

West Lindsey District Council

Guildhall, Marshall's Yard, Gainsborough

Minutes of Committee Meetings

Published since the
Meeting of Council
5 September 2016



INDEX

1. Planning Committee – 24 August 2016
2. Challenge and Improvement Committee – 1 September 2016
3. Prosperous Communities Committee – 13 September 2016
4. Planning Committee – 21 September 2016

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 24 August 2016 commencing at 6.00 pm.

Present: Councillor Stuart Curtis (Chairman)
Councillor Ian Fleetwood (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Michael Devine
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Thomas Smith

In Attendance: George Backovic – Principal Development Management Officer
Ian Elliott – Development Management Officer
David Kerfoot – Lincs Legal Advisor
Martha Rees – Lincs Legal Advisor

28 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor David Cotton
Councillor Hugo Marfleet

29 PUBLIC PARTICIPATION PERIOD

There was no public participation.

30 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 27 July 2016.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 27 July 2016, be confirmed and signed as a correct record.

31 DECLARATIONS OF INTEREST

There were no declarations of interest at this point.

32 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

There were no updates to report.

33 PLANNING APPLICATIONS FOR DETERMINATION

RESOLVED that the applications detailed in report PL.05 16/17 be dealt with as follows:-

33a 131181 - CAISTOR

Outline planning application for the erection of 69 dwellings - access to be considered and not reserved for subsequent applications on land at Brigg Road, Caistor.

The Principal Development Management Officer updated the Committee on further representations which had been received. Comments had been received from Lincolnshire County Council (LCC) Highways department, that there were drainage issues and insufficient information regarding flood risk, and that the application should be refused.

Caistor Town Council had objected on grounds of highways concerns, however had no problem with the location and design of the development.

A further representation had been received from the applicant's agent acknowledging that as yet there was no solution to the drainage problems, but that they were committed to solving the matter and would include the SUDS system as required. Revised proposals had been submitted to LCC Highways for consideration and it was requested that the decision be delegated to the Chief Operating Officer on resolution of the drainage issues.

Communication had since taken place with LCC Highways officers who were still unable to support the proposals, stating that the whole scheme needed to be reassessed.

Town Councillor Alan Caine then addressed the meeting and had circulated proposed additional reasons for refusal, and also a list of conditions to be applied should the Committee be minded to grant permission. Councillor Caine then described the proposed access on a bend, which with two new tourist sites gave potential for accidents, as it was believed there were several unreported incidents at that location. Reference was then made to the Area of High Landscape Value and Area of Natural Beauty. The density of 69 dwellings on the site was felt to be too many and that guidance recommended only 50 in such open areas. The name Waterhills signified the nature of the land with an underlying chalk watercourse, with biodiversity and rare wildlife habitats. There was the potential for the pollution of the watercourse and subsequent impact on the wildlife.

Louise Longstaff then spoke on behalf of the applicant, describing how work had been ongoing with officers for a number of years to achieve an acceptable proposal. The site would be complementary to Caistor in a sustainable location and was within 600m of the town centre as required by the Caistor Neighbourhood Plan. Few of the objections raised had any policy basis and apart from the drainage issues all aspects were considered acceptable. The land was in private ownership and had never been designated for public recreation. A contribution towards educational provision had been offered. The applicant

was committed to addressing the drainage issues and requested that approval be delegated to the Chief Operating Officer on resolution of the problems which were a minor technicality for which a resolution was possible.

Dan Morgan and Paul Stubbs then addressed the Committee as residents in objection to the proposals, stating whilst it was acknowledged that Caistor had to expand there were other more appropriate sites, on brownfield land and closer to facilities. Concerns were raised regarding highway safety, flooding and contamination of the chalk stream, the impact on already overstretched facilities such as the schools and health provision.

The Chairman verified with the Officer that the only reason for refusal was the drainage issues and that all other matters, such as highway safety were considered acceptable. The Principal Development Management Officer affirmed that the access had been considered by the LCC Highways department and was not a reason for refusal. Caistor was an appropriate focus for development, part of the site was allocated within the emerging Central Lincolnshire Local Plan and the site would contribute towards the Five Year Housing Land Supply. LCC had concerns with the flood risk and its impact on the site, nearby residents and wildlife, and were not convinced that the issues could be addressed.

Brief discussion ensued by the Committee, raising issues such as the time taken for determination, the density of the development, affordable housing and contributions towards education and health. It was clarified that there were no site allocations within the Caistor Neighbourhood Plan, but the site met policy criteria in terms of distance from the town centre. The Central Lincolnshire Local Plan was now at the most advanced stage possible, prior to actually being examined and adopted.

It was suggested that a site visit take place in order to assess the site's position on the scarp slope, which would also give officers additional time to consider revised drainage plans.

It was therefore Moved, Seconded and **AGREED** that a site visit take place on a date to be determined.

33b 134622 - GAINSBOROUGH

Planning application for change of use of waste ground to car parking at Hickman Street, Gainsborough.

Note All Members of the Committee declared a non-pecuniary interest as the land was owned by West Lindsey District Council.

It was acknowledged that the proposal extended an existing car park and provided an additional 26 spaces, and also tidied an eyesore which needed addressing.

It was moved, seconded and voted upon, and subsequently **AGREED** that consent be **GRANTED**.

33c 134684 - GAINSBOROUGH

Planning application to construct two storey side extension including single storey porch enclosure at front at 30 Heapham Road, Gainsborough.

It was verified that the applicant was an officer of the Council, hence the requirement for Committee determination. The application did not contravene any policies or design guidance, it was therefore moved, seconded and voted upon.

It was then **AGREED** to **GRANT** Conditional Planning Permission.

34 TREE PRESERVATION ORDER

Objection to Tree Preservation Order Ingham No1 2016

A tree application had been received to fell a large mature sycamore tree on land owned by the applicant at Ingham. The tree was situated close to the boundary with a residential property called Sycamore Lodge, and the reasons given for the tree removal were due to shading and virtually touching the house, and to avoid further complications.

On validating the application it was noted that the tree species on the application did not match the tree species in the Tree Preservation Order (TPO) document. It was realised that the original TPO document contained errors which could bring into question whether the tree was actually the one supposed to be protected by the TPO. It was decided that a new TPO needed to be made to ensure the tree was adequately protected, and avoid the protection of the TPO being questioned which could result in the tree being allowed to be felling in the event of an appeal.

Committee Members agreed that the tree added amenity value to the street scene.

On being moved, seconded and voted upon it was:

RESOLVED: the confirmation of the Tree Preservation Order Ingham No1 2016 be approved.

35 TO DETERMINE THE START TIME OF FUTURE MEETINGS

The Chairman invited Members of the Committee to express their views on the current start time of meetings of 6pm, as opposed to the previous regular time of 6.30pm.

Whilst the reason for the earlier start had been due to some long agendas, and since that time there had not been a large amount of applications, it was not possible to vary the commencement time of meetings according to the length of the agenda, this was affirmed by the legal officers present. A consistent start time had to be set to ensure that members of the public knew what time to expect the meeting to commence.

Members noted that it could be difficult for those that worked during the day, to get to the Guildhall for a 6pm start, plus free car parking in Marshall's Yard did not commence until

6pm. Sympathy was offered to those officers who had been at work for the whole day prior to the meeting, however it was generally felt that a 6.30pm start time was preferred.

It was moved, seconded and voted upon and **RESOLVED** that the normal commencement time of Planning Committee Meetings revert to the previous start time of 6.30pm.

36 TO NOTE THE DETERMINATION OF APPEALS

The Ward Member for the Tealby application expressed his disappointment at the outcome of the appeal.

RESOLVED: that the determination of appeals be noted.

The meeting concluded at 6.51 pm.

Chairman

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Challenge and Improvement Committee held in the Council Chamber at the Guildhall, Gainsborough on Thursday 1 September 2016 commencing at 6.30 pm.

Present: Councillor Paul Howitt-Cowan (Chairman)
Councillor Lewis Strange (Vice-Chairman)

Councillor David Bond
Councillor Chris Darcel
Councillor Stuart Kinch
Councillor Pat Mewis
Councillor Angela White

In Attendance:

Ian Knowles	Director of Resources
James O'Shaughnessy	Interim Strategic Lead – Transformation
Nicola Calver	Governance and Civic Officer
Katie Coughlan	Governance and Civic Officer

Apologies: Councillor Stuart Curtis
Councillor Trevor Young (Vice-Chairman)

Membership: No substitutes were appointed for the meeting

28 MINUTES

- (a) Meeting of the Challenge and Improvement Committee held on 28 June 2016 (CAI.18 16/17)

RESOLVED that the Minutes of the meeting of the Challenge and Improvement Committee held on 28 June 2016 be confirmed and signed as a correct record.

29 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest made.

30 MATTERS ARISING SCHEDULE (CAI.19 16/17)

The Committee gave consideration to the Matters Arising Schedule, setting out the current position of previously agreed actions, as at 23 August 2016.

With regard to the amber action entitled “Sandsfield Lane Playing Field”, Officers advised that the request had been brought to the attention of the Chief Operating Officer. Assurance had been received that this action would be updated prior to the next meeting, however, any Members who wished to discuss the matter, in the interim, were encouraged to contact the Chief Operating Officer direct.

RESOLVED that the Matters Arising Schedule as at 23 August 2016 be received and noted.

31 PROGRESS AND DELIVERY – PERIOD 1 (CAI.20 16/17)

Members gave consideration to the first of the newly styled Progress and Delivery reports for 2016/17.

The report dealt with the progress and delivery of projects which were aimed at the delivery of the corporate plan. This report highlighted those projects that had entered the delivery stage and were either off track or at risk of not delivering. The report also dealt with the progress and delivery of the services the council provided. It was an “exceptions” report and dealt with those services which were either performing above the required level or were below the target set for them. The report would also provide Members with a summary of activity across services.

It was noted that the report had previously been considered by both the Prosperous Communities Committee and the Corporate Policy and Resources Committee and Members were provided with the minute arising from each.

The Committee were asked to examine the responses given to the report by the Corporate Policy and Resources Committee and the Prosperous Communities Committee and assure themselves that the appropriate level of challenge was being made by those committees to the information contained in the report.

Discussion ensued and Members sought and received background information regarding the acquisition of SureStaff Ltd. It was noted that the company had approached the Council in December 2015 advising that they were likely to cease trading. As the only agency work provider within the town and a regular supplier of workforce for operational services, consideration was given as to whether the Authority should purchase the company. An appropriate business case had therefore been submitted to the Corporate Policy and Resources Committee for consideration. This demonstrated the potential to result in immediate savings in the operational budgets, offered an

opportunity to grow the company whilst retaining profit back into the organisation and safeguarded local jobs. In response to Members' further questions, Officers advised that progress, including income generation, would be monitored by the Corporate Policy and Resources Committee. The company would be operated within the parameters of a business plan and progress would be monitored against this on a six monthly basis and would form part of the budget planning process.

Some Members of the Committee were of the view that the acquisition should be more widely promoted. Officers indicated that the governance arrangements relating to the company were due for consideration by the Governance and Audit Committee and Full Council and thus would provide the opportunity for discussion with the wider elected Member core.

In responding to questions, Officers confirmed that whilst the works on the Trinity Arts Centre roof had experienced a slight delay, these were now nearing completion and the full artistic programme had now resumed.

A new six month appointment had been approved within Planning Enforcement to mitigate the current capacity issues, this information was welcomed by the Committee. The Committee placed on record their thanks to the Planning Enforcement Officer for the work she undertook on behalf of the organisation. General discussion was had regarding the need for succession planning and assurance was offered that there was a work force development plan in place and age profile awareness with the Management Team.

RESOLVED that having examined the responses given to the report by the Corporate Policy and Resources Committee and the Prosperous Communities Committee, the Committee have assurance that the appropriate level of challenge is being made by those committees to the information contained within the report.

32 UPDATE FROM THE DEMOCRACY WORKING GROUP (CAI.21 16/17)

Consideration was given to a report which sought to update Members on the work of the Democracy Working Group. The Group had met twice since the Committee had received its last update on 22 February 2016. The progress made to date was set in Section 2 of the report and included: -

- further work around the Chamber re-configuration;
- the work of the Group as a Civic Matters Sounding Board;
- Engagement with both primary and secondary schools regarding making use of the facilities at the Guildhall and for Members of the Council to visit their schools respectively; and
- Flag Poles at Schools

Agreement to the revised four year plan set out in Section 3 of the report was sought. It was noted that if on investigation by the Group any of the priorities

detailed therein might result in financial, staffing or other implications, for example the “making better use of the new conferencing equipment to aid the democratic process”, a separate report would be submitted for Member consideration.

In responding to Members, questions, Officers advised that the civic matters the Group had given consideration to and referred to in Section 2.2 of the report were Transport and the Civic Inventory.

Members also encouraged Officers to re-approach schools.

RESOLVED that: -

- (a) the work to date of the Democracy Working Group be noted and a further update be submitted in six months time; and
- (b) the four year plan be noted and approved.

33 FORWARD PLAN (CAI.22 16/17)

The Governance and Civic Officer presented a report setting out the items of business due to be considered through the committee system and asked Members to identify any reports that they wished to be brought before the Challenge and Improvement Committee for pre-scrutiny.

Concerns were again raised regarding health provision across the District. In response Officers advised that a commissioning paper was currently being scoped for submission to Prosperous Communities Committee in October 2016. Subject to agreement from the Policy Committee, this commission would be referred back to the Challenge and Improvement Committee to undertake, in accordance with the Methodology the Committee had previously adopted. It was stressed that it was envisaged an in depth commission into the area could take up to 12 months to complete.

RESOLVED that the Forward Plan be noted

34 WORK PLAN (CAI.23 16/17)

The Work Plan for the business of the Challenge and Improvement Committee was presented.

Members noted that a further a report would be added to the work plan for November 2016, that being the Health Commission referred to above.

It was also noted that attendance by Simon Outen, the Police and Crime Commissioner and colleagues had been moved to the Committee’s November

meeting, for those reasons outlined in the matters arising report considered earlier by the Committee.

Finally, in accordance with the footnote to the Workplan, consideration would be given at the next Chairman's Briefing as to which partner should next be invited to address the Committee in relation to their ongoing theme of Youth Unemployment. This would subsequently be incorporated into the workplan.

RESOLVED that the Work Plan, subject to the information set out above, be noted.

35 EXCLUSION OF PUBLIC AND PRESS

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

36 PREPARATION FOR SCRUTINY OF PUBLIC BODY – BRIEFING PAPER IN ADVANCE OF THE 2ND PUBLIC BODY BEING INVITED REGARDING THE ONGOING THEME OF YOUTH UNEMPLOYMENT – SCHOOLS – FINALISED QUESTIONS (CAI.24 16/17)

At its meeting on 28 June 2016, Members had been presented with a briefing paper for consideration, which set out a list of proposed schools to be invited to attend the October meeting, together with a proposed set of questions, derived from comments previously expressed by Committee, to be put to the schools.

Members received a brief update to this paper advising of progress achieved since the last meeting and were asked to re-affirm the questions which would form the basis of the presentations to given by the schools.

In responding to Members, questions, Officers confirmed that the initial approach had been made to the respective Head Teacher, who had then directed the request appropriately within their organisation, most often to a Member of the Senior Leadership Team.

Officers further confirmed that no students would be in attendance, as this request had not been made. Members indicated that maybe this would be of value going forward but it was acknowledged that careful consideration would need to be given to the format and arena for any such event.

As earlier advised, consideration would need to be given, at the next Chairman's Briefing, as to which partner should next be invited to address the Committee and Officers undertook to also further consider the feasibility of the suggestion made by the Committee.

RESOLVED that: -

- (a) the progress made to date be noted; and
- (b) the series of questions, as presented at the meeting on 28 June 2016, be re-affirmed as the basis for the presentations.

The meeting concluded at 7.08 pm

Chairman

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Prosperous Communities Committee held in the Council Chamber at the Guildhall, Gainsborough on Tuesday 13 September 2016 commencing at 6.30pm.

Present:

Councillor Sheila Bibb (Chairman) (In the Chair)
Councillor Gillian Bardsley (Vice-Chairman)

Councillor Owen Bierley
Councillor Michael Devine
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Di Rodgers
Councillor Lesley Rollings
Councillor Tom Smith
Councillor Jeff Summers
Councillor Trevor Young

In Attendance:

Mark Sturgess	Chief Operating Officer
Ady Selby	Operational Services Team Manager
Grant White	Enterprising Communities Team Manager
Andy Gray	Housing and Communities Team Manager
Katie Coughlan	Governance and Civic Officer

Apologies:

Councillor Paul Howitt-Cowan
Councillor Steve England – Vice-Chairman
Councillor Malcolm Parish

Membership:

Councillor Giles McNeill substituted for Councillor Howitt-Cowan
Councillor Jeff Summers substituted for Councillor Steve England

34 PUBLIC PARTICIPATION

There was no public participation.

35 MINUTES

(a) Meeting of the Prosperous Communities Committee – 19 July 2016.

RESOLVED that the minutes of the Meeting of the Prosperous Communities Committee held on 19 July 2016 be confirmed and signed as a correct record.

36 MATTERS ARISING SCHEDULE SETTING OUT THE CURRENT POSITION OF PREVIOUSLY AGREED ACTIONS AS AT 5 SEPTEMBER 2016 (PRCC.21 16/17)

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 5 September 2016.

RESOLVED that progress on the Matters Arising Schedule, as set out in report PRCC.21 16/17 be received and noted.

37 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest made at this point of the meeting.

38 COMMUNITY DEFIBRILLATOR SCHEME (PRCC.22 16/17)

Consideration was given to a report which sought approval of the creation of a new scheme to provide community accessible defibrillators, using existing funds from the Community Grants Programme.

The proposed scheme was outlined in Section 2 of the report and was summarised to Members. The report also contained details of the eligibility criteria, application process and how the Scheme, if approved, would be promoted.

In order to finance the scheme, funds would be allocated from the existing Community Grants Scheme Earmarked Reserve. No additional budget pressure would occur.

The scheme cost of equipment and installation for 30 sites was £40,800. The Council would meet up to 80% of this cost, with 20% to be funded by each location. The Council would incur the full £40,800 up-front expenditure and recover the 20% from each location prior to installation. The net impact on the Community Grants Scheme Earmarked Reserve would be £32,640

This would leave £154,754 available to deliver the Small, Large and Match Funding Grant schemes during 2017/2018.

Debate ensued with all Members acknowledging the merits of the scheme and how it supported the Council's commitment to assist our communities to assist themselves. The common device across the District approach was also welcomed

and would be of assistance to, and support the work of, the first responders. Expectation was that the scheme would be prove popular.

Assurance was sought and received that the duty to maintain any device purchased and installed through this scheme, would be the responsibility of the applicant. This was contained within the terms and conditions of the grant funding. Furthermore all communities that received a defibrillator would be required to complete monitoring. This would include keeping a record of the number of uses and maintenance logs.

Assurance was also sought and received that once installed the emergency services and local communities would be made aware of their existence and locations. Officers advised that each device would be registered with the East Midlands Ambulance service and loaded into their database. The scheme would be promoted on the Council's website together with an interactive map, showing their locations and on installation, the cost of the device, including an awareness / training session for up to 12 members of the community.

In response to some scenarios cited by Members wherein communities had purchased (by others means) a defibrillator device and the units had either not been registered, or were in-accessible either due to their location or cabinet type, and therefore not being put to best use, assurance was offered by Officers that this would not be the case with devices purchased under this Scheme. It was reiterated that devices would be registered with EMAS, all cabinets would be in accessible locations, on the outside wall of buildings and accessed by a pin code issued on dialling the emergency services making them also secure from theft or misuse. Officers indicated there may be ways this scheme could assist those communities whom had already purchased a device but needed help registering it, or a more appropriate cabinet for example.

Whist not detracting from the proposed Scheme's value to the community, some Members questioned whether in fact the Council should be providing such a service. It felt outside of the Council's core business, which some Members suggested should be the focus, particularly those core services which were under performing. The role of the CCGs and health charities was questioned, and there was concern that if the district was covered by a defibrillator scheme, the emergency services would be diverted elsewhere.

In responding, it was stressed by Officers that the ambulance service, was an East Midlands wide service and therefore it was common practice for local crews to attend incidents in other districts and counties, this practice would change as a result of this Scheme. The Council was already funding such devices through its other funding streams on an ad hoc basis. This proposal aimed to ensure best value for the devices and thus make better use of the limited funding monies the Council had available to communities, the Scheme also facilitated a level of control around citing, ensuring they were accessible and allowed the council to gather statistics on usage and impact. CCGs did not widely fund community defibrillators and they were seen very much as a local resource. Health charities were often nation-wide and would therefore not fund a district wide rollout.

Whilst other Members were in agreement that the scheme did sit in the health arena, they were of the view that this was a community project and that the District Council had duties to support, promote and protect the well-being of its residents.

RESOLVED that:

- (a) the launch of the Community Defibrillator Scheme be approved;
- (b) the use of funds from the Community Grants Scheme Earmarked Reserve be approved; and
- (c) the Enterprising Communities Team Manager be delegated to arrange the specific details of delivery for this project in partnership with LIVES.

39 INDEPENDENT LIVING POLICY 2017-2019 (PRCC.23 16/17)

Members gave consideration to a report which introduced the West Lindsey Independent Living Policy 2017-2019 as a replacement and update to the West Lindsey Housing Assistance Policy 2014 -2016.

It was noted that the previous West Lindsey Housing Assistance Policy 2014-2016 covered all aspects of delivering DFG's and Empty Properties initiatives. The Council's policy in regards to empty properties was currently being reviewed and would be brought to Committee at a later date.

The proposed West Lindsey Independent Living Policy 2017-2019 replaced the above mentioned policy and set out how the Council intended to undertake DFG's and also improve its service by offering another project through independent living, this being the pilot project for stairlifts, which was fully detailed in Section 3 of the report and page 14 of the Policy.

The main changes to the Policy from 2014-2016 were shared with the Committee and included: -

- The introduction of the pilot project for stairlifts
- The procedure for applying for grant funding towards an adaptation of the applicants choosing
- The inclusion of extensions being considered and specific information as to when they are able to be considered.
- Competent contractor assessment criteria
- Removal of empty homes initiatives (to be replaced by a new policy in 16/17)

Debate ensued and the Policy was welcomed by all Members of the Committee. In response to Members' concerns around the turnaround times and costs detailed in Section 3.4 of the report, Officers indicated the proposed pilot project would

address these areas, referring Members to paragraph 3.3 of the report which detailed the aims and advantages of the pilot.

RESOLVED that:

- (a) the Independent Living Policy 2017-2019 be approved;
- (b) the pilot project for stair-lifts as set out in the policy be approved;
and
- (c) the additional charges proposed within the stair-lift pilot be **RECOMMENDED** to Full Council for approval in order that they can come into effect as soon as possible.

40 RISEHOLME NEIGHBOURHOOD PLAN PUBLIC REFERENDUM (PRCC.24 16/17)

Consideration was given to a report which presented the up-to-date position in terms of the development of the Riseholme Neighbourhood Plan. The report recommended that the Plan proceed to the Public Referendum stage following a successful independent examination.

The Committee commended the work undertaken by the Neighbourhood Planning Officer, the support he offered local communities and welcomed the submission of many more Neighbourhood Plans to come.

RESOLVED that the Riseholme Neighbourhood Plan be formally approved to advance to the Public Referendum stage, in line with the advice received from the Independent Examiner.

41 WORK PLAN (PRCC.25 16/17)

Members gave consideration to the Committee work plan.

Referring to the workplan item entitled “Presentation by Age UK”, currently scheduled for October, Councillor Bierley requested that an invitation be extended to all Members of the Council to attend for this.

Referring to the workplan item entitled “Market Rasen Car Parking” Councillor Smith sought and received assurance from Officers that consultation with Ward Members would be undertaken prior to the Committee receiving the report.

RESOLVED that the Work Plan as set out in report PRCC.25 16/17 be received and noted.

42 EXCLUSION OF PUBLIC AND PRESS

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

Note: Councillor Trevor Young declared in a personal interest in the following item of business as, in his role as an elected Member, he had met with the Market Federation and the Independent Traders Group (who would form the Gainsborough Co-operative) , and he was also a seasonal trader on occasion.

43 GAINSBOROUGH MARKET PROPOSALS (PRCC.26 16/17)

In April 2016, Prosperous Communities Committee had resolved to explore the options for improving Gainsborough's street market in order to achieve a cost neutral solution. As part of this research, officers had explored a range of delivery options to ensure that the decision-making process was robust and lawful; whilst having regard to the objective of operating the market at zero cost to the Council.

Members gave consideration to a report which outlined proposals for the future restructure and delivery of Gainsborough's street market. The report outlined the current operation and performance of the market, together with some objectives for the future market operation which sought to address the weaknesses with the current operation and capitalise on the opportunities to grow and diversify the offer, these being: -

1. To reduce the subsidy and deliver a cost-neutral market
2. To operate an efficient and effective market; where the rules are enforced, fees are collected, trader enquiries are dealt with promptly and trader satisfaction is high
3. To grow the number of traders and to diversify the 'offer'
4. To improve the appearance of the market by ensuring an attractive stall layout (which is conducive to trade for local businesses as well as traders)
5. To improve the visibility of the market through effective signage and the regeneration of key routes and sites within the town centre
6. To make imaginative use of the Market Place for events and activities alongside and in addition to the street market

Section 5 of the report detailed a comprehensive options appraisal for future delivery which would help deliver the above objectives. A total of 10 options had been appraised, 5 which would see the operation stay in-house and 5 which could see the market outsourced or operated by a third party. Each option had an Officer recommendation contained within, and Option 3 was being proposed, as the best to meet the objectives established.

Lengthy and detailed discussion ensued with opposing views expressed. A number of Members did not consider the proposed option went far enough. There was also a view that it did not offer best value nor that it would lead to the best outcomes. It was suggested that some of the other options contained within the report should have been more prevalent.

Members referred to a document which had been tabled, and sought clarity as to its purpose. A Member indicated that it was the Business Plan from the GMC and that he had circulated it for Members information. He was of the view that this should have been included within the report in its entirety and have been more prevalent in the main committee report

In response to Members' questions, Officers confirmed that they had had sight of the document, and the reasons for it not being the recommended option at this stage were clearly set out and evaluated at on page 10 of the report. Officers were of the view that the proposed option offered more resilience than the Business Plan from GMC, citing a number of scenarios to support this view, nor had TUPE requirements been taken into consideration. The Chief Operating Officer advise members that they should disregard the circulated paper and take a decision based on the information contained in the report as this had taken account of the information contained in this paper.

Again responding to Members' questions, it was confirmed that TUPE was a legal burden, contained within employment law and could not be mitigated against. The TUPE requirements must be met by any outside operator taking on a council function to be operated by transferred council staff.

A number of Members expressed their frustration that the proposal just did not move the market on far enough and without different thinking nothing would change. Some Members' questioned whether Council's had the right skills and abilities to operate markets and therefore should be making greater of use of such organisations as the GMC who had the knowledge, networks and resources, to make the market thrive. The timeline was also of concern.

In responding to Members questions Officers outlined the proposed new posts function, stressing this was a much wider role with an emphasis on collaboration, acknowledging this had been missing in recent years. One of the key tasks for this new post would be to establish a stakeholder holder committee, to gather views and engage partners and to investigate alternative options, including some of those which had been suggested throughout the course of the debate, such as flea markets and antique markets.

In contrast, other Members acknowledged that the market was key to the wider regeneration of Gainsborough and in particular the Market Place area, and that a longer term, common sense approach was more appropriate if it ensured the safeguarding of the market. The vision of positive management and enforcement going forward was welcomed and had been missing in recent years.

In light of the differing views expressed a Member proposed an alternative motion, this being that Option 9 should be further explored in the first instance with a further report expanding on the evaluation of this option being brought back to a subsequent meeting of the Committee. Officers indicated the potential delay this would incur, but having been moved and seconded the motion fell.

The recommendations as written in the report were then moved and seconded and on being put to the vote it was: -

RESOLVED that:

- (a) Option 3 as outlined in the report and the appended Business Plan be approved;
- (b) that Members review progress against the Business Plan targets in April 2017 and thereafter on an annual basis; and
- (c) a formal public consultation exercise for the future delivery of the market be undertaken following the implementation of Option 3.

Note: Councillors Trevor Young and Lesley Rollings requested that their vote against the above decision be recorded.

The meeting concluded at 8.22 pm.

Chairman

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 21 September 2016 commencing at 6.30 pm.

Present: Councillor Stuart Curtis (Chairman)
Councillor Ian Fleetwood (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Hugo Marfleet
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Thomas Smith

In Attendance:
Oliver Fytche Taylor Planning Services Manager
Jonathan Cadd Principal Development Management Officer
Rachel Woollass Development Management Officer
Stuart Tym Lincs Legal
Dinah Lilley Governance and Civic Officer

Also in Attendance: 37 members of the Public

Apologies: Councillor Michael Devine
Councillor Roger Patterson
Councillor Judy Rainsforth

Membership: There were no substitutions

37 PUBLIC PARTICIPATION PERIOD

There was no public participation.

38 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 24 August 2016.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 24 August 2016, be confirmed and signed as a correct record.

39 DECLARATIONS OF INTEREST

Councillor Cotton declared that as he ministered to the Parish of Upton and also knew several of the objectors he would not take part in determination of the item in order to avoid any perception of bias. (Application 134462 – Upton).

Councillor Cotton declared that as he had not been present at the previous meeting and heard the speakers, and had not been able to be present for the site visit, he would not take part in the deliberation of the item (Application 131181 – Caistor).

Councillor Cotton then left the meeting at 6.31pm.

40 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Planning Services Manager noted that he had circulated details of the hearing sessions for the Local Plan that were coming up in November/December. He had also advised that a new 5 year supply had been published by the Central Lincolnshire Planning Team and that it confirmed that the authorities met the required test and could demonstrate a 5 year supply of housing. The document can be viewed online (document 039A in the Planning Policy Library) : <https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library/>

41 CHANGE TO THE ORDER OF THE AGENDA

The Chairman proposed that given the number of people present at the meeting for the Upton application, it be dealt with first.

This was seconded and it was **AGREED** that the order of the agenda be changed to hear the Upton application first.

42 PLANNING APPLICATIONS FOR DETERMINATION

RESOLVED that the applications detailed in report PL.05 16/17 be dealt with as follows:-

42a 134462 - PIG FARM, UPTON

Planning application to construct two pig rearing units and one straw storage building on land off Cow lane, Upton.

The application was presented to the planning committee given the level of public interest.

The Development Management Officer advised the Committee that there was an error in the report in that Condition 9 should read 'prior to any operation of the building' not 'of the lagoon'. It was also noted that the proposal for a farmhouse had been removed from the original application. 78 further objections had been received from Animal Aid, and the online total of signatures was now 7828, however the Committee was reminded that animal welfare was not a material consideration in the determination of planning applications and there were other organisations to deal with such matters.

Mr Jamie Allen addressed the Committee representing the Parish Council, noting that there had been several public meetings and there was a clear mandate from residents to reject the application. Any development in the village should improve quality of life but the current application would have a negative impact. The proposals conflicted with national and local policy. It was felt that the methodology of the environmental assessment was not acceptable. Peak readings should be used rather than average. Given a 10-20% mortality rate for the pigs there would be animal carcasses on site. It was unacceptable to not concede that there would be an odour impact, and for the burden of proof to be on the consultees. Who would be accountable in the event of a flawed assessment? It was pointed out that although no residences, there was a business within 200m of the proposal, but given that this business supplied farms, had raised no objection. Residents would not rest if they lost their case.

Tim Elwess, the applicant, then addressed the meeting, pointing out that although Lincolnshire was agrarian in nature, farmers were usually unpopular. Most issues raised had been covered within the report, the suitability of the site was shown as being comfortably outside of the village envelope, and its nearest neighbours were sewage treatment and a composting site. Mr Elwess owned the site, and crops were not a secure income provider, pigs would be better. There were no subsidies. The operation was not 'intensive' and fitted with all welfare standards, and exceeded those required by the RSPCA, and meat would carry the Red Tractor logo. The animals would receive natural light and would have straw beds, with daily mucking out. The products were for human consumption and would meet the exacting standards of the UK customer.

John Spencer, resident of Upton spoke in objection to the application, stating that when communities deteriorated house prices plummeted. There was a balance between the employment of one person against the misery of many residents. There would be a danger of contamination, odour and disease, and should not be next to a village. Superbugs were resistant to antibiotics and cancer patients' greatest fear was of infection.

Helen Villamuera also spoke on behalf of residents in objection, whilst happy for farming to take place in the countryside, objected to the industrial nature of the proposals. The figure of under 2,000 was critical in the assessment of its size. There would be odour problems from both the live animals, the carcasses and the manure. The roads were unsuitable for an increase in traffic. There would be an impact on quality of life, house prices and local businesses (particularly the chip shop) would suffer. Residents sought assurance that if granted the development would be monitored.

Note: Councillor Milne spoke as Ward Member on the application and stood down from the Committee.

Councillor Milne pointed out that residents had spent many hours researching details of such businesses and were not NIMBYs but had grave concerns. There were concerns regarding the foul water storage and its potential to overflow and contaminate water in the event of flooding. There were fears regarding the odour from the manure. Many years had been spent on winning a previous fight against such a business and it was now back to square one. Extractors would not work on carcinogens, and there was a risk to people living in the vicinity. Manure could overheat and be a fire risk and there was not a suitable water supply if straw caught fire. The roads were narrow with dangerous junctions and there had been near misses, particularly involving tractors, however highways officers had not been able to address the problems. There would be noise implications from both the traffic and the pigs. There would be an effect on both the chip shop and the local pub, detracting from outdoor custom. Villages had to live with the consequences of such decisions, and this should be refused.

Councillor Milne left the room during consideration of the application.

The Committee was reminded that neither animal welfare nor house prices were relevant to the determination of the application. There had been wide consultation and statutory bodies were satisfied with the proposals. The Environment Agency had withdrawn its initial objection and the County Highways department had assessed the traffic movements as safe with capacity for an increase. All other concerns had been addressed in the report.

Committee Members debated the application at some length and sought further clarification or assurance on a number of matters, such as the height of buildings in proximity to an aerodrome, the request for a fire hydrant, and the data used for the assessment of odour from slurry dispersion. It was affirmed that all relevant planning policies had been complied with and other responsible bodies would deal with non-planning related matters.

It was proposed that Condition 2 be amended to require tree planting to be native species and

Condition 5, that consideration be given to nesting season. Condition 9 (now 10) be amended to state 'building' not 'lagoon'.

It was moved and seconded that permission be **GRANTED** with the conditions as set out in the report and as amended below. On being voted upon it was **AGREED**.

Amended Conditions

2. No development shall take place until, a scheme of landscaping including details of the size, native species and position or density of all trees to be planted, fencing and walling, and measures for the protection of trees to be retained during the course of development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with West Lindsey Local Plan First Review Policy STRAT 1 and CORE 10.

5. No works shall take place involving the loss of any hedgerow, tree or shrub between 1st March and 31st August in any year until, a detailed survey shall be undertaken to check for the existence of nesting birds. Where nests are found, a 4 metre exclusion zone shall be created around the nests until breeding is completed. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any works involving the removal of the hedgerow, tree or shrub take place.

Reason: In the interest of nature conservation in accordance with West Lindsey Local Plan First Review Policy NBE 10.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first operation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1, STRAT 12 and CORE 10.

Note: Councillor Milne returned to the meeting at 7.16 pm.

42b 131181 - BRIGG ROAD, CAISTOR

Outline planning application for the erection of 69 dwellings - access to be considered and not reserved for subsequent applications on land at Brigg Road, Caistor. The application had been deferred from the previous meeting in order for a site visit to be undertaken.

The Principal Development Management Officer updated Committee Members on the revised drainage scheme received. The proposal was for a hybrid scheme including swales,

soakaways and drainage ponds. The Lead Flood Authority (LFA) response felt that a hybrid proposal was not the appropriate solution, and a single scheme would be better. An email had been received from the LFA stating that there was insufficient certainty for the prevention of flooding or potential pollution of chalk watercourses. The applicant's agent had stated that to undertake a full SUDS scheme would reduce the number of houses by 27, thereby making the proposals unviable. The applicant was prepared to continue working on an acceptable solution, however a traditional pipe scheme would require further work and time.

The Town Council had submitted their representation at the previous meeting and had reiterated their concerns, requesting a number of conditions should the application be approved.

A further letter of objection had been received raising concerns regarding increased traffic, the possibility being around an additional 130 cars from 69 houses. Residents knew the area better than 'experts'.

Mark Hodson, agent for the applicant, thanked the Committee for undertaking the site visit, and described the proposals as an opportunity to deliver housing close to the amenities of Caistor. The 8.5 hectare site was allocated within the CLLP and the proposals for a density of 8.12 dwellings per hectare were acceptable. The previous meeting had agreed that all issues met requirements other than the drainage matters, and these could be resolved in time. There were constraints due to the topography of the land, but it was necessary to maintain the number of houses proposed to ensure the viability of the scheme.

Paul Stubbs, local resident, spoke in objection to the proposals, citing the dangerous nature of the road, the already high level of traffic and its tendency to experience more severe winter weather due to it being higher above sea level. A previous application had been refused on highways grounds, and there were more appropriate sites within Caistor.

The Principal Development Management Officer assured the Committee that Highways officers had given lengthy consideration to the traffic implications and, subject to a number of proposed improvements, had no objections.

Members acknowledged that the site was allocated within the CLLP, although Caistor Town Council had requested its removal, the document had now been submitted for examination. Sites within market towns were being given further consideration. There were no site allocations within the Caistor Neighbourhood Plan, but the ambition was to ensure development close to the town centre and on brownfield land where possible. It was generally agreed that there was the potential for a high quality development, however the drainage constraints were of serious concern. It would be up to the applicant to resubmit the application once a drainage solution had been found.

It was moved, seconded and voted upon that the application be **REFUSED** for the amended reasons as set out below.

Reason for Refusal

The surface water drainage strategy submitted is not sufficient to be able to conclude that the proposal would adequately dispose of water in a safe and sustainable manner without increasing the risks of: flooding on site and to adjoining land and pollution to the environment

including local streams of ecological importance. In addition to this, the proposal fails to adequately justify measures to ensure foul water from the development can be disposed of viably to and within the existing foul drainage network. The proposed development is therefore contrary to saved Local Plan Policies STRAT1, NBE14 and RES1 of West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework.

43 DETERMINATION OF APPEALS

RESOLVED: that the determination of appeals be noted.

The meeting concluded at 7.59 pm.

Chairman