreed to delegate the application of the criteria to the Chief Executive following consultation with the Chairman of Corporate Policy and Resources Committee.

2.4.3 The criteria was revised at the meeting of the Corporate Policy and Resources on 10th May 2018 to increase the purchase price range to £10 million. This was to enable the portfolio to be balanced and to take advantage of a gap in the market for lots between £5 million and £10 million.

2.4.4 Appendix 1 sets out the scoring criteria which is currently used to evaluate properties for the portfolio.

2.4.5 The Council has bought no additional investment properties during 2023 - 2024.

2.4.6 Members have been regularly updated on these properties in the budget monitoring reports which are provided on a quarterly basis to

the Corporate Policy and Resources Committee and this will continue to be the reporting mechanism regarding these investments.

- 2.4.7 As advised in the 2022 – 2023 Monitoring Officer’s Annual Report, at the time of writing, The policy relating to Commercial Investments was due to being reviewed to ensure it accorded to the new CIPFA regs. This work has seen a slight delay, but the new Policy is expected to be considered by the Corporate Policy and Resources Committee during Quarter 2 of the 2024/25 year.

3. Ensuring compliance with the Subsidy Control Act (2023)

- 3.1 The Subsidy Control Act (2023) was introduced during 2022 - 2023 replacing the State Aid legal requirements following Brexit. The new Act was designed to continue to ensure that the public sector applied a ‘level playing field’ approach to all aspects of procurement and therefore did not give undue financial support to bidders.
- 3.2 As reported in last year’s Monitoring Officer Annual Report at the time of the Act’s introduction the Council sought Legal advice to ensure it was adhering to all of the requirements it placed on Local Authorities, and received assurance it is complying with the new legislation.
- 3.3 Officers continue to review each of our major projects on a case by case basis to ensure full compliance and no matters of concern have been raised.

4 Overview of the Number, Nature and Outcome Of Code of Conduct Complaints Received

- 4.1 The sections below set out the position in respect of Member Code of Conduct complaints data for the civic year 2023 - 2024 up to March 2024, with data having last been reported to Annual Council in May 2023.
- 4.2 During 2023 - 2024 15 complaints were received.
- 4.3 1 was in relation to a District Councillor and 14 related to Parish Councillors.
- 4.4 The nature of these complaints is summarised below:
- Honesty 6 (Parish)
 - Leadership 3 (1 District, 2 Parish)
 - Bullying/ Harassment 4 (Parish Council)
 - Respect 2 (Parish)
- 4.5 The level of complaints remains on a par to previous years, with 15 also being received by the end of the last Civic Year (the exception in recent times being the years in which the country was in a Coronavirus pandemic and during this time complaints doubled).

- 4.6 It is to be expected that the Council will receive more complaints about Parish Councillors as opposed to District Councillors, given the very high number of Parish Councillors compared to District Councillors, this trend has borne out during 2023 - 2024.
- 4.9 The Council has issued no formal sanctions against Councillors, either Parish or District during 2023 – 2024 but has and does regularly offer advice, guidance and words of warning in a bid to avoid costly and time-consuming investigations in matters which in main can be resolved by informal action.
- 4.10 The Council commissioned 1 investigation covering two complaints within the civic year – the investigators report is awaited at the time of writing this report.
- 4.11 Complaints are currently categorised by the 7 Nolan Principles, this does not always lend itself for the most accurate category description and effective analysis. With the move to the updated Code of Conduct it had been intended to revise the complaint form to align with the paragraphs of the Code. This work has been delayed with the Council having had interim and short-term Monitoring Officers in place. With a permanent Monitoring Officer now in place it is anticipated renewed focus can be given to the way in which complaints comparison data is collated and reported
- 4.12 The level of formal complaints will never truly demonstrate the amount of work undertaken by the Monitoring Officer in supporting particularly Parish Councils, nor does it reflect the numerous enquiries which the Monitoring Officer receives which fall outside of the Monitoring Officers powers, or the volume of correspondence issued to prevent matters progressing to a formal stage.
- 4.13 To increase knowledge and understanding around the Standards regime and the role of the Monitoring Officer, a series of training sessions are being organised for Parish Councils during the Summer of 2024. Section 6 provides further information regarding this.

5. Pending Appointments for Lay and Co-opted Members recommended by the Monitoring Officer for Council Approval.

5.1 Independent Remuneration Panel Member

5.1.1 Recruitment for one Independent Member of the Remuneration Panel took place during February /March 2024. The vacancy was as a result of one fixed term of office for an existing Member being due to expire in May 2024.

5.1.2 A recruitment process was undertaken, generating only one application from the current postholder. Following a formal interview process, overseen by the Monitoring Officer and Chairman of the Governance and Audit Committee, the position has been provisionally re-appointed to Mr Richard Harvey, subject to a **Page 47** Council.

5.1.3 Council, at their Annual General Meeting, are asked to approve that Mr Richard Harvey be re-appointed as an Independent Member of the Remuneration Panel for a period of four years commencing Annual Council May 2024 and ceasing at the Annual Meeting of Council in May 2028.

5.2 Independent Person (IP) for Code of Conduct Issues

5.2.1 Recruitment for one Independent Member to assist the Monitoring Officer with Code of Conduct issues, as per the requirements of the Localism Act 2011, took place during February / March 2024. The vacancy was as a result of one fixed term of office, for an existing Member being due to expire in May 2024.

5.2.2 A recruitment process was undertaken, generating two applications; one being from the current postholder. Following a formal interview process, overseen by the Monitoring Officer and Chairman of Governance and Audit Committee, the position has been provisionally re-appointed to Mr Andrew Middleton, subject to approval by Council.

5.2.3 Council at their Annual General Meeting, are asked to approve that Mr Andrew Middleton be re-appointed as an Independent Person, assisting with Code of Conduct issues, for a period of four years commencing Annual Council May 2024 and ceasing at the Annual Meeting of Council in May 2028.

5.2.4 The Council is only required by statute to have one Independent Person, but best practice recommends having two available. The Council currently has two appointed and would hope to continue to operate in that way should Mr Middleton's appointment be accepted.

5.3 Parish Councillor Representative on Standards Committee

5.3.1 Recruitment for one Parish Councillor Representative on the Standards Committee took place during February / March 2024. The vacancy was as a result of one fixed term of office for an existing Parish Councillor role being due to expire in May 2024.

5.3.2 A recruitment process was undertaken, generating only one application from the current postholder. Following a formal interview process, overseen by the Monitoring Officer and Chairman of Governance and Audit Committee, the position has been provisionally re-appointed to Councillor Mrs Elizabeth Hillman, subject to approval by Council.

5.3.3 Council at their Annual General Meeting, are asked to approve that Councillor Mrs Elizabeth Hillman be re-appointed as Parish Councillor Representative on the Standards Committee for a period of four years commencing Annual Council May 2024 and ceasing at the Annual Meeting of Council in May 2028.

5.4 Future Expiration Dates of Lay Persons Roles.

- 5.4.1 Terms of Office across Lay positions available on the Council are aligned to expire on a rolling basis, as opposed to all appointments expiring at the same time, to ensure that some level of knowledge and experience is retained,
- 5.4.2 During 2024/2025 only one role expires, this being a lay person position on the Governance and Audit Committee (currently held by Mrs Alison Adams)
- 5.4.3 Recruitment will be undertaken towards the end of 2024 – 2025 civic year.
- 5.4.4 The Governance and Audit Committee's Terms of Reference allow for the Committee to have up to 3 Independent Members. The Committee has been operating with the two since 2022/23.
- 5.4.5 Further consideration will be given as to whether the additional vacancy needs to be re-advertised and whether the Council may be able to approach its neighbouring Councils to see if Members serving elsewhere would be interested in apply for the role.

6 Support to Parish Councils.

- 6.1 The Monitoring Officer regularly supports Parishes on an informal basis throughout the year. As well as powers and duties in relation to the Code of Conduct, the Constitution also provides the Monitoring Officer the relevant authority to: -
4. To make, under Section 91 of the Local Government Act 1972, temporary appointments of Members to Town and Parish Councils following consultation with the Chairman of the Governance and Audit Committee. (Part IV / Page 33)
- 6.2 These appointments are made to prevent the Parish Council becoming inquorate due to resignations and it is typical for the Ward Member to be appointed.
- 6.3 During 2023 – 2024 this intervention has been used twice assisting the following Parishes: -
- Fenton and Torksey Lock; and
 - Glentham
- 6.4 The appointments made under Order of Section 91 currently remain in place, as both Councils continue to struggle with quoracy.
- 6.5 The Council continues to strengthen its partnership and are working more closely with the Lincolnshire Association of Local Councils (LALC). LALC continues to champion the adoption of the West Lindsey Code

Conduct as we continue to Champion the raft of benefits afforded to Parishes by subscribing to the help and support of LALC

- 6.6 The former Monitoring Officer has previously attended and addressed the LALC Networking Day, something which it is hoped can be continued by the current Monitoring Officer.
- 6.7 The request for support can often outstrip the resources available given there are over 600 parish councillors across the District. Requests also sometimes fall outside of Monitoring Officer's legal powers. To increase awareness of the Standards regime generally and the Monitoring Officer's role, a series of training events, aimed specifically at Parish Councils are being organised over the Summer months during 2024, both in person and on-line events

7 Urgent Delegated Decision Making Process

- 7.1 As anticipated in last year's report, the use of the urgent delegated decision provision continues to subside.
- 7.2 Government responses to Significant weather events and late notification funding schemes have seen the need for urgent provisions to still be used during 2023 - 2024. Use of the provision still remains higher than pre-pandemic levels but only marginally.
- 7.3 During the civic year 2023 – 2024 to date 3 urgent delegated decisions have been taken. This is down from 5 taken the previous civic year.
- 7.4 Members are notified of such decisions within 5 days of them having been made, they are also made available on the website for the public/press. <https://www.west-lindsey.gov.uk/my-council/decision-making-and-council-meetings/officer-decisions/>
- 7.5 The Chairmen of the Corporate Policy and Resources and Prosperous Communities Committees, are always consulted, as required by the Constitution.
- 7.6 The Head of Paid Service has continued with his informal commitment to extend the delegation limits to include the Leader of the Opposition, something first introduced during the Pandemic, and they continue to be afforded consultation rights on all urgent delegated decisions taken, attending when available.
- 7.7 The notification target has been met for all such decisions taken during 2023 – 2024.

8 Regulation of Investigatory Powers (RIPA)

- 8.1 The Human Rights Act 1998 requires the Council and organisations working on its behalf, pursuant to Article 8 of the European Convention,

to respect the private and family life of a citizen, their home and their correspondence.

- 8.2 The Regulation of Investigatory Powers Act 2000 (RIPA) provides a statutory mechanism for authorising covert surveillance, the use of a covert human intelligence source (CHIS), or the acquisition of communications data. It seeks to ensure that any interference with an individual's right under Article 8 of the European Convention is necessary and proportionate. In doing so, RIPA seeks to ensure that both the public interest and the human rights of individuals are suitably balanced.
- 8.3 West Lindsey, in common with all Local Authorities, is required to have arrangements in place to ensure that it abides by these regulations. This includes having an up-to-date Policy, carrying out training and keeping appropriate records. All requests to carry out surveillance have to go through an authorisation process, which includes approval by a magistrate.
- 8.4 Following a review of arrangements in January 2021, Members are advised annually of the number of surveillance requests which have been approved. It can be confirmed that during 2023/2024 no requests for the use of the Power were made.
- 8.5 As advised in last year's Monitoring Officer report a review of the RIPA policy was scheduled in 2023/24 Civic Year. An updated Policy was approved by the Corporate Policy and Resources Committee in September 2023.
- 8.6 The Investigatory Powers Commissioner's Office conducted a review of the Authority's RIPA usage and documentation in November 2023. The Commissioner's Office has confirmed that they are satisfied the District Council's documentation and responses provide compliance.
- 8.7 Refresher training sessions, in respect of RIPA, were provided to Officers who are regular users of RIPA and to the Management Team in December 2023.
- 8.8 Whilst the Authority has not needed to use its formal RIPA powers over the last three years, the relevant officers are aware of RIPA and its implications. Information is also available for all officers on the Minerva intranet page.
- 8.9 The Monitoring Officer will ensure the RIPA Policy remains up to date and fit for purpose and as resolved by Corporate Policy and Resources Committee in September 2023, will report to Management Team in September, each year and the following Corporate Policy Resources Committee.

9 Approach and Timeframe for Constitution Review

- 9.1 The Council is required by law to prepare and keep up-to-date a Constitution which explains how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these are efficient, transparent and accountable to local people.
- 9.2 As advised in the introduction to this report, the Constitutional Review, including any proposed amendments to the Financial and Contract Procedure Rules, is historically presented with the Monitoring Officer's Annual Report.
- 9.3 As indicated in last year's review during 2023 - 2024 consideration has been given to whether a more comprehensive review of the Constitution is required in coming years, noting the date when such work was last undertaken this being circa 2011.
- 9.4 Whilst the Constitution has and continues to provide a clear and robust framework for the governance and decision-making of this Council, with the delivery and inception of some very ambitious projects and following a period of changing Monitoring Officers, an initial high level external review of the document has been commissioned.
- 9.5 This work is not a re-write of the Constitution, nor is it anticipated significant revisions will be required, given it is a high-level review. However, it will provide opportunity for an external check, balance and review by legal professionals as to where improvement could or should be made.
- 9.6 It is therefore intended to bring the outcome of that external review to the Committee and subsequently full Council during the Autumn of 2024. Given their intrinsically linked nature, any amendments required to the Contract and Financial Procedure Rules, and a revised Code of Local Corporate Governance will be presented to the Committee at the same time. Members are asked to endorse the approach taken.

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

Financial considerations				
<p>Lot Size (Capital Value) - The core initial lot size target is £1.0m - £4m. Taking into account the Council's total investment return of £20m it is recommended that a minimum of 8 assets are held without any single asset being overly dominant. A spread of £1.0m to £4m implies an average asset value of £2.5m and a portfolio of c.8 assets.</p>	£2.0m - £5m	£1.0m - £2.0m or £5m - £7.5m	£500k - £1.0m or £7.5m - £10m	<£500k or >£10m
	5	3	1	0
<p>Rate of Return (Net Yield)* - Investments will look to achieve an overall target yield of circa +/- 1% of the average net yield of the entire portfolio for which the target is currently 7.0%.</p> <p>*the return to the council after consideration of agents fees (1%), legal fees (0.5%), Stamp Duty Land Tax (at prevailing rate), external management costs (if applicable), survey costs (estimated) and any void costs.</p>	6% to 8%	5% to 6% / >8% to <10%	<5% or 10%	N/A (property vacant)
	5	3	1	0
<p>Lot Size (Annual Rental Income) - The target income range is between £150k and £300k pa. This is driven by the Authority's target net return of 7% and the identified target lot size of £1.0m - £4.0m.</p>	£125k p.a. - £300k p.a.	£100k p.a. - £125k p.a. or £300k p.a. - £600k p.a.	£50k p.a. - £100k p.a. or £600k p.a. - £800k p.a.	<£50k p.a. or >£800m p.a.
	5	3	1	0
Property/Asset Considerations				
<p>Sector - The council should invest in a diversified and balanced portfolio with a focus on the traditional lower risk sectors of Offices, Industrial and Retail; the spread of sectors will limit the Council's exposure to volatility in a particular area.</p>	Traditional Property type (Office, Industrial, Retail)	Leisure	Healthcare or Other Business Uses	Residential
	5	3	1	0

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

<p>Location Quality - the 'Primeness' of an asset's location will depend very much on the nature of each individual asset and the market within which it competes. Prime locations by sector can broadly be outlined as follows: Offices - located within an established business district of a major UK city or on an established out of town business park with access to amenities and good transport links. Industrial - located within close proximity to UK motorway network or transport hub (airport/port/rail links) or an established and successful industrial/manufacturing park. Retail - located within the retail core of a major UK city or an established and successful out of town retail location.</p>	Primary	Secondary	Tertiary	N/A
	5	3	1	0
<p>Located Proximity to WLDC - Location will be dictated by opportunity to acquire investments that meet the strategy. A balanced portfolio would not usually be restricted to WLDC's administrative boundary and would consider opportunities to purchase further afield focusing initially on investments more locally, i.e. in the LEP/area, before expanding the search country/UK wide.</p>	Within WLDC	Within 1 hr drive time	Within 2 hr drive time	>2hr drive time
	5	3	1	0
<p>Tenure - When considering the tenure of an asset, freehold would be preferable to leasehold. Freehold provides the greater levels of security against a leasehold asset that would effectively decrease in value over time. However assets on long leasehold basis may still be suitable for consideration where the lease term remaining is 125 years or more.</p>	Freehold	Long Leasehold (125 yrs+)	Long lease between 75yrs & 125yrs	Long lease less than 75yrs
	5	3	1	0
<p>Building Condition - The age and specification of the property will also affect the ability of the Council to let or sell the property in the future. It must also be taken into consideration in respect of the cost of protecting the investment and the undertaking of repairs and refurbishment if the cost cannot be fully recovered from the tenant. Preference should therefore be for modern and efficient stock. Consideration should also be given to any landlord costs associated with works that may be required to bring the property up to a satisfactory EPC level (new leases should have a minimum EPC rating of 'E' by 1st April 2018) if it is not already.</p>	Good	Fair	Poor	Not Acceptable
	5	3	1	0
<p>Security of Income/Leasing</p>				
<p>Covenant Strength - With tenanted properties there should be consideration of the quality of the tenant and more importantly, their ability to pay the rent on time and in full. Consider Dun & Bradstreet, Experia credit rating when applying Financial Covenant score. If Property is multi-let it may be acceptable to have some weaker tenants within the tenant mix as the risk is diversified to a certain extent.</p>	Strong financial covenant	Good financial covenant	Limited financial covenant	Poor financial covenant/vacant
	5	3	1	0

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

<p>Unexpired Lease length - In the case of a tenanted property, the unexpired length of the term of the lease is of key importance in ensuring that the landlord's revenue stream is uninterrupted. This must consider any upcoming breaks and assumes the tenant breaks at the earliest opportunity. For multi-let properties consider the Weighted Average Unexpired Lease Term (WAULT) i.e. the average lease term remaining to first break, or expiry, across the property weighted by contracted rent.</p>	10yrs+	5yrs to 10yrs	Between 2yrs & <5yrs	Less than 2yrs/Vacant/Holding Over
	5	3	1	0
<p>Rent Review - To increase income there must also be consideration of upcoming Rent Reviews in terms of the time frame and the method (i.e. upward only, RPI/CPI etc.) There should also be some consideration to the Rental Growth Prospects.</p>	Stepped rent/RPI or fixed uplifts	Open Market Rent (5 yearly)	Unusual review format (i.e. 14 yearly)	No RRs
	5	3	1	0
<p>Rental Growth Prospects - This considers the passing rent in relation to the market conditions and prospects for increase in income having regard to estimated rental value compared to passing rent. At a minimum the Market Rent should be equal to the Passing Rent.</p>	Substantial Rental Growth Prospect	Some Rental Growth Prospect	Rack Rented/No Likely Change	Over rented (i.e. Passing Rent > Market Rent)
	5	3	1	0
<p>Repairing terms - There should be preference for investments with full repairing and insuring (FRI) terms meaning that all costs relating to occupation and repairs are borne by the occupier(s) during the lease term with only insurance premiums recharged and service charge (if applicable).</p>	Full Repairing/fully S/C recoverable	Internal repairing - s/c recoverable by capped	Internal repairing - partially recoverable	Internal Repairing - non-recoverable/Landlord only
	5	3	1	0
<p>Occupancy rate - Ideally the property will be fully let and income producing. A vacant or mostly vacant property potentially provides the opportunity to increase income (depending on market demand, building condition etc.) Also, there should be consideration as to the ease of getting the property fully occupied and the expense which the Landlord will have to pay in the interim i.e. empty rates, repairs and redecoration etc.</p>	Fully let (100% let)	Part Let, Part Vacant (>70% & <100% let)	Mostly Vacant (50% - 70% let)	Predominantly vacant
	5	3	1	0

Agenda Item 10f



Annual Council

Monday, 13 May 2024

Subject: Overview & Scrutiny Annual Report 2023/24

Report by:

Councillor P. Howitt-Cowan
Chairman of the Overview and Scrutiny
Committee

Contact Officer:

Ele Snow
Senior Democratic and Civic Officer

Ele.Snow@west-lindsey.gov.uk

Purpose / Summary:

To present the Annual Report from the Chairman
of the Overview and Scrutiny Committee

RECOMMENDATION(S):

1. That Members receive the Annual Report from the Overview and Scrutiny Committee

IMPLICATIONS

Legal: The Chairman of the Committee is required constitutionally (Part II, Article 7, paragraph 7.6) to submit an annual report to Council on the work the Committee has undertaken.

Financial: FIN/20/25/VA

There are no financial implications arising from this report

Staffing: The Committee is supported from existing resources and there are no other implications arising from this report.

Equality and Diversity including Human Rights:

Data Protection Implications:

Climate Related Risks and Opportunities:

Section 17 Crime and Disorder Considerations:

Health Implications:

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

Agenda and minutes arising from the meetings of the Overview and Scrutiny Committee held during the 2022/2023 civic year, all of which are located on the West Lindsey District Council website and can be found [here](#)

<https://democracy.west-lindsey.gov.uk/ieListMeetings.aspx?CIId=386&Year=0>

Risk Assessment:

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 Chairman of the Committee is required constitutionally (Part II, Article 7, paragraph 7.6) to submit an annual report to council, in which he details the work his committee has undertaken through the previous civic year and summarise the proposals for the work plan over the coming year. In line with the terms of reference for the committee, the Chairman should also update Annual Council with any amendments to the committee's operating methodology.
- 1.2 The Chairman's Annual Report is set out below.

2 Chairman's Annual Report

- 2.1 We started the 2023/24 Civic Year with an election, a change of Council Leadership and a significant number of newly-elected Councillors. This year has been a period of learning for all of us: some learning the ropes, some refreshing our memories, all of us learning how to work together in a new Council. This learning has been reflected through the Overview and Scrutiny Committee and I am confident when I say, we finish this year in a stronger and more informed position than when we started it.
- 2.2 This year for the first time, Members of the Overview and Scrutiny were provided with a Members' O&S Handbook in order to cover some of the main functions and responsibilities of the Committee. This handbook (attached at Appendix 1) will be reviewed at least every four years, although I do anticipate we shall do a 'light touch' review over the summer, once we have a full year's experience to help guide us.
- 2.3 In addition to the handbook, we also received an excellent training session from Bethan Evans Governance Training and Consultancy Ltd, on 15 January this year. We heard not only where we do things 'correctly' at West Lindsey, but also how we as a Committee can strengthen our role as that 'critical friend'. It really was an excellent session, and I would like to again extend my thanks to Bethan. I do hope delivery of that session becomes standard training practice for our Committee.
- 2.4 Moving on to Committee business, this year we have again been involved in the Progress and Delivery work programme, with scrutiny of the policy committees' debate of the six-monthly reports and the working group assisting with the review of the P&D measure set. We have welcomed visitors and guest speakers, with some already set to return next civic year, and we have continued with work streams which had commenced in previous years.
- 2.5 At the start of the year, we undertook a review of the Operating Methodology, with this again due to take place at the start of the 2024/25 Civic Year. The Operating Methodology is attached at Appendix 2, with further details of the review provided in Section 5 of this report.

- 2.6 As I write this report looking back over the year, it is humbling to see how far the Committee has come in a short space of time, and I look forward to continuing our work together in the coming year.

3 Progress and Delivery

- 3.1 As I mentioned, the Committee has been involved, as always, with the scrutiny of the Progress and Delivery reporting through the two policy committees. Good debate is enjoyed by all, and we are well in the habit of scrutinising the scrutiny, so to speak! I would like to express my thanks to Darren Mellors and Claire Bailey of the Change, Programmes and Performance Management team, they really do a wonderful job with their reports.
- 3.2 Members of the Committee also formed a working group in order to review the P&D Measure Sets. This is a piece of work that happens every couple of years and is strongly supported by the O&S Committee. I am pleased to report that the amended measure set has progressed through the policy committees and been approved for use from April 2024. No doubt we shall see the benefit of these once the six monthly reporting cycles are underway.
- 3.3 It would be remiss of me not to mention the success of the Performance Improvement Plans, which have been in place now since 2022 and were, in part, the result of the Overview and Scrutiny Committee pushing for increased monitoring of those areas where there were repeated concerns. I must say, the plans are clear, concise and easy to follow, and assist the Committee no end when we are considering whether there is need of a service performance review through Overview and Scrutiny processes.
- 3.4 I am certain the role of Overview and Scrutiny through the Progress and Delivery reporting will continue in the coming year and I look forward to welcoming Darren and Claire to our meetings again.

4 Programme of Outside Agencies and Presentation Items

- 4.1 This year the Committee has continued apace with a list of invited guests and presenters. There has been the attendance by Inspector Michael Head, from Lincolnshire Police, which although is arranged in line with statutory requirements, always proves to be an engaging and in depth discussion piece. We have again welcomed Everyone Active, who show clear signs of extending the community outreach programmes the Council has been so keen to see, and we have also welcomed Rachel Stamp, regarding the successes of the purple-lidded recycling bins across our district and the county. Prior to each presentation, the Committee uses time in the preceding meeting to prepare for attending guests, in order to set questions and for the Committee to understand what we want to gain from each visit. This has proved invaluable, and is a practice that we shall carry forward into the coming year.

- 4.2 There have been three areas of ongoing work which have been presented to the Committee for input or update purposes. Mr Selby, our Director of Commercial and Operational Services, has presented to the Committee on several occasions regarding the progress of the Markets Working Group and also the well-established Flood Risk Management Working Group. I must make mention of the flooding our district has experienced, and I do hope our communities impacted by the flooding earlier this year are on the way to recovering some kind of normality.
- 4.3 The third area of work through Overview and Scrutiny this year, which has been a new one for many of us, was an update on the progress of the Cultural Strategy. We heard from Sally Grindrod-Smith, Director of Planning, Regeneration and Communities, providing us with a very thorough understanding of the background and development of the strategy and the potential benefits for the district. The Committee made two recommendations to the Prosperous Communities Committee regarding the continuation of the Cultural Strategy, both of which were accepted at their meeting on 19 March 2024. The Cultural Strategy and Terms of reference for the Leisure, Culture, Events and Tourism Working Group (LCET) were then presented to the Prosperous Communities Committee at their meeting on 23 April 2024, where I am pleased to say both were approved.

5 Operating Methodology

- 5.1 As is usual practice, we gave consideration to the Committee's Operating Methodology at our first meeting of the Civic Year. As a new Committee, with many new Members, this proved to be excellent opportunity to understand the role of the Committee and how the Operating Methodology guides and supports our scrutiny role.
- 5.2 At the end of the previous civic year, Members of the Overview and Scrutiny Committee had suggested amendments to the Operating Methodology as a part of the Annual report and Constitution Review. These amendments were discussed in detail and subsequently agreed by the Committee, with the approved Operating Methodology available here as Appendix 2.
- 5.3 In line with the established approach to review the Operating Methodology at the end of each civic year, for any proposed amendments to be considered in line with the Constitution Review and for approval by the O&S Committee at the start of the next civic year, the current Operating Methodology formed a part of the discussions at our meeting in March 2024. There were no suggested amendments arising from those discussions and the document will now proceed for agreement at the first meeting of the O&S Committee in the new Civic Year.

6 Look Forward to Next Year

- 6.1 I have no doubt we will again have a full and varied work plan throughout the 2024/25 Civic Year. We will of course welcome Lincolnshire Police again, and possibly see a return of Everyone Active.
- 6.2 The first meeting of the 2024/25 civic year will spend time considering the work plan for the Committee. Following the agreement of the Operating Methodology, the Committee will be able to review the Forward Plan, as well as raise other areas of work which may be suitable for scrutiny.

7 Concluding Remarks

- 7.1 I would like to take this opportunity to extend my thanks to all Members of the Committee, many of whom have been new not just to the world of scrutiny but also to the Council. We have all come together to understand the scrutiny role and to carry out that role with diligence. Our work plan has been full and varied, and we have had opportunity to learn on the job, so to speak, obviously alongside the excellent training we received.
- 7.2 I would also like to thank our Officers for the support and guidance they have given us throughout the year. Nova Roberts, as our Lead Officer, and Ele Snow as our democratic support, and of course all Officers who have presented, contributed, or worked behind the scenes to ensure we as a Committee can fulfil our scrutiny role as effectively as possible. I am sure the coming year will bring new areas of focus for us, and we look forward to continuing our scrutiny journey.

Overview & Scrutiny Committee Handbook

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Introduction to Scrutiny at West Lindsey District Council

Legislative journey of all O&S Committees in brief

- Created by the Local Government Act 2000
- Required for the three main governance options – mainly designed for Executive models
- An O&S Committee was originally also required for fourth option authorities (Committees)
- Councils free to design their own O&S framework
- Localism Act 2011 extended the Committee option to all
- **Localism Act does not require an O&S Committee in a Committee model**

Under the Localism Act, the role of an O&S Committee includes:

- Influencing policies and decisions of the council and others
- Reviewing or scrutinising decisions
- Make reports or recommendations to the authority relating to its functions
- Make reports or recommendations to the authority which affect the area/inhabitants

What does this mean for West Lindsey?

- WLDC is a 4th option council – ie, operates a Committee system
- We are not required to have a specified scrutiny committee
- It is for the Council to design, and therefore follow, the scrutiny framework
- The roles, responsibilities and function of the WLDC Overview and Scrutiny Committee are laid out within the Constitution and the Operating Methodology, both of which are reviewed annually.

And in practical terms?

- The Overview & Scrutiny Committee is governed by the same regulations as any other committee – seats are appointed to by Council, meetings are set out in the Committee Timetable, and agendas are published in advance of the meeting (legal requirement = 5 clear working days, this equates to papers being published on a Monday for a meeting the following Tuesday).
- There are 8 scheduled meetings of the O&S Committee per Civic Year.
- There is a work plan of standing items, as well as clear provision for building the work plan throughout the year.
- There are certain statutory functions which are discharged through the O&S Committee, most notably the attendance of the Police (see page 7).

The purpose of the O&S Committee is to be the ‘critical friend’.

Consider questions like:

- Is that really the best option?
- Have you considered this alternative?
- Is there a better way of doing things?
- Is there proper evidence to support that decision?
- Are we being blinkered?
- **Be the critical friend!**

Work Planning

Each meeting will have a set of 'standing items' on the agenda. These are:

- **Matters Arising Schedule** – this is a record of actions which have been identified through the course of discussions in Committee meetings and are usually allocated to an Officer to complete. The schedule is presented as a 'for noting' item, meaning there is no vote required, however Members may ask for relevant updates or remedial actions should they wish.
- **Full Forward Plan** – this is also a 'for noting' item, however, it provides a summary of all items of business due at all upcoming meetings and is the basis from where requests for pre-decision scrutiny can be made (see page 10 of this guide)
- **Committee Work Plan** – also a 'for noting' item and details the items of business expected at upcoming meeting of the O&S Committee. Should be viewed alongside the Full Forward Plan as it will inform what scope there is regarding agenda management.

Certain items in the O&S calendar are factored into the work plan from the outset.

These are:

- Approval of the Operating Methodology (first meeting of each Civic Year)
- Approval of initial Committee Work Plan (first meeting of each Civic Year)
- Review of the Draft Annual Report and Operating Methodology (penultimate meeting of each Civic Year)
- Scrutiny of Progress and Delivery reporting to the Policy Committees (usually June and January)

There have been additional reports approved in the previous Civic Year that are now factored into the work plan:

- Management of Flood Risk in West Lindsey (twice a year, March and September)

There also needs to be an allocated meeting for the Police to attend in order to "discharge the statutory functions arising under section 19 of the Police and Justice Act 2006 relating to issues of crime and disorder...".

When outside agencies are invited to attend, the meeting prior to their attendance will have an item on the agenda specifically to prepare for the following meeting.

Work planning is easiest after the first Civic Year of a new term of Office. The most difficult time is the first meeting after an all-out election. Using the standing items as detailed above means there can be structure to the O&S meetings even as the work plan remains in development.

Both policy committees can refer work streams to the O&S Committee. The O&S Committee themselves can identify 'pre-decision' scrutiny items. However, there are clear processes by which these need to take place, namely, those within the Operating Methodology.

The Committee Work Plan is a 'live' document. It is reported to each meeting of the committee and can be amended, added to, or items removed from, as the Committee chooses. Any amendments must adhere to the processes set out within the Operating Methodology and be subject to a proposer, a seconder, and be carried by a majority vote.

Operating Methodology

The Operating Methodology for the Overview and Scrutiny Committee sets out the criteria for fulfilling the main functions of the Committee.

The methodology was introduced in 2014, with an updated version reviewed and agreed by the Committee in 2019. It is reviewed annually with amendments considered in line with each annual review of the Constitution.

There are three main areas:

- Performance Management (see page 6)
- Pre-decision Scrutiny (see page 10)
- Project Work (see page 10)

All items of business for the Committee should adhere to the processes as set out in the Operating Methodology. It is the one document that should be kept to hand (alongside this guide!) You can find it attached at Appendix 1.

Call-In

Call-in is a tool to be used should Members of the O & S Committee have evidence which suggests that the policy committee(s) did not take a decision in accordance with the principles set out in Article 12 of the Constitution. The procedure for calling in a decision is attached to this guide as Appendix 2 (and can also be found in the Constitution Part V, page 29).

In recent years, the O&S Committee has been primarily focused on pre-decision scrutiny rather than call-in. This is for two reasons. Firstly, decisions made at the policy committees have followed due process, meaning they cannot be called-in. And secondly, the involvement of the O&S Committee in pre-decision scrutiny enables wider influence on the recommendations to the policy committee for that final decision. The policy committees are not obliged to accept the O&S recommendations however, collaborative working as the '**critical friend**' has proven to be a stronger approach for O&S than using call-in. It is worth noting that where there has been pre-decision scrutiny, that decision then cannot be called-in.

To summarise:

- Call-in = scrutinise whether the decision has followed due process **AFTER** the decision has been made
- Pre-decision Scrutiny = scrutinise the 'intended decision' (recommendations) **BEFORE** they are made.

Performance Management

There are two elements to the O&S functions in relation to Performance Management:

- Scrutiny of Progress and Delivery reporting, as presented to the Policy Committees
- Service Performance Reviews, as detailed in the Operating Methodology

Progress and Delivery reporting (P&D) is undertaken by quarter. The two policy committees receive the Quarter 2, Quarter 4 and Year End reports. Quarters 1 and 3 are shared with all Members via the Member Newsletter.

It is the role of the policy committees to examine the details of the reports. It is expected that there will be challenge regarding service underperformance; it is expected that there will be direction for remedial action; and it is expected that further details will be sought when necessary. It is also expected that recognition be given where services have either improved as required, or exceeded performance requirements.

The policy committees can request the O&S Committee to undertake Service Performance Reviews (see Operating Methodology).

The P&D reports are also presented to the O&S Committee. However. The role of the O&S Committee is to scrutinise the work undertaken by both policy committees in relation to P&D. For example, if a service is not performing, has this been recognised and have remedial actions been requested? Have the policy committees recognised whether a service has underperformed for at least two consecutive reporting periods? If yes, have they requested a Service Performance Review?

It is not the role of the O&S Committee to scrutinise the details of the reports themselves. Rather, the Committee needs to focus on the 'overview' element of their function.

The O&S Committee will be provided with the full minutes of the policy meetings where P&D reports are considered.

Should Members of the O&S Committee wish to have first hand experience of the P&D discussions at the policy meetings, they can attend as Visiting Members or watch the webcast.

Measures Setting Working Group

In years 1 and 3 of each term of office, there is a 'deep dive' conducted into the P&D measures. There is a Member Working Group set up through the O&S Committee to work with Officers to present the reviewed and amended measure sets to the policy committee(s). Those amended measures are then implemented in the subsequent year.

Outside Agencies

The O&S Committee has a significant role to play in terms of ensuring residents, businesses and visitors in West Lindsey are well looked after, for want of a better phrase. To this end, the Committee can extend invitations to outside agencies in order to improve, support, collaborate, in ways that will support the district.

Examples of this in the past include:

- East Midlands Ambulance Service (O&S seeking improved service across WL)
- Citizens Advice Lindsey (O&S showing public support for the services provided across the district, and demonstrating best value as they are part funded by WLDC)
- Environment Agency (O&S seeking collaborative working following instances of flooding in the district – this then led to the Flood Risk Management working group and the twice-yearly reports that you will see on the work plan)

These can be stand-alone items or return visits can be requested, there can also be a continued theme between an outside agency and the Committee, which can be programmed into the Work Plan. For example:

- An invitation was extended to Everyone Active as there had been concerns amongst Members regarding service provision in the district;
- Their attendance at the O&S Committee was considered to be:
 - scrutiny, of their service provision;
 - a review of their performance (as detailed in P&D reporting);
 - an invitation to consider ways to improve and work collaboratively;
 - and an offer of support from Members to help facilitate improvements.

Prior to each attendance of an outside agency, the Committee will consider what is being requested of the guest attending. Questions will be presented to the guests in advance of their attendance to ensure they have the necessary information to hand on the night.

The purpose of inviting outside agencies is not to be critical and accusatory, even where there may be perceived cause. The O&S Committee can be challenging, and conversations can be robust, but there must be a clear purpose and direction of debate.

*What is your 'exam question'?

*What do you most want to understand out of this visit?

*How is that best going to be achieved?

Attendance by Lincolnshire Police

Whilst technically an Outside Agency, the Police are required to attend in order to meet a statutory requirement. The same principles are engaged – the committee will consider the focus of the questions in advance of the guest attending. Previous discussions have focused on funding, increasing numbers of Police Officers, engagement between Police and Councillors as well as the main challenges across the district. The focus tends to be on collaborative working and how that can be improved.

Further Reading

Centre for Governance and Scrutiny main website: <https://www.cfgs.org.uk/>

Link to an interesting read article regarding 'Scrutiny in Committee System Authorities:

<https://www.cfgs.org.uk/long-read-scrutiny-in-committee-system-authorities/>

LGA's 'A Councillor's Workbook on Scrutiny':

https://www.local.gov.uk/sites/default/files/documents/11%2064_Scrutiny%20for%20councillors_03_1.pdf

APPENDIX 1: Overview and Scrutiny Operating Methodology

Functions covered within this document:

1. Performance management (for service areas presenting performance figures below target)
2. Pre-decision scrutiny (also known as pre-scrutiny and identified from the Forward Plan)
3. Ongoing project work (for example as requested or identified by a policy committee or Council)

1. Performance Management

The Committee can request a Service Performance Review (to identify reasons for off-track performance and ways to improve) when:

- The performance has been off track for at least two consecutive reporting periods
- Recommendations from the relevant committee have been implemented and allowed time to have an impact
- At least four committee Members wish to request the review

The following restrictions apply:

- A maximum of four such reviews can be requested in any municipal year
- Any service area subject to such a review is excluded from re-examination under any process for the subsequent six month period (ie, further two reporting periods)

Process for a Service Performance Review:

- The request is to be made in writing, signed by at least four committee Members, set out the reasons for the request and be submitted to the O&S Clerk at least 21 days prior to the next committee meeting.
- The request will be considered at the next meeting and, if agreed, terms of reference for the review group should be set.
- Alternatively, where a request for a Service Performance Review is identified during a Committee meeting, and is supported by at least four Members of Committee, this will replace the request in writing.
- The Chairman (or representative) of the relevant policy committee is to be invited to the meeting where the scope of the review is considered.
- The findings of the review will be heard by the O&S Committee and presented to the relevant policy committee, where the Chairman (or representative) of O&S shall also attend.
- If the policy committee does not wish to accept the recommendations of the review group, the decision shall be referred to Council.

2. Pre-Decision Scrutiny

The Committee can identify items for pre-decision scrutiny (also known as pre-scrutiny) from those detailed on the Forward Plan. These could be items which are politically sensitive or of high public interest and where the Committee considers it would be of benefit to scrutinise the proposed decisions in advance.

These items can be selected from the Forward Plan during meetings of the Committee by a proposer, seconder and majority vote.

The following restrictions apply:

- A maximum of four 'pre-scrutiny' items can be identified per municipal year.
- The Committee cannot dictate the timeline or prevent the decision being submitted to the relevant policy committee within the pre-agreed timescales.
- Any decision considered under pre-scrutiny cannot then be called-in under the traditional process.
- Any item considered under pre-scrutiny is excluded from re-examination under any process for the subsequent six month period.
- NB: The policy committee is not strictly bound by recommendations from O&S however it is expected that they should be given due consideration.

Process for Pre-Decision Scrutiny:

- The O&S Committee will receive the exact report due to be presented at the policy committee, at least 1 cycle prior to the policy meeting.
- The O&S Committee will make recommendations to the policy committee where it feels there are areas to be further addressed in order to support the proposed decision.
- The Officer responsible for the report will work with the Chairman / representatives of O&S to revise the report accordingly (when necessary).
- The amended report, along with the minute from the O&S meeting and the original report, will be submitted to the policy committee within the original timescale.

3. Ongoing Project Work

The O&S Committee can be requested by either of the policy committees, or Council, to conduct reviews of policy, services or any aspect of a service as identified by the relevant committee.

Any such request will be made to the Chairman of the O&S Committee from the Chairman (or representative) of the requesting committee / Council. The purpose, scope and terms of reference for the review will be agreed by the requesting committee and shared with the Chairman of O&S at the time of the request.

Such reviews will form part of the work plan for the O&S Committee, report timescales will be set out in the Forward Plan and recommendations will be agreed and shared with the referring committee.

Where the Committee chooses to conduct a review of policy or services that has not been referred by a policy committee, or does not fall under items 1 or 2 as detailed above, such reviews are limited to one review per civic year.

Updated Versions / Amendments to Operating Methodology*:

June 2019

May 2022

June 2023

*the Operating Methodology is reviewed annually by the Committee, however the above dates refer to amendments made.

APPENDIX 2: Excerpt of Constitution – Part V Rules of Procedure pages 29 – 31

14. Call-In

14.1 Call-in should occur where members of the Overview and Scrutiny Committee have evidence which suggests that the policy committee(s) for which it is responsible did not take the decision in accordance with the principles set out in Article 12.

14.2 Five working days are to be allowed for the call-in of decisions. The procedure is as follows –

(a) If four members on the Overview and Scrutiny Committee wish to call in a decision with a view to requesting that the relevant policy committee reconsiders the decision, this must be done within five working days of publication of the decision, provided the issue in question has not been recorded as urgent.

(b) Any request to call in a decision must be in writing, be signed by the four members and set out the resolution to be considered. The call-in notice should also set out the reason(s) why the decision should be reconsidered. The notice should be sent to the Head of Paid Service no later than 5pm on the fifth working day following publication of the decision.

(c) Decisions can only be called in once and must be considered at the next meeting of the Overview and Scrutiny Committee unless the agenda for that meeting has already been published. If the agenda has been published, the issue will be considered at the subsequent Overview and Scrutiny Committee meeting unless the matter is considered urgent by the Chairman of the Overview and Scrutiny Committee, taking into account any views of the Chairman of the Committee whose decision has been called in.

(d) The date of publication of the decision will be deemed to be the day on which the minutes were published on the Council's website.

(e) If having considered the decision the Overview and Scrutiny Committee may:

(i) refer back to the relevant policy committee for further consideration, setting out in writing its recommendations; or

(ii) not refer back to the relevant policy committee and the decision shall take effect on the date of the overview and scrutiny meeting.

14.3 Where a matter is to be referred to another committee, call-in only applies after the matter has been considered by that other committee.

14.4 Call-in does not apply to recommendations to Council nor to Council decisions themselves.

14.5 The Chairman of the committee whose decision has been called in shall be invited to the Overview and Scrutiny Committee meeting when the item is considered. The Chairman of the Overview and Scrutiny Committee (or his/her representative) shall attend the policy committee meeting when the called-in item goes back for consideration.

14.6 Where a policy committee does not wish to accept the recommendation(s) of the Overview and Scrutiny Committee on a called-in decision, the decision shall be referred to Council.

14.7 The call-in procedure set out above shall not apply where the decision being taken by the policy committee is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest. The record of the decision shall state whether, in the opinion of the decision-making committee, the decision is an urgent one and, therefore, not subject to call-in. The committee taking the decision must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. The Chairman of the Overview and Scrutiny Committee shall be consulted before any matter is dealt with under this urgency procedure.

14.8 Urgency in this context goes further than the urgency provisions contained in the Local Government (Access to Information) Act 1985 relating to late reports. A report may well have been submitted to the relevant committee in good time but the implementation of the decision is nevertheless considered urgent.

14.9 The operation of the provisions relating to call-in and urgency shall be monitored annually.

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