

**West Lindsey District Council**

**Guildhall, Marshall's Yard, Gainsborough**

# **Minutes of Committee Meetings**

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## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of the Meeting of the Challenge and Improvement Committee held in the Council Chamber at the Guildhall, Gainsborough on Tuesday 20 December 2016 commencing at 6.30 pm.

**Present:**

Councillor Paul Howitt-Cowan (Chairman)  
Councillor Lewis Strange (Vice-Chairman)  
Councillor Trevor Young

Councillor Stuart Curtis  
Councillor Chris Darcel  
Councillor Mick Devine  
Councillor Stuart Kinch  
Councillor Pat Mewis  
Councillor Angela White

**In Attendance:**

Ian Knowles	Director of Resources
James O'Shaughnessy	Interim Strategic Lead – Transformation
Amanda Bouttell	Employment and Skills Officer
Katie Coughlan	Governance and Civic Officer

**Also In Attendance**

Katie Easey, Chief Executive, CLIP, Bridge Street, Gainsborough

Kevin Leeming Recruitment Manager, Lincoln & Gainsborough Adult Training, Lincoln

Michelle Guest, Lincoln College (Gainsborough Campus)

**Apologies:**

Councillor David Bond  
Councillor Lesley Rollings

**Membership:**

Councillor Mick Devine substituting for Councillor David Bond.

## **58 CHAIRMAN'S WELCOME AND ANNOUNCEMENT**

The Chairman welcomed all those present to the meeting, with a particularly warm welcome extended to guest speakers, representatives from CLIP, LAGAT and Lincoln College.

## **59 MINUTES**

- (a) Meeting of the Challenge and Improvement Committee held on 15 November 2016 (CAI.37 16/17)

**RESOLVED** that the Minutes of the meeting of the Challenge and Improvement Committee held on 15 November 2016 be confirmed and signed as a correct record.

## **60 MEMBERS' DECLARATIONS OF INTEREST**

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

## **61 MATTERS ARISING SCHEDULE (CAI. 16/17)**

The Committee gave consideration to the Matters Arising Schedule, setting out the current position of previously agreed actions, as at 12 December 2016.

**RESOLVED** that the Matters Arising Schedule as at 12 December 2016 and the verbal updates, detailed above, be received and noted.

## **62 SCRUTINY OF PUBLIC BODY – COLLEGES AND APPRENTICESHIP PROVIDERS**

In connection with the Committee's ongoing theme of Youth Unemployment, the Committee had the opportunity to scrutinise the work of a selection of Colleges and Apprenticeship Providers across the District regarding the support they offered their students in terms of Careers advice. Katie Easey, Chief Executive of CLIP, Kevin Leeming, Recruitment Manager LAGAT, and Michelle Guest, Director of Education and Training, Gainsborough College, were in attendance to answer the Committee's previously prepared questions, by way of presentations and a period of supplementary questioning.

The questions which had been posed were as follows: -

- What steps do you take to ensure relevant career's advice is offered to your young people and how do you measure its effectiveness?
- What links do you have in place to provide effective work experience for young people and what relationships do you have with businesses to provide suitable exposure to employment opportunities for your young people?

- What positive actions do you take to raise the aspirations of all young people with regard to both academic and vocational qualifications and how do you measure their effectiveness?
- What efforts do you make to track the progress of young people once they have left your establishment and what use is made of any information you collate?
- What implications do Data Protection regulations have on 'latent learners' i.e. those that disappear?
- What measures do you have in place to monitor the retention of learners the destination of any leavers and the quality of provision?
- What do you think are the key issues facing young people in securing relevant and sustainable education, employment or training opportunities and what more could the education/vocational system do to address these?

The Chairman welcomed Ms Easey to the meeting and invited her to make her presentation to Members. This was followed by similar presentations from Mr Leeming and Ms Guest. <sup>1</sup>

During the presentations and the supplementary questioning the following points were noted: -

- Parental Buy-in and raising aspirations was a must.
- The geography of the area, and the lack of public transport was a continuous barrier to work placements, particularly for young people from low income families
- The loss of the Career Service had had a significant impact
- The loss of connexions had had a significant impact, meaning many young people did not now have access to impartial advice.
- Data sharing agreements needed to be in place as it was difficult to track people or share information
- Lack of NEET monitoring
- A brokerage service for referrals would be of assistance
- A greater need to engage with local employers and build relationships
- An acknowledgement that smaller employers struggled to assist with placements for a variety of reasons
- Careers advice provided by schools was less impartial and likely to be more academic focussed, not catering for all
- It was hoped the Apprenticeship levy would encourage more employers
- Difficult to find high quality suitable work placements
- The Gainsborough College was having to tailor the courses they offered due to their main feeder not achieving attainment levels

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<sup>1</sup> A recording of the presentations is available via the democratic services team.

- Viability was becoming more difficult due to funding changes
- Positive role models were important if a young person was to be successful

The Chairman thanked the guest speakers for their invaluable input and wished them and their organisations well for the future.

**63 ESTABLISHMENT OF THE ANNUAL MEMBER WORKING GROUP TO REVIEW PROGRESS AND DELIVERY REPORTING AND AGREE THE MEASURES FOR 2017/2018 (CAI.39 16.17)**

Consideration was given to a report which proposed that a Member Task and Finish group be established to review the measures used to report performance information to the Council for the municipal year 2017/2018.

The Committee were also asked to determine the membership of and appoint Members to serve on the Task and Finish Group.

The Task and Finish Group would be asked to review the following aspects of performance management:

- Review the measures used in the current year. Confirm they were the appropriate measures for members to be assured that the Council as whole was performing at the right level and where performance was below acceptable levels that the remedial measures proposed would deliver the required improvements.
- Consider how these measures provided a performance management framework for the organisation that allowed Members to monitor progress against the Corporate Plan, service delivery and projects at the delivery stage.
- Agree changes to the measures used to report performance to members for inclusion in the reports from the start of the 2017/18 municipal year.

It was likely that the Task and Finish Group would meet no more than three times in the early part of 2017 to allow the new measures to be introduced for the 2017/18 municipal year.

The following Members were proposed and seconded: -

Councillor A White  
Councillor L Strange  
Councillor P Howitt-Cowan

**RESOLVED** that: -

- (a) Councillor White, Strange and Howitt-Cowan be appointed to serve on the Task and Finish Group to undertake the annual review;
- (b) the Task and Finish Group be requested to review the measures that form part of the Progress and Delivery report and consider a performance management framework that enables Members and Officers to have assurance that services and projects are performing well and being delivered; and
- (c) the Task and Finish Group be empowered to agree the changes to the progress and delivery measures without reference back to this Committee.

The Committee took a short comfort break and reconvened at 8.25 pm.

Note: Councillor Young left the meeting at this point and did not return

## **64 PROGRESS AND DELIVERY PERIOD 2 (CAI.40 16/17)**

Members gave consideration to the second 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 further provided 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 concern was raised regarding the performance within Land Charges. It was questioned why the Authority’s performance was behind that of partners. Members also enquired as to whether it was still the intention of the Government to transfer some of the service to Land Registry.

In response Officers advised that performance had been a concern historically, however applications were currently being turned around in 5.7 days, which was a significant improvement. The service had a good reputation for quality and accuracy and because of this, had maintained a core customer base. A new automated system for Local Land Charges had been procured and was being implemented, with an anticipated completion date of April 2017. This would significantly improve search processing times.

Until the new system was fully functioning the service would face a challenge to consistently turn around searches within the 10 day target using the current manual system. Additional resources had been allocated to the service in order to keep turnaround times for searches within the 10 day target in the interim.

No target had been set as yet for post implementation of the computerised system, however it was hoped search times could be reduced to 24-48 hours. It was further confirmed that there were still Government plans to move some of the Local Land Charges Function back to central Land Registry, however no timescales had been assigned to this.

The Committee also raised concerns with regard to the performance in Enforcement, and indicated it would be useful for them to understand how many cases were currently being managed, how many were outstanding and which were being given priority.

The Committee were reminded of their adopted procedure, whereby it would be for the Policy Committee to first challenge the performance in this area, if the Challenge and Improvement Committee were not satisfied with the action the Policy Committee were taking, after two periods, then it would be for the Challenge and Improvement Committee to then offer further challenge. It was important that the Policy Committees were first afforded the opportunity to challenge performance. With this mind it was suggested that the Chairman of the Committee liaise with the Chairman of the Prosperous Communities Committee in the first instance regarding any concerns the Committee may have.

Members recalled how historically they had received information on planning enforcement quarterly and requested such an item be added to their work plan, acknowledging that case specific information could not be included due to Data Protection. There was general discussion as to why Members felt this would be useful to them, and it was therefore agreed that the matter would be further discussed at the next Chair's Briefing.

Members also advised that they had been led to understand that a duty planner was available everyday, however this had not been their experience. Officers undertook to investigate.

**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.

#### **65 FORWARD PLAN (CAI.41 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.

No reports were identified.

**RESOLVED** that the Forward Plan be noted.

#### **66 WORK PLAN (CAI.42 16/17)**

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

**RESOLVED** that the Work Plan be noted.

#### **67 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.

#### **68 CONSIDERATION OF SCRUTINY OF PUBLIC BODY – BRIEFING PAPER IN ADVANCE OF THE 4<sup>th</sup> PUBLIC BODY BEING INVITED REGARDING THE ONGOING THEME OF YOUTH UNEMPLOYMENT – EMPLOYERS – (CAI.43 16/17)**

As part of this Committee's duty to enhance the accountability for service delivery and effectiveness of other public service providers, the Committee had previously determined that the issue of youth unemployment be the subject of scrutiny.

To that extent appropriate public and private agencies across the District that were directly involved with young people had been identified, with a view to them being invited to the Committee to provide Members with greater insight into their roles and actions they take to address the issue of youth unemployment.

The agencies identified were:

- Careers Service
- Schools
- Colleges/Apprenticeship Providers
- Department for Work and Pensions
- Businesses

Members have already agreed received presentations from:

- The Careers Service
- Schools
- Colleges and Training Providers

In line with this, the report suggested that the DWP and Local Employers should be invited to the Committee's next meeting in February 2017. Members were asked to agree the proposed questions as set out in the paper in order to agree a definitive set of questions to be posed.

Members were further asked to suggest those businesses they felt would provide an insight into the subject matter.

Once questions and invitees had been determined Officers would take action to contact the relevant organisations and invite representatives to attend in February 2017.

Discussion ensued and Members indicated they were content with the questions as presented. With regard to the employers which should be invited a number of suggestions were made and these included, Agri-Food Businesses, Engineering and Manufacturing Businesses, Small employers, not all Gainsborough based businesses.

Following the discussion the following list of businesses were initially generated: -

- Eminox Limited
- Hooton Engineering Limited
- Rand Farm Park
- Uncle Henrys
- SK8Z
- Woldgrain Limited
- Kerry Ingredients and Flavours
- AMP Rose

Following more discussion it was

**RESOLVED** that: -

- (a) The list of proposed employers be circulated to all Members of the Committee for comment, with a view to

the agreed list being finalised before mid-January in order that invites could be sent.

- (b) the DWP be invited to attend at the February meeting
- (b) the series of questions, as presented, and as detailed in paragraph 3.1 of report CAI.43 16/17, form the basis of the presentations the invited organisations are asked to prepare.

The meeting concluded at 9.15 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 11 January 2017 commencing at 6.30 pm.

**Present:** Councillor Stuart Curtis (Chairman)

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

**In Attendance:**

Oliver Fytche Taylor	Planning Services Team Manager
Jonathan Cadd	Principal Development Management Officer
Ian Elliott	Senior Development Management Officer
Graeme Moore	Development Management and Major Projects Officer
Stuart Tym	Lincs Legal
Dinah Lilley	Governance and Civic Officer

**Also present**

24 Members of the public  
Councillor Jackie Brockway - visiting Ward Member  
Councillor Lesley Rollings – visiting Ward Member  
Councillor Angela White - visiting Ward Member

**Apologies:** Councillor Ian Fleetwood  
Councillor Roger Patterson

**Membership:** There were no substitutes appointed

## **62 INTRODUCTION**

The Chairman invited the Planning Services Team Manager to introduce the Officers attending the Committee.

A Member also requested that case officers' names be included on reports, to enable technical questions to be asked of the appropriate officer, when necessary.

## **63 PUBLIC PARTICIPATION PERIOD**

Mr Steve Taylor addressed the Committee in the Public Participation part of the agenda. Mr Taylor emphasised the importance of village halls to local communities, and questioned why, when Scothern was facing a possible increase in housing of 34%, no planning obligation monies had been received for community facilities. Mr Taylor believed that the Council had no clear policy on this and that officers were erroneous in the advice they gave, when other authorities did support such projects. Communities were losing out on the ability to leverage additional grant funding. Mr Taylor requested that Councillors stand up for their communities and prove that they care, by rejecting officer advice and adopting a supportive policy for village halls.

Mr Taylor was informed he would receive a written response in due course

#### **64 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING**

Meeting of the Planning Committee held on 14 December 2016.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 14 December 2016, be confirmed and signed as a correct record.

#### **65 DECLARATIONS OF INTEREST**

Councillor Smith declared a personal interest as he was the Ward Member for item 6d (132946 – Middle Rasen) and had also submitted comments to the Planning Inspectorate regarding the Central Lincolnshire Local Plan in respect of Policy LP2.

Councillor Cotton declared a personal interest in item 6c (133907 – Marton) as the village lay within his ecclesiastical parish.

Councillor Devine declared a personal interest in item 6c (133907 – Marton) as he had family and friends who lived opposite the proposed development.

Councillor Milne declared a personal interest in in item 6c (133907 – Marton) and item 6e (135056 - Scotton) as she had facilitated meetings between interested parties and Sir Edward Leigh MP, but had not taken part herself.

Councillor McNeill declared a personal interest as he had liaised with the public regarding item 6b (135429 – Nettleham) but had not taken part in discussions.

All Members of the Planning Committee had a personal interest in item 6c as the developer was a fellow Member, Councillor Kinch.

#### **66 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Planning Services Team Manager informed the Committee of a number of updates. The Central Lincolnshire Local Plan (CLLP) had been through its examination which concluded on 14 December 2016, after five weeks. A number of modifications had been identified, as was normal procedure, these were being

agreed between the Planning Inspectorate and the Joint Planning Committee and would then be subject to further consultation. The final report was expected to be available towards the end of March 2017 and hopefully adopted in early April. Further updates would be given as work progressed.

Preparation was ongoing for the examination of the Community Infrastructure Levy (CIL) and an announcement of a date was imminent, possibly late February or early March.

A Housing White paper was also to be discussed by the Government, an announcement was imminent and its possible impact on CIL was to be reviewed.

## **67 PLANNING APPLICATIONS FOR DETERMINATION**

**RESOLVED** that the Planning Applications as set out in Item 6 be determined as set out below.

### **67a 133741 - SAXILBY**

Planning application to erect six detached, two-storey houses with attached garages and driveways with a new vehicle and pedestrian access from Gainsborough Road on land to West of Fosdyke House, Gainsborough Road, Saxilby.

The Senior Development Management Officer updated the Committee regarding clarification on ownership of the footpath, as the question had been raised during the site visit that had taken place. The western part was in the ownership of the applicant and the canal bank was owned by the waterways, who had no objection to the footpath.

Mel Holliday, MD of Chiselwood developers, spoke about the application, describing how this was a local firm which had won awards for design of kitchens and conversions. Local partners were used and high standards maintained. The site passed the sequential test, as the waterways were managed with lock gates and there had been no instances of flooding. The whole development was proposed to be built above the predicted worst case flooding level. The site was higher than that of the opposite bank so any high water would go elsewhere. The Environment Agency had no objections and consideration had been given to the Saxilby Neighbourhood Plan. Letters of support had been received. The footpath would be important as there was a dangerous stretch of road.

Members discussed the application and although it was felt that there were some inconsistencies in the statutory consultee responses set out in the report, it was generally felt that the proposals were of a good design, and with good environmental credentials. It was agreed that the site was sustainable in terms of its proximity to the settlement of Saxilby, and generally felt that there were no justifiable reasons to refuse the application.

Concerns were expressed regarding bedrooms being on the ground floor in terms of flood risk, however it was clarified that the ground floors are to be raised above the

minimum level.

It was moved and seconded that the application be granted, as it was felt that the sequential test had been met and the development was sustainable, and therefore noted that conditions would need to be attached to the permission. A number of suggestions were made, such as restricted Permitted Development Rights, an Archaeological Survey to be carried out, and the retention of as many trees as possible. The Senior Area Development Officer read out the proposed conditions, as set out below.

**Note** Councillor Marfleet joined the meeting at 6.58pm.

The application was then voted upon and **AGREED** that planning permission be **GRANTED** subject to conditions.

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place until a details of a scheme for the disposal of foul/surface water (including soakaway/percolation tests if appropriate) including a drainage plan has been submitted to and approved in writing by the local planning authority

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006 and local policy LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

3. No development shall take place until details of all external materials of the dwellings and garages have been submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding open countryside to accord with the National Planning Policy Framework and saved Policies STRAT 1, NBE 10 and NBE 20 of the West Lindsey Local Plan First Review 2006 and local policy LP17 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

4. No development shall take place until a landscaping scheme has been submitted

including the following details:

- All trees and hedging to be retained along the boundaries.
- Position, species, height and planting formation of any new or replacement trees and/or hedging.
- All boundary treatments identifying plot boundaries and division to existing dwellings.
- Access road and driveway surface materials.

Reason: To ensure that appropriate landscaping is retained and introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006 and local policy LP17 of the Submitted Central Lincolnshire Local Plan 2012-2036.

5. No development shall take place until a construction method statement has been submitted and agreed in writing by the local planning authority. The approved statement(s) shall be adhered to throughout the construction period. The statement shall provide for:

- (i) the routing and management of traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) wheel cleaning facilities;
- (vi) Protection of the river bank
- (vii) measures to control the emission of dust and dirt;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

6. No development shall take place until details of a 2 metre high obscurely glazed screen to the west elevation of the terrace (highlighted red on attached plan) to the proposed dwelling to the west of the access have been submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and in the interests of the future residential amenity of plot 2 to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

7. No development shall take place until details of the proposed arrangements for



future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established).

Reason: To ensure that the future maintenance of the streets serving the development thereafter, are secured and shall be maintained by the Local Highway Authority under Section 38 of the Highways Act 1980 or via an established private management and maintenance company to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

8. No development shall take place until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies and of the Development Plan to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006 and local policy LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

9. No development shall take place until, details of the form and position of the protection measures to protect the retained trees within the site and on its boundaries including their root protection areas have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the existing trees on and around the site during construction works, in the interest of visual amenity and the health of the protected trees to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006 and local policy LP21 and LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

10. No development shall take place until details of the position of three bat boxes, three starling bird boxes, three sparrow bird boxes and three artificial insect refuges on the site have been submitted to and approved by the Local Planning Authority.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP21 of the Submitted Central Lincolnshire Local Plan 2012-2036.

11. No development, demolition or site clearance shall take place during the bird breeding season (1<sup>st</sup> March to 31<sup>st</sup> August) in any year unless, a detailed survey is undertaken to check for the existence of bird nests. Any active nests shall be protected until the young fledge. Completion of bird nest inspection shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any demolition works commence.

Reason: In the interest of nature to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP21 of the Submitted Central Lincolnshire Local Plan 2012-2036.

12. No development shall take place until details of the pedestrian footpath shown on plan 325-A-009 dated May 2016 have been submitted and agreed in writing by the Local Planning Authority. Details to include:

- Construction method (including a section drawing) and materials
- Safety measures
- Responsibility for management and maintenance

Reason: To ensure the proposed footpath is constructed from an appropriate material, is safe for all users and is maintained to a good condition to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP17 of the Submitted Central Lincolnshire Local Plan 2012-2036.

13. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework (2012) and saved local policy STRAT 1 of the West Lindsey Local Plan Review 2006.

14. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved

written scheme referred to in condition 13 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) saved local policy STRAT 1 of the West Lindsey Local Plan Review 2006.

**Conditions which apply or are to be observed during the course of the development:**

15. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

- 325-A-004 Rev F Proposed Site Plan dated Aug 2015
- 325-A-008 Proposed Site Levels and Flood Risk Strategy dated Nov 2015
- 325-A-009 Proposed Pedestrian Footpath Plan dated May 2016
- 325-A-100 General Arrangement Plans dated Nov 2015
- 325-A-101 Proposed Elevations dated Nov 2015

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

16. The development shall only be carried out in accordance with the details approved in condition 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of this permission and shall be so retained.

Reason: In the interests of the visual amenity of the area and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

17. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (SGA, November 2015) and the Proposed Site Levels and Flood Risk Strategy (SGA, November 2015), including the following mitigation measures:

- Finished floor levels to be set no lower than 6.3m above Ordnance Datum (AOD)
- Access road and driveways to the dwellings to be set no lower than 6.0m AOD
- Dwellings to have a minimum of two storeys

The above mitigation measures shall be fully implemented prior to occupation

and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

18. No dwellings (or other development as specified) shall be commenced before the first 25 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 325-A-004 Rev F dated Aug 15 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Gainsborough Road to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

19. No dwelling or dwellings shall be occupied until the estate street affording access to those dwellings has been completed in accordance with the Estate Street Development Plan.

Reason: To ensure that the estate streets serving the development and completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway, to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

20. The development shall be completed in accordance with section 6.1, 6.4, 6.5 and 6.7 of the Extended Ecological Appraisal & Protected Species Survey Report (EEA) completed by Sherwood Associates dated October 2015.

Reason: In the interest of nature to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 and local policy LP21 of the Submitted Central Lincolnshire Local Plan 2012-2036.

21. No occupation shall occur until the foul and surface water methods shall be completed in accordance with the details approved in condition 2 of this permission.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment to accord with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006 and local policy LP14 of the Submitted Central Lincolnshire Local Plan 2012-2036.

22. No occupation of the dwellings shall occur until the access road and driveways have been completed in accordance with the details shown on drawing number 325-A-004 Rev F dated Aug 2015.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

23. No occupation of the dwellings shall occur until the pedestrian footpath shown on plan 325-A-009 dated May 2016 has been completed in accordance with the details agreed in condition 12 of this permission and retained thereafter.

Reason: To ensure the completion of the pedestrian footpath prior to the use of the development for the benefit of the wider community to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006 and local policy LP17 of the Submitted Central Lincolnshire Local Plan 2012-2036.

24. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 13.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

25. Following the archaeological site work referred to in condition 23 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

26. The report referred to in condition 24 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012) and saved policies STRAT 1 of the West Lindsey Local Plan First Review 2006.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

27. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no external alterations to the dwelling including the insertion of a structure or building within the curtilage of the dwelling other than as authorised by this permission.

Reason: To ensure the dwelling retains enough outside amenity space for the enjoyment of the occupiers to accord with the National Planning Policy Framework and saved Policies STRAT 1, RES 3 and CORE 10 of the West Lindsey Local Plan First Review 2006 and local policy LP26 of the Submitted Central Lincolnshire Local Plan 2012-2036.

## **Advisory**

### Highways

Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.

You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge the conditions of this consent.

### Trees

There should be no changes in existing natural ground levels within the RPA of any trees to be retained, to avoid tree decline and risk of collapse. N.B. This will affect the intended lowered ground for flood attenuation.

### Archaeology

The written scheme required by condition (insert number of ARCH1) shall be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor (tel 01522 554---)

### River and Canal Trust

***Any drainage discharges to the adjacent Fosdyke Navigation will require the prior consent of the Canal & River Trust. Please contact the Canal & River Trust Utilities Team at the Hatton Office on 01926 626100 in the first instance for further advice. Please also be advised that the Trust is not a land drainage authority and such discharges are not therefore granted as of right; where they are granted, they will usually be subject to completion of a commercial agreement.***

The northern boundary of the application site adjoins a strip of land approximately 5-7m deep which is owned by the Canal & River Trust. Any access to or oversailing of this land, or removal of trees or other vegetation on it will require the prior consent of the Trust. Please contact the Trust's Estates Team at the Fazeley office on 01827

252000 for further advice.

Environment Agency

The proposed finished floor level is 600mm above the 1% (including climate change) flood level, not the 0.1% (including climate change) flood level as incorrectly stated in the Flood Risk Assessment.

**Conclusion:**

The decision has been considered against saved local policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement Hierarchy, STRAT 12 Development within the Open Countryside, RES 1 Housing Layout and Design, CORE 10 Open Space and Landscaping within Developments, NBE 10 Protection of Landscape Character and Areas of Great Landscape Value, NBE 14 Waste Water Disposal and NBE 20 Development of the Edge of Settlements of the adopted West Lindsey Local Plan First Review 2006 in the first instance and local policies LP1 A presumption in Favour of Sustainable Development, LP2 The Spatial Strategy and Settlement Hierarchy, LP3 Level and Distribution of Growth, LP4 Growth in Villages LP10 Meeting Accommodation Needs, LP14 Managing Water Resources and Flood Risk, LP17 Landscape, Townscape and Views, LP21 Biodiversity and Geodiversity, LP26 Design and Amenity and LP55 Development in Hamlet and the Countryside of the Submitted Central Lincolnshire Local Plan 2012-2036. In addition consideration has been given to the position and policies of the Draft Saxilby with Ingleby Neighbourhood Plan and guidance within the National Planning Policy Framework and National Planning Practice Guidance.

The development passes the sequential test as the land to the north and south of the site is at a lower level greatly reducing the flood risk. The proposal is in a sustainable location due to the walking distance to facilities in the large village of Saxilby and the flood resilience of the site. The propose footpath, flood resilience and use of energy efficient technologies meet the exceptional circumstances set out in LP2 of the Submitted Central Lincolnshire Local Plan 2012-2036. The proposal will allow a growth of 6 additional houses which will not have a significant adverse impact on visual amenity, residential amenity, highway safety, archaeology, or ecology. The proposal will therefore subject to meeting a number of conditions accord with policies STRAT 1, STRAT 3, RES 1, CORE 10, NBE 10, NBE 14 and NBE 20 of the adopted West Lindsey Local Plan First Review 2006 and local policies LP1, LP2, LP3, LP4, LP10, LP14, LP17, LP21 and LP26 of Submitted Central Lincolnshire Local Plan 2012-2036.

**67b 135429 - NETTLEHAM**

Planning application for the full demolition of the two storey element of the existing outbuilding, extensive repair and renovation of the single storey sections together with the rebuilding of the two storey area, first floor extension and change of use to form a family annex at The Cottage, 10 Church Street, Nettleham.

The Principal Development Management Officer updated the Committee on the status of the concurrent Listed Building application. Conditions 2 and 4 were to be

amended to end with the words “and be retained as such thereafter.” A further plan was to be added to Condition 4 - RDS11066/01 revision B.

Mr and Mrs Harris, neighbours to the proposed development, addressed the meeting, pointing out that although an earlier consent had been granted to refurbish an existing barn, that building had now been demolished following it becoming unsafe. Therefore the present application was for a completely new building, proposed to be 30% taller than the original. It was asserted that there was no need for the new building to be on the same footprint which was 1.15 metres from the neighbouring windows. The garden was 1760 square metres so there was plenty of room for the building to be moved further away and not have the detrimental impact of the current proposal, which would cause overbearing, overshadowing and loss of light.

The Principal Development Management Officer affirmed for Members that the original approved application could no longer be implemented following the demolition of the barn. It was felt that the new proposals were not significantly different from those approved previously. However some members sympathised with the neighbouring residents and felt that the new application was sufficiently different to cause a number of problems of loss of light and overshadowing, and questioned the need for the new building to be on the same footprint, and whether it ought to be of the same height as the original.

It was proposed and seconded, that a site visit take place in order to be able to assess the impact of the proposed development on neighbouring properties.

On being voted upon a **SITE VISIT** was agreed to be arranged on a date to be determined.

#### **67c 133907 - MARTON**

Hybrid planning application to include outline planning application for the erection of up to 39 dwellings with all matters reserved and change of use of agricultural land to school car park on land off Stow Park Road, Stow Park Road, Marton.

The Principal Development Management Officer read out a number of updates. Comments had been received from Lincolnshire County Council that a system of swales were acceptable for the drainage scheme. There were no objections from the Archaeology department. Condition 12 was to be clarified that the car park was only for use by Marton Primary School.

Mrs T Coulson, agent for the applicant, thanked officers for the work undertaken to date. The original proposal had been for up to 58 dwellings, however had been reduced to 39 following discussions with Planners. Work had also been undertaken with the community and attempts made to address longstanding highways problems. The development would provide much needed housing for young families in the area and contribute towards the five year housing land supply. The proposal was to provide a car park for the school and also a crossing to enable safe crossing of what was a dangerous road, which would not be feasible without the housing. There were no detrimental environmental issues or flood risk and the development would provide



benefits for all.

Clarification was sought as to whether the application would have been delegated for officer approval had it not been the application of a West Lindsey Councillor, however on this occasion it was felt that there were significant enough issues for it to require Committee determination.

Members noted that the five year housing land supply had now been met so this was not a relevant issue to influence determination.

Many Members of the Committee agreed that whilst the size of the development seemed acceptable there were still significant concerns regarding the speed of traffic on the road. Speed traps were frequently in the vicinity of what was a known problem. As the road led to the exit to the village traffic tended to speed up with an open road in sight, and it was questioned whether there were any ways of conditioning a traffic calming scheme.

Officers asserted that whilst there was an acknowledged problem it was felt that once there was residential development on both sides of the road it would alter the perception of the outskirts of the village and the open road. The speed limit adjacent the site was 30mph, and LCC Highways officers had not raised any objections to the application, therefore any related conditions had to be justified. Traffic calming was not therefore a condition which could be justified in the absence of a request from the Highway Authority; it would not be a requirement to make the proposal acceptable.

Questions were raised regarding the ownership of the car park. This was expected to be taken on by the school and a legal agreement would need to be drawn up. It was suggested that a condition be applied to require that the car park be created prior to the first occupation of any of the residential dwellings on site.

Clarification was sought regarding fuel pipes through the centre of the development and it was affirmed that wayleaves were in place to allow for this.

Councillor Smith suggested a number of policies appropriate for refusal – STRAT1.4, STRAT1.6, LP2, LP4, STRAT9, LP12, NPPF para 29 AND NBE20.1.

Whilst concerns remained regarding the speed of traffic on the road the Chairman noted that the application had to be determined on planning, not highways, matters, and the 25% affordable housing provision was a good opportunity for young families.

The recommendations in the report were moved and seconded, with the condition to require the car park to be completed prior to the first occupation of any of the housing on site. On being voted upon it was **AGREED** that:-

That the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- Capital contribution towards 6<sup>th</sup> Form facilities (amounting up to £18,427) in lieu of on-site provision;
- On site provision of affordable housing equivalent to a 25% contribution of the overall amount of housing;
- Measures to deliver and secure the ongoing management and maintenance of Public Open Space (equating to a minimum of 10% of the overall site) and car park;
- Provision of an uncontrolled pedestrian crossing on the A1500 to serve the development.
- The provision of a 50 space car park with associated bus parking area, landscaping and barrier.

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months

#### **67d 132946 - MIDDLE RASEN**

Planning application to erect five dwellings, with garages, access drive and associated landscaping and boundary treatments on land off Gainsborough Road, Middle Rasen.

There were no further updates to be given, and no speakers on the application.

Councillor Smith noted that he had submitted objections to the Planning Inspectorate through the CLLP process, on Policy LP2 so disagreed with the weight being given to that policy..

The Chairman asked the officers to confirm the Planning history of the site, which had previously been a caravan and camp site. It was noted that the area needed tidying and it was hoped that the development would assist with this.

The recommendation in the report was moved, seconded and on being voted upon it was **AGREED** that permission be **GRANTED** with conditions as set out in the report.

**Note** Councillor Smith requested that it be recorded that he had voted against the application.

#### **67e 135056 - SCOTTON**

Outline planning application for proposed development for nine dwellings with access to be considered and not reserved for subsequent applications on land south of Eastgate, Scotton.

The Senior Development Management Officer informed the Committee that further representations had been received but which had raised no new issues not covered within the report. Comments had been received from Historic England who had

advised that the application be determined in accordance with local guidance and in house specialist conservation advice.

Ian Hutchinson, agent for the applicant, spoke on the application stating that the applicant had been a local resident for many years and the development had been designed to suit the village. Policy LP2 of the CLLP advised 'reasonable' growth in villages. As a medium village Scotton had a recommendation of 10% which equated to 20 dwellings and the current application was for nine. A sequential test had been undertaken and few other suitable sites identified. Concerns had been raised about the damage to the hedgerow, however the development would improve the hedgerow. A mix of development was proposed on what was poor quality land, the road was to be widened, and a footpath provided.

Dave Burke, spoke on behalf of a number of residents, stating that in the currently adopted West Lindsey Local Plan 2006, the proposals failed under Policies STRAT12 and 9, and that full weight could only be given to new policies once adopted, as echoed by Sir Edward Leigh MP. The development was not necessary for open countryside, and as greenfield land was in the lowest priority identified for housing. It was requested that the applicant comply with CLLP policy LP4 and undertakes a sequential test. Residents had identified alternative sites with potential for five infill dwellings. A recent application for a single dwelling had been refused due to visual impact, overbearing nature and unsustainability. The same officer was now advocating that there would be no detrimental impact from the current application. There were issues of size and scale, and also discrepancies in the report regarding the size of the site which equated to being larger than the retail space of Marshall's Yard.

The local Ward Member, Councillor Lesley Rollings, spoke on the application noting that there were two main issues. The Council was supporting communities to develop Neighbourhood Plans, and Scotton had started the process to consider what was desirable for the village, with no facilities, and where a car was a necessity. The roads were not appropriate for cyclists or pedestrians and residents wanted to keep the village small. The proposed site was greenfield with crops planted, although worth more for housing. There was a responsibility to protect land, and the applicant should be given the opportunity to identify alternative sites.

The Senior Development Management Officer reminded Members that the application was for Outline Permission with access to be considered at this stage and that Reserved Matters such as residential amenity and visual impact were to be determined at a later stage. The CLLP was now well advanced and carried significant weight in the determination of applications. The site was Grade 3 agricultural land designated as good to moderate quality, its loss had to be balanced against the benefits of the development. The Conservation Officer has recommended a comprehensive condition to enable the preservation of the Grade 1 Listed Building. Members were also reminded that any potential future development could not be taken into account in determining this application. Neighbourhood Plans could not be taken into consideration until sufficiently advanced.

In discussing the application Members acknowledged that there was little reason to enable a refusal. As the CLLP advanced the WLLP carried less weight, and as there

was no Neighbourhood Plan in place there were few Policies against the development. The agricultural land was not designated as high quality. It was acknowledged that the Conservation officer had raised concerns regarding the setting of the church Listed Building and would wish to closely monitor the development.

Further concerns were expressed on the visual impact and the single track road, and it was felt that there were other available sites which would not have the same detrimental impact. However it was felt that if the Reserved Matters application were to be considered by the Committee there was an opportunity to secure a good quality development which would help to improve the current setting.

Having agreed that there were no planning policy reasons to refuse the application the recommendation in the report was moved, seconded and voted upon.

It was **AGREED** that outline permission be **GRANTED** subject to the conditions as set out in the report, and subject to the requirement that the Reserved Matters application be submitted for Committee determination.

**Note** Councillor Jessie Milne requested that it be recorded that she had voted against the application.

The meeting concluded at 8.27 pm.

Chairman

## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 12 January 2017 commencing at 6.30 pm.

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

Councillor Owen Bierley  
Councillor Matthew Boles  
Councillor David Cotton  
Councillor Michael Devine  
Councillor Adam Duguid  
Councillor Ian Fleetwood  
Councillor John McNeill  
Councillor Tom Regis  
Councillor Reg Shore  
Councillor Giles McNeill

**In Attendance:**  
Ian Knowles Director of Resources and S151 Officer  
Dinah Lilley Governance and Civic Officer

**Apologies:** Councillor Steve England

**Membership:** Councillor Giles McNeill substituted for Councillor England

### **87 PUBLIC PARTICIPATION PERIOD**

There was no public participation

### **88 MINUTES OF PREVIOUS MEETING/S**

**RESOLVED:** That the minutes of the Corporate Policy and Resources Committee meeting of 15 December 2016 be approved as a correct record.

### **89 DECLARATIONS OF INTEREST**

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

### **90 MATTERS ARISING SCHEDULE**

The Director of Resources confirmed for Members that the Burial Fees and Charges as

discussed at the last meeting would be incorporated into the Revenue Base Budget report to be presented at the 9 February meeting.

**RESOLVED** that the Matters Arising Schedule as at 4 January 2017 be noted.

## **91 REVIEW OF THE FLEXIBLE WORKING POLICY**

Councillor David Cotton, as the Chairman of the Joint Staff Consultative Committee presented the report on the Flexible Working Policy, which had been supported by the JSCC and the Unions. Should the Corporate Policy and Resources Committee wish there to be any changes to the Policy there would need to be further consultation undertaken.

All policies were reviewed on a regular basis and those minor amendments made in line with required legislation, were set out and summarised within the report. Members welcomed the clarity of the layout.

Councillor Shore sought statistics of the effects and outcomes of the Policy and wished to know what impact there was on the Council of employees using the Policy, and also how many requested flexible working and how many granted or denied. It was felt that high take-up of the Policy could be detrimental and mean that fewer officers were available to be contacted. Some departments were already difficult to get hold of.

The Director of Resources noted that the report set out the legislative changes and issues around flexible working had been tightened up, and the Policy gave protection from abuse. It would be difficult to track individuals, but there was an expectation of availability of contact, even if employees were working at home.

Other Members felt that it would be useful to see some breakdown of statistics.

The recommendations in the report were moved, seconded and voted upon.

**RESOLVED** that:

- a) the Flexible Working Policy be approved and the policy be adopted for all employees of the council; and
- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy and Resources Committee and chairman of the Joint Staff Consultative Committee.

## **92 COLLECTION FUND SURPLUS AND COUNCIL TAX BASE**

The Director of Resources presented the report which was an annual requirement to declare an estimate of the surplus or deficit that would occur on the Collection Fund at the end of each year. The Collection Fund recorded the amount of income collected from Council Tax, together with precept payments to principal authorities. These elements would generate a surplus or a deficit which had to be taken into account when determining the Council Tax in the following year.

Any surplus or deficit generated through the Collection fund in relation to Council Tax was shared between the County Council, the Lincolnshire Police Authority and West Lindsey District Council in the same proportion as the amount of their precepts for 2016/17. A surplus or deficit could occur in the Collection Fund if the Council Tax Base was larger or smaller than originally anticipated or collection rates were higher or lower than expected.

The amount calculated as available from the Collection Fund for distribution during 2017/18 had been calculated as £1,373,882

This amount would be shared amongst the precepting authorities as follows:

	£
Lincolnshire County Council	979,960
Lincolnshire Police Authority	175,026
West Lindsey District Council	218,896
	-----
	£1,373,882

Appendix A of the report set out the summary of the calculation and adjustments taken into account.

Questions were asked around the rank order of the County, Police and WLDC as it was thought that the police had had a bigger proportion than WLDC in the previous year. The Collection Fund Surplus report submitted to the Committee in January 2016 was checked and it was verified that the ranking was the same.

The impact of the increase in Tax Base on Council Tax was questioned and it was advised that if the base budget remained unchanged then it would lead to a small reduction in Council Tax, however the budget needed to be agreed before the real impact could be calculated.

Members agreed that the report showed a positive outturn from last years' budget and the recommendations were moved, seconded and voted upon.

**RESOLVED** that:

- a) It be recommended to Council that the estimated surplus of £218,896 be declared as accruing in the Council's Collection Fund at 31 March 2017 relating to an estimated Council Tax surplus;
- b) the Council uses its element of the Collection Fund surplus/deficit in calculating the level of Council Tax in 2017/18.
- c) the calculations of the Council's tax base for 2017/18 as set out in Appendix A be recommended to Council, and that in accordance with the Local Authorities' (Calculation of Council Tax Base) Regulations 1993 (as amended), the tax base for each part of the Authority's area shall be as set out in Appendix B.

## **93 COMMITTEE WORK PLAN**

**RESOLVED** that the Work Plan be noted.

Corporate Policy and Resources Committee - 12 January 2017  
Subject to Call-in. Call-in will expire at 5pm on Monday 23 January 2017

The meeting concluded at 6.53 pm.

Chairman



## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Governance and Audit Committee held in the Council Chamber at the Guildhall, Gainsborough on Tuesday 17 January 2017, commencing at 2.00 pm.

**Present:**

Councillor Giles McNeill (Chairman)  
Councillor Jackie Brockway (Vice-Chairman)

Councillor Sheila Bibb  
Councillor David Bond  
Councillor John McNeill  
Councillor Angela White

Andrew Morriss (Independent Co-opted Member)  
Alison Adams (Independent Co-opted Member)  
Peter Walton (Independent Co-opted Member)

**In Attendance:**

Ian Knowles	Director of Resources and S151 Officer
James O'Shaughnessy	Interim Strategic Lead – Transformation
Alan Robinson	Strategic Lead – Business and Democratic Support and Monitoring Officer
Tracey Bircumshaw	Financial Services Manager
Katie Coughlan	Governance and Civic Officer
Jana Randle	Governance and Civic Officer

**Also In Attendance :**

Mike Norman	KPMG – External Auditors
John Sketchley	Internal Audit – Lincolnshire County Council
Matthew Waller	Internal Audit – Lincolnshire County Council

**Membership:**

No substitutes were appointed for the meeting

## **55 PUBLIC PARTICIPATION**

There was no public participation. However the Chairman advised that Mr Steve Taylor had intended to attend the meeting to pose a question to the Committee. Unfortunately he was not now able to attend. It was suggested that Mr Taylor be advised to submit his question in writing in advance of the next meeting.

## 56 MINUTES

- (a) Meeting of the Governance and Audit Committee held on 8 November 2016 (GA.38 16/17)

**RESOLVED** that the Minutes of the meeting of the Governance and Audit Committee held on 8 November 2016 be approved and signed as a correct record subject to the following typographical error being amended as set out below : -

### **Min 47 page 33**

“The Chairman indicated that with leave of the Committee, he intended to ~~the~~ vary the order of the agenda in that he wished to take agenda item 7 (j).....”

## 57 MEMBERS' DECLARATIONS OF INTEREST

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

## 58 MATTERS ARISING SCHEDULE SETTING OUT CURRENT POSITION OF PREVIOUSLY AGREED ACTIONS AS AT 9 JANUARY 2017 (GA.39 16/17).

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 9 January 2017.

During consideration of this item the following points were raised: -

- There had previously been a Matters Arising regarding an informal sub-group to look at the length and style of reports to the Governance and Audit Committee (Mr Morris and Councillor Mrs Brockway to be engaged). Members requested that this action be re-instated as progress had not been achieved.
- The Chairman advised of correspondence had with the Editor of the Welton Parish News regarding the Consultation on Governance Options. The concerns the Editor had raised had been resolved satisfactorily.
- Regarding Choice Based Lettings a Member expressed concern that the current position was affecting the Council's reputation, as residents still often believed the letting of social housing was something undertaken by the Authority. Officers gave assurance that the Choice Based Lettings Partnership was being closely monitored.

**RESOLVED** that progress on the Matters Arising Schedule as set out in report GA.39 16/17 be received and noted.

## **59 CERTIFICATION OF GRANTS AND CLAIMS (GA.40 16/17)**

Consideration was given to a report from the Authority's Auditor KPMG, the headlines of which included: -

- Certification work had been undertaken on one claim / return, the Housing Benefit Subsidy claim.
- The certified value of the claim was £23,030,996
- The work had been completed and the claim certified on 28 November 2016

KPMG had made no recommendations to the Authority to improve its claims completion process.

**RESOLVED** that the information contained within report GA.40 16/17 be received, noted and accepted.

## **60 INTERNAL AUDIT MONITORING REPORT – PERIOD 3 (GA.41 16/17)**

Consideration was given to a report which gave Members an update of progress, by the Audit partner, against the 2016/17 annual programmes agreed by the Audit Committee in March 2016.

The report further provided details of the audit work undertaken during the period; the current position with agreed management actions in respect of previously issued reports; and details of other audit activity relevant to the Committee.

The report advised on two audits having been completed during the period; namely Traded Services, receiving substantial assurance, and NNDR City of Lincoln Review, receiving high assurance. The outcomes of each audit were outlined to Members in detail, together with the in-year amendments which had been made to the Plan

The report further advised of the 6 audits currently in progress, 1 being at draft stage and 5 being work in progress. The internal auditor offered a further update advising that 3 were now in draft stage. Members were referred to the audit plan schedule table contained in Appendix 2 of the report for more detail. Good progress had been made in implementing audit recommendations, there were currently 11 overdue, five of which were high priority. A further three findings had been updated with revised dates. Members were referred to Appendices 3 and 6 of the report for further detail. Finally, other significant audit work undertaken during the period and going forward was also shared with Members, including information regarding forthcoming changes to Public Sector Internal Audit Standards (PSIAS).

Debate ensued and the Committee congratulated Officers on the Collection Rates achieved in respect of NNDR.

In response to Members' questions Officers advised that the Service Transformation Audit had been cancelled as the internal governance now operated through one

single board. The operation of the Commercial Activity had been reviewed and management had been of the view that the service transformation audit would have resulted in duplication.

In response to Members' concerns as to where assurance was being taken from currently in the absence of the planned audit, Officers advised that assurance was received through the individual audits on individual projects. Project Management and Decision Making had both received substantial assurance the previous year.

It was accepted that this one single Board, the Entrepreneurial Board, would have to be audited going forward.

The Internal Auditor further advised that both Trading Services and Commercial Activity had recently been audited and offered further sources of assurance.

Members requested that more detail be provided in the future around amendments to the Audit Plan and that they be kept informed of changes and progression made with the single board.

Referring to Appendix 6, outstanding recommendations, concern was expressed that a number of actions had the comment "officer unavailable for update" assigned to them.

The Committee requested that this document be updated and re-circulated by e-mail, in advance of the next meeting.

The Financial Services Manager verbally updated the Committee in regard to her outstanding action detailed in Appendix 6. It was noted that the guidance notes had been completed and were currently in draft form awaiting the Financial Services Manager's review.

Concern was also expressed that the Phase 1 and 2 Development Management Audits had been cancelled and expressed concern. The Chairman requested that this be re-instated and made the following proposal which was duly seconded:

"That the Head of Internal Audit take the lead in a comprehensive audit of the Council's planning services as a priority for the work for in the coming year and it be scoped in the fourth quarter of the current year being reported to the meeting on the 14 March and to be completed and reported to the Committee by not later than the end of the 2<sup>nd</sup> quarter of next year."

The Chairman further added that the concerns which existed to-date differed from those which had been held the previous year, when the peer review had been undertaken. The service was a key one for the Council not only from a service delivery aspect, but also from a public perception aspect.

Following the earlier debate it was also proposed and seconded that Internal Audit be requested to include in their 17/18 Audit Plan, an Audit of the Entrepreneurial

Board. It was further requested that the scope and detail of the work to be undertaken in relation to this Audit be reported to a future Chairs Briefing.

On that basis it was: -

**RESOLVED** that the information contained within report GA.41 16/17 be received, noted and accepted subject to the following: -

- (a) that the Head of Internal Audit take the lead in a comprehensive audit of the Council's planning services as a priority for the work for in the coming year. The work be scoped in the fourth quarter of the current year, being reported to the meeting on the 14 March, and to be completed and reported to the Committee by not later than the end of the 2<sup>nd</sup> quarter of next year.”; and
- (b) An Audit of the Entrepreneurial Board be included in the 17/18 Audit Plan and the scope and detail of the work to be undertaken in relation to this Audit be reported to a future Chairs Briefing in the first instance.

## **61 DRAFT ANNUAL TREASURY MANAGEMENT STRATEGY (GA.42 16/17)**

The Committee were asked to scrutinise the Draft Treasury Management Strategy with a view to recommending its inclusion within the Medium Term Financial Plan.

Two key changes were presented for Members' consideration these being as follows: -

- The Borrowing Strategy, which was previously restricted to borrowing purely for capital investment which would generate future revenue income streams and/or capital receipts in addition to meeting the costs of borrowing, being expanded to include any investment where resources could be identified which could fund the cost of borrowing. It was considered that such schemes may provide social and economic value (ie) for regeneration schemes or be for service or asset improvement (ie) operational buildings, IT systems etc. All borrowing would remain affordable and sustainable over the long term. The borrowing strategy had therefore been amended to reflect this.
- The Strategy now also included an increase to the maximum investment limit within the Local Authority Property Fund from £2m to £4m. This was a longer term investment option. Based on current cashflow projections over the medium term this amount of money was available for investment in excess of years. Members were made aware however, that the fund value (capital investment) could go down as well as up.

Short term investments currently did not offer great returns so were not the favoured option presently. Liquidity and security were higher considerations over yield.

Members asked a number of pertinent questions particularly around the implications of the borrowing strategy going forward.

Members sought indication as to whether the county party list was being affected by the Government removing its support for some banks and lenders. Officers advised it did create some limitations for example the Council could only currently invest in UK Banks and only for short term investments due to the ratings. Greater use was therefore being made of money marketing funds, however the Council wanted to make longer term investments in order to generate greater returns and would therefore be looking at bonds for example.

Officers confirmed the return on the LAPAF was currently around 5% and had been advised this was achievable for the foreseeable future. It was noted however the redemption price could fluctuate.

**RESOLVED** that

- (a) having scrutinised the draft Treasury Management Strategy it be **RECOMMENDED** to Full Council for inclusion within the Medium Term Financial Plan; and
- (b) the Treasury Management practises be acknowledged.

## **62 ACCOUNTING MATTERS 2016/17 CLOSEDOWN (GA.43 16/17)**

Consideration was given to a report which asked Members to review and approve the accounting policies, actuarial assumptions and materiality levels that would be used for the preparation of the 2016/17 accounts.

Members' attention was particularly drawn to: -

- the proposed materiality levels as included in Section 4 of the report including the revisions detailed at Section 4.7;
- the revised key closedown dates; and
- the main accounting changes for 2016/17 detailed in Section 7

Debate ensued and in response to Members' comments, Officers confirmed the change on legislation posed no risk from a Governance point of view. The Committee currently saw the accounts in advance of issue by S151 for completeness, there was no legislative requirement for this to happen.

It was also confirmed the pension service was outsourced.

In response to concerns relating to the additional pressure on the accounts service at closedown, assurance was offered that the team had resilience within it and would use additional temporary staff, as they had previously, to assist with close down.

Officers also clarified that it was not anticipated that more errors or mistakes would be made, but more estimates would have to be used, due to the revised

timeline, and thus more amendments would need to be made to the final document for this reason, as opposed to “errors” having been made.

**RESOLVED** that:

- (a) the proposed Accounting Policies (as included at Appendix 1 to report GA.43 16/17) be approved;
- (b) the Actuary’s Report and pension assumptions (as included at Appendix 2, 3 to report GA.43 16/17) be noted;
- (c) the proposed materiality levels as included at section 4 including the revisions detailed at 4.7 of report GA.43 16/17 be approved;
- (d) the risk assessment (at Appendix 4 to report GA.43 16/17) be noted;
- (e) the key closedown dates at Section 6 of report GA.43 16/17 be noted;
- (f) the main accounting changes for 2016/17 and onwards as shown at section 7 of report GA.43 16/17 be accepted; and
- (g) it be accepted that in future years due to the earlier deadline the Unaudited Statement of Accounts will be circulated after issue by the S151 Officer.

### **63 AGS MONITORING REPORT - PERIOD 2 (GA.44 16/17)**

Consideration was given to a report which reviewed the progress made to-date against the Annual Governance Statement 2015/16 Action Plan.

The significant issues that had been identified for development were:

- Strategic & Spatial Planning
- Development Management
- Strategic Programme Delivery
- Information Governance & Security
- Intelligent Clienting
- Selective Licensing

It was noted that the action relating to Strategic & Spatial Planning had been assigned an extended due date to the end of July 17. This was so as to track the receipt of the Inspectors report; the subsequent adoption of the Plan and the introduction of supporting arrangements with partners to support its delivery.

At present it is envisaged that all other matters would be appropriately addressed by their respective due dates.

**RESOLVED** that that having considered the content of the report the Committee be assured that the current position of the Annual Governance Statement Action Plan for 2015/16 would result in the completion of all relevant actions by July 2017.

#### **64 REVISED MEMBERS CODE OF CONDUCT – FOR CONSULTATION (GA.45 16/17)**

Members gave consideration to a report and associated Appendices which presented a revised Members' Code of Conduct and Operating Procedures for early consultation purposes, following it having initially been considered by the Standards Sub-Committee.

A summary of the main comments made to date and points for further consideration which had been raised by either Standards Sub-Committee or the Governance and Audit Committee Chairs briefing were also shared with the Members.

Members were invited to comment on the first draft document, after which, all comments made would be collated and re-submitted to the Standards Sub-Committee for further consideration.

Lengthy debate ensued and a number comments and suggestions for further consideration were made.

Some considered the definition of Leadership needed to be more specific, however Officers advised the wording was taken direct from the Nolan principle to which it related.

It was also felt that Ward Members should not be involved in complaints if they served on the same Parish Council as the Councillor complained about.

The note contained in Section 3 of the Code was welcomed and considered of importance. This acted as a reminder that the Code should not be used for politically motivated complaints or personal vendettas.

It was suggested that the relevant person needed to be extended further to include all family members and to reflect that families were not all of a traditional set up. It was further suggested that if a prescriptive list could not be included, a request asking Members to make a reasonable judgement be included.

Fundamentally all Members agreed that the document needed to be comprehensive yet easy to understand and easy to apply.

Referring to Appendix C, the operating procedures, the Vice Chairman made reference to a case she had been involved with and as such wished the following points to be addressed: -

- A closure date be included, complaints must come to a conclusion



- All initial meetings needed to be minuted and needed to be fair
- Ward Member involvement should be retained in some guise and a number of suggestions had been made.
- Complaints should be time limited (ie) a person should not be able to claim, say 3 years after the event, Officers to consider a sensible limit
- Each step in the process needed clarity

Other comments made included: -

- Including Reference to Social Media
- Making clear that intimidation of anyone, not just those involved in the complaint, would not be accepted
- Ensuring there was provision in the Standing Orders to remove persons from the meeting
- A request to quantify further respect.

There was also a view that the Code had a very simplistic view of Private and Public Life. However this was not how the public saw it and indication was sought as to whether the Code could address this point. The Monitoring Officer advised that the law gave Members a right to a private life and this position must be maintained. By way of assurance, the Committee were advised of how complaints of such a nature, despite being outside of the Code, were currently addressed and would continue to be so. It was important that communities had confidence in their elected representatives.

All were in agreement that robust training for all would be required if the new Code was adopted.

**RESOLVED** that:

- (a) having reviewed the revised Code of Conduct and Operating Procedures the Committee's comments as detailed above, be noted; and
- (b) the Committee's comments be collated and shared with the Standards Sub-Committee prior to the document being released for wider consultation.

## **65 MEMBER CHAMPIONS (GA.46 16/17)**

Consideration was given to a report which sought to formalise the previously informal arrangements relating to Member Champions ensuring the roles were permitted to claim expenses in accordance with the Councils Members Allowance Scheme.

A number of key points in relation to the Member Champion roles was detailed in Section 1.5 of the report and were drawn to Members' attention.

**RESOLVED** to **RECOMMEND TO COUNCIL** that:

- (a) the Constitution be amended to formalise the roles of Member Champions; and thus to enable travel and subsistence claims to be made for attendance at meetings and events by Members in their capacity as Member Champions, as is set out for representation on Outside Bodies; and
- (b) the responsibility for appointing Member Champions be included in the roles for committees.

## **66 WORK PLAN (GA.47 16/17)**

Members considered their work plan for the remaining meetings during the ensuing civic year.

**RESOLVED** that the work plan as at 9 January 2017 be noted.

## **67 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:** The Committee took a 5 minute recess to allow Members to consider the information tabled (appendices to the report) and the meeting recommenced at 3.55 pm

## **68 QUICKLINE BUSINESS PLAN / PAYMENTS – MONITORING REPORT PERIOD 3 (GA.48 16/17)**

Members received a report for assurance purposes and to give the Committee confidence that Quickline were able to meet the conditions of the loan.

In presenting the report, Officers indicated at present the arrangement was in line with expectations and capital repayments continued to be made.

Members also received information on factors which had been affecting sales and cashflow performance.

The query raised at the previous meeting regarding the cost of sales had been resolved.

Officers again re-iterated that whilst there were a few areas of concern, no action was considered necessary, as all payments to date had been met and this was the Authority's primary concern.

**RESOLVED** that the monitoring information as presented be accepted and the Committee be assured.

The meeting concluded at 4.00 pm

Chairman

# Public Document Pack

Licensing and Regulatory Committee - 26 January 2017

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Licensing and Regulatory Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 26 January 2017 commencing at 6.30 pm.

**Present:** Councillor Mrs Jessie Milne (Chairman)  
Councillor Owen Bierley (Vice-Chairman)

Councillor Gillian Bardsley  
Councillor Sheila Bibb  
Councillor Mrs Pat Mewis  
Councillor Judy Rainsforth  
Councillor Lewis Strange

**In Attendance:**  
Dinah Lilley Governance and Civic Officer  
Andy Gray Housing and Communities Team Manager  
Kathryn Hearn Senior Community Safety Officer

**Apologies:** Councillor David Cotton  
Councillor Paul Howitt-Cowan  
Councillor Angela Lawrence  
Councillor Richard Oaks  
Councillor Mrs Diana Rodgers

**Membership:** There were no substitutions

### 19 PUBLIC PARTICIPATION

There was no Public Participation.

### 20 MINUTES OF PREVIOUS MEETINGS

**RESOLVED** that the Minutes of the Licensing and Regulatory Committee held on 13 December 2016 be confirmed as a correct record and signed.

**RESOLVED** that the Minutes of the Taxi and General Licensing Sub-Committee held on 13 December 2016 be confirmed as a correct record and signed.

### 21 DECLARATIONS OF INTEREST

As per the previous meeting Councillors Bardsley, Rodgers, Mewis and Bierley all noted that they had dogs but as responsible owners would not be affected by the Orders.

## 22 PUBLIC SPACE PROTECTION ORDERS

The Housing and Communities Team Manager and the Senior Community Safety Officer attended the meeting to outline proposals relating to three Public Space Protections Orders, and to seek consent from the Committee to consult in line with the proposed consultation plan.

A number of Public Space Protection Orders (PSPOs) on land in the District were proposed. These Orders could be made on any land open to the air that the public had a right or entitlement of access to. This meant that the legislation could apply to land belonging to local authorities, as well as, for example, Church grounds and land belonging to a resident owned management company.

The report had been presented for Committee consideration at the previous meeting on 13 December 2016, following which a number of questions had arisen, for which the answers were not immediately available. It was proposed that the item be deferred pending that additional information being received. Minute extract below.

“It was proposed that the entire report and consultation be deferred until such time as further information be available, to clarify the legislation and the authority held by Parish Council Wardens. The proposal was seconded and subsequently voted upon.

**RESOLVED** that the report be deferred until clarification has been sought and provided to the Committee to ensure that the correct decisions be taken.”

The information and answers to questions requested by Councillors had now been established, and were set out in the report.

- Does the Dogs (Fouling of Land) Act 1996 designation still apply? (this required dog owners to pick up after their dogs across the District)
  - o No. The 1996 Act was repealed in full by the Clean Neighbourhoods and Environment Act 2005 Part 6, Chapter 1, and this itself was repealed by the Anti-Social Behaviour, Crime and Policing Act 2014 schedule 11. This means there is currently no provision for WLDC to enforce against uncleared dog fouling in the District.
- Will the introduction of PSPOs in the District impact on any current Dog Control Orders? ( Dog Control Orders were made under the 2005 Act by Parishes/Towns on their land and cover dog exclusions, dogs on leads etc)
  - o Not unless the intention is to replace the Dog Control Order with a PSPO. In the three proposals as part of our paper, Gainsborough Town Council Dog Control Orders will be replaced by a PSPO. The Dog Control Orders in Caistor and Cherry Willingham will not be affected, and these will remain in force until 20 October 2017. We will review these orders prior to that date to ensure we can bring in PSPOs to replace them (if desired) before the current orders expire.
- Can Town/Parish wardens issue fixed penalty notices for breach of a PSPO?
  - o Yes, a re-read of the legislation and confirmation from legal services indicates that

we can delegate powers to Parish and Town Wardens as we have done in the past. Officers will undertake to put these delegations in place and ensure that Wardens are trained and understand the new powers.

On receiving the information, Members then debated the matter briefly. It was asked what hours wardens worked, and clarified that resources would be directed to areas with particular issues, based on intelligence received, rather than any set out of hours patrols.

It was suggested that it would be useful to see cost comparisons of having a dedicated dog warden against the proposed scheme, over a six month period. The Housing and Communities Team Manager assured members that following a restructure of the enviro-crime team, a wider picture should be available in the summer.

The recommendations were moved en bloc, however the Housing and Communities Team Manager interjected that the position on the consultation periods had had to be reviewed, and suggested that whilst all the proposed PSPOs could be submitted to the June Committee, it would be possible to consider the Dog Fouling order earlier than that.

Therefore the consultation dates were proposed to be:-

- PSPO Trinity Arts Centre – 13 April to 15 May – then brought back to the June Committee
- PSPO land belonging to Gainsborough Town Council - 13 April to 15 May – then brought back to the June Committee
- District wide PSPO for dog fouling – 13 February to 27 March then to Committee in April.

The above timescale would necessitate an additional meeting being convened in April however, given that there were no other items of business currently programmed for the Committee, the March meeting be simply moved to April.

The revised consultation dates were agreed, and there being no further discussion the recommendations were moved en bloc, seconded and voted upon.

**RESOLVED** that:-

- a) authority be given to consult on Proposal 1 – PSPO on Trinity Arts Centre Grounds;
- b) authority be given to consult on Proposal 2 – PSPO on land belonging to Gainsborough Town Council;
- c) authority be given to consult on Proposal 3 –District Wide PSPO for dog fouling;
- d) the suggested consultation plan and timeline be approved.

The meeting concluded at 6.49 pm.

Chairman

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## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Prosperous Communities Committee held in the Council Chamber at the Guildhall, Gainsborough on Tuesday 31 January 2017 commencing at 6.30pm.

**Present:** Councillor Sheila Bibb (Chairman) (In the Chair)  
Councillor Gillian Bardsley (Vice-Chairman)  
Councillor Steve England – Vice-Chairman

Councillor Owen Bierley  
Councillor Michael Devine  
Councillor Paul Howitt-Cowan  
Councillor Jessie Milne  
Councillor Di Rodgers  
Councillor Lesley Rollings  
Councillor Tom Smith  
Councillor Trevor Young

**In Attendance:**

Mark Sturgess	Chief Operating Officer
Ian Knowles	Director of Resources
Alan Robinson	Monitoring Officer
Eve Fawcett-Moralee	Economic and Commercial Growth Director
James O'Shaughnessy	Interim Strategic Lead – Transformation
Karen Whitfield	Community Commercial Investment Programmes Manager
Marina Di Salvatore	Economic Development Growth Project Officer
Tracey Bircumshaw	Financial Services Team Manager
Katie Coughlan	Governance and Civic Officer

**Also in Attendance:** One Member of the Public – Mr Steve Taylor

**Apologies:** Councillor Malcolm Parish

**Membership:** No substitutes were appointed for the meeting

### **69 CHAIRMAN'S WELCOME AND WITHDRAWAL OF REPORT**

The Chairman opened the meeting, welcoming everyone present, including the member of the public who would address the Committee, during the public



participation section of the Meeting. The Chairman invited her Vice-Chairman, Councillor Steve England, in his capacity as Member Champion for Neighbourhood Planning to address the Committee and the following announcement was made: -

Following advice from the Saxilby Neighbourhood Plan examiner and WLDC Officers, it has been agreed that the Saxilby Neighbourhood Plan Report (agenda item 6a) be withdrawn, for consideration by Elected Members, at this evening's Committee. This is to allow appropriate time for Officers to consider a number of issues resulting from the examination. It was proposed that the report would be submitted to the March meeting of the Prosperous Communities Committee for consideration.

The Committee noted the position.

## **70 PUBLIC PARTICIPATION**

The Chairman welcomed Mr Steve Taylor to the meeting and invited him to address the Committee. The following statement was made: -

I am sure that this Committee is working hard to ensure Prosperous Communities throughout the district. And throughout the district many people are voluntarily working hard to ensure this too.

Unfortunately we are all being hampered by the West Lindsey Prosperous Communities Prevention Department – otherwise known as Planning.

This service has diverted a £30,000 charitable donation destined to Scothern Village Hall and has failed to organise s106 monies toward community facilities from willing developers. Support for planning obligation monies towards community facilities is legal, in accordance with guidance and lots of other Councils do it.

This failure to provide community facilities for communities taking new homes development is costing communities dear – both in terms of the money they should be getting from planning obligations and then the grant of monies this would pump prime.

This could amount to hundreds of thousands of pounds per community- valuable grant aid that this District would not otherwise access. Grant aid which we know is scarce in this area – hence why we get less than the UK average.

So how are these Planning Officers making Prosperous Communities? Aren't Planning Officers undoing all the good you do?

Councillors, this issue needs to be grabbed, not talking to us isn't the answer. We, like you, want to see prosperous sustainable communities which people want to live in. But we do need to look to our elected representatives to correct the

ongoing wrong based upon an erroneous approach by Planning Officers who seem to think that the answer now is to create a wall of silence.

I ask this Committee to look into this so that your work is not in vain and I look forward to your support in getting community facilities supported. After all, if you don't get developers to support these facilities – we will expect the District Council to find the money. Surely a no cost option is preferable in these cash strapped times? And surely this is the way to make prosperous communities around the district?

Finally Chairman, can I ask for a reassurance that I will receive a specific response from this Committee to my specific statement and question raised tonight.

Thank you.”

The Chairman thanked Mr Taylor for his question and asked the Chief Operating Officer to address Mr Taylor's closing point.

Committee were advised that Mr Taylor would be posing a series of similar, yet differing questions to a range of the Council's meetings over the coming weeks. It was therefore intended to provide Mr Taylor with a single response to all the questions, once they had all been put. Assurance was offered that all the points raised would be addressed in this single response.

Whilst Members were accepting of this, there were some who were of the view that the issue raised warranted not just an Officer response but a Member response also. The Chief Operating Officer advised that this was not a matter for debate by the Committee that evening. It was important that Members had available to them, all relevant information relating to S106s and as such it had been agreed with the Chairman that a S106 monitoring report would be submitted to the Committee early in the new civic year and as such would be debated at that time.

Opposition Members welcomed the questions and were of the view it raised some important issues for rural communities, they welcomed the opportunity to further debate of this matter, and the points Mr Taylor had raised, at a future meeting.

In responding further, Officers indicated that the legal matters, and issues raised in the questions, could also be included within the report. Officers further welcomed Mr Taylor to be present for that debate.

Some Members suggested the matter could be referred to the Challenge an Improvement Committee. However as the Chairman of that Committee was present he indicated, in the first instance the matter should be looked at by the Policy Committee, if after such time Members were not content, this may be something that could be looked at, but he was confident this route would not be required.

Reference was also made to the work being undertaken by the Governance and Audit Committee, and it was further suggested by a Member that this could be incorporated. The Chairman advised the point would be noted.

Mr Taylor was again thanked for his question.

## **71 MINUTES**

- (a) Meeting of the Prosperous Communities Committee – 6 December 2016.

**RESOLVED** that the minutes of the meeting of the Prosperous Communities Committee held on 6 December 2016 be confirmed and signed as a correct record.

## **72 MATTERS ARISING SCHEDULE SETTING OUT THE CURRENT POSITION OF PREVIOUSLY AGREED ACTIONS AS AT 23 JANUARY 2017 (PRCC.44 16/17)**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 23 January 2017.

**RESOLVED** that progress on the Matters Arising Schedule, as set out in report PRCC.36 16/17 be received and noted.

## **73 MEMBERS' DECLARATIONS OF INTEREST**

All Members present declared a non-pecuniary interest in Agenda Item 6 (c) (Food and Farming LDO) as one of the land owners was a serving District Councillor.

Councillor Jessie Milne sought advice regarding her position in relation to agenda items 6 (c) (Food and Farming LDO) and 8 (a) (Sun Inn and Joint Venture Company) in light of that she was also a serving Member of the Planning Committee.

In responding the Chief Operating Officer advised that pre-determination rules had become more liberal in recent years, and as long as Members kept an open mind and stated such when considering the Planning Application, their position was sound. It was suggested that at any future Planning Committee, affected Members should state that they had debated the matter at the Policy Committee, but still had an open mind and would listen to the debate and make their decision based on this.

Councillors Tom Smith and Owen Bierley declared a personal interest in agenda items 6 (c) (Food and Farming LDO) and 6 (e) (Monitoring of Festivals – Market Rasen and Caistor) as both were Members of the Planning Committee and Ward Members respectively.

Councillor Mick Devine declared a personal interest in agenda items 6 (c) (Food and Farming LDO) and 8 (a) (Sun Inn and Joint Venture Company) as a Member of the Planning Committee.

Councillor Paul Howitt-Cowan declared a personal interest in agenda items 6 (c) (Food and Farming LDO) as the Local Ward Member for Hemswell, and a personal interest in agenda item 6 (e) (Monitoring of Festivals – Market Rasen and Caistor) as a serving Member of the Leisure, Culture, Tourism and Events Working Group.

#### **74 TO PRESENT THE CORPORATE PLAN (2016-2020) ACTION PLAN UPDATE (PRCC.46 16/17)**

Consideration was given to a report which presented Members with details of key strategic activity in progress in support of delivery of the objectives of the Corporate Plan (2016-2020).

To ensure transparency and the publicising of the work the Council had undertaken and was involved with, a summary publication would be produced for issue to partners and the public.

Members were asked to note the key achievements during 2016/17 in support of the Corporate Plan.

Some Members welcomed the report and felt it clearly demonstrated the positive contribution the Council was making and the value it placed on partnership working. The notion of Devolution was still very much supported giving the increasing financial restraints. The contribution of the Community Grant Schemes was considered invaluable and consideration should be given as to how we would continue to support our communities, when current funding allocations had been depleted. It was acknowledged that opportunities might arise through Section 106 and CIL once the Local Plan was adopted. However, such monies would only become available once development had commenced and it was important the communities themselves led on how funds were allocated.

Clarification was sought as to whether some of the projects included within the report had been agreed by the Committee, or whether in principle decisions had been made, examples cited included the purchase of two properties on Market Street, and 5 – 7 Market Place. Some Members questioned the Value for Money of these schemes and requested a report back on such. Reference was made to properties on Stanley Street and again the value for money was questioned. In response Officers advised the two properties related to the Joint Venture proposal that would be considered later in the evening. In principle agreement had been given by the Committee in September 2016 and the Corporate Policy and Resources Committee in October 2016. It was acknowledged the wording could have been better. The project relating to the Market Place property was funded from planned maintenance on a rolling programme approved by the Corporate Policy and Resources Committee and ensured the Council met its obligations as

both a landlord and to its assets. It was acknowledged that the associated costs were high and these were being reviewed, assurance was offered that a raft of activity was underway to ensure value for money could be achieved and there was interest in the property. Details were unavailable regarding the Stanley Street properties and the Economic and Commercial Growth Director undertook to provide information to the Member concerned.

At the request of a Member the Chief Operating Officer clarified how CIL funding would be allocated, stressing that those areas that had an approved Neighbourhood Plan would be entitled to 25% of monies generated in their area and this could amount to a considerable sum, which would be available to the Parish Council.

The relevance of some of the themes were questioned, including the Central Lincolnshire Local Plan. In response Officers advised that once adopted it would set the targets for growth and as such was very relevant to progress the Council achieved. Neighbourhood Planning was also contained within that theme and was still very much relevant.

The layout on the whole was welcomed however some Members felt the success of some of the projects listed relied heavily on, and were underpinned by, broadband provision and access across the District being improved, and as such should be more prevalent within the document as a focus. It was felt that progress to date in this area had been limited. Assurance was offered that work in this area was continuing and ongoing but it was a complex and fragmented picture. Its underpinning nature was acknowledged and dual hatted Members offered their services to help in any way possible.

**RESOLVED** that the key activity detailed within the report which would facilitate the delivery of the objectives of the Corporate Plan be supported and noted.

## **75 FOOD AND FARMING LDO (PRCC.47 16/17)**

Consideration was given to a report which proposed that West Lindsey District Council made a Local Development Order (LDO) to support and encourage development related to the Food Enterprise Zone (FEZ) at Hemswell Cliff, Lincolnshire. An LDO was a tool to simplify the planning requirements for development within a defined area for defined parameters.

The Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) sought to capitalise on the opportunities associated with the existing businesses/premises at Hemswell Cliff and the availability of adjacent land to support the development of an 'agri-food cluster' located within the A15 growth corridor.

The purpose of an LDO was to simplify and speed up the planning process by providing certainty about the types of development which would be permitted

within a specific area, and reducing the potential risks associated with the formal planning process, encouraging development to come forward in the area.

The LDO would facilitate development of new premises and facilities for businesses in the agri-food sector, thereby providing a location for new and expanding businesses and encouraging inward investment. Investment in the agri-food sector in this location would also contribute to the Council's regeneration and socio-economic objectives through the creation of employment opportunities and integration with the existing businesses and residential areas of Hemswell Cliff.

Officers summarised to Members the types of development which would and would not be permitted, these were contained in Section 2.2 of the report. The potential employment opportunities the project presented were also shared with Members. A full environmental impact had also been undertaken.

The Local Ward Member welcomed the proposals and indicated it had the full backing of the local Parish Council. It was hoped it would act as a trigger and catalyst for further development and growth in the Parish.

In response to questions, Officers re-affirmed that the types of business which would be acceptable would not be of an offensive nature. Impact on the community and environment had, and would be, a high consideration. However the LDO would not supersede the usual planning application process, and such companies would still be permitted to make an application. Linking local communities to local produce was also an important part of the project and Officers were considering ways in which this shared aspiration could be delivered, a number of these were outlined.

Debate ensued and Members questioned what the position would be if grant funding was not secured. It was confirmed that a capital allocation of £500k had been agreed by the Corporate Policy and Resources Committee. Any further financing from the Council would be subject to an appropriate business case to do so, which would also need approval from the Corporate Policy and Resources Committee. Officers had been advised unofficially that the likelihood of their funding application being successful was high, however formal announcements on this, by the Government, would not be made until later in February 2017. The project would also be looked at from a commercial aspect by the Council.

It was further confirmed that ground condition assessments had been undertaken as part of the environmental impact assessment and whilst recommendations had been made, it would be at the development stage, that the way forward would be determined. Officers indicated that they would be happy to share the full assessment with Committee Members.

**RESOLVED** that the Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) be endorsed prior to public consultation

## **76 STRATEGIC TRANSPORT MODEL AND DEVELOPMENT STUDY (PRCC.47 16/17)**

Consideration was given to a report which sought support to procure a strategic transport model in the Gainsborough urban area for the purpose of promoting sustainable growth through improving traffic flows within the town whilst also maintaining connectivity from Nottinghamshire and South Yorkshire into the District, safeguarding the economic benefits to West Lindsey of the primary routes to Scunthorpe, Lincoln and the coast.

The need for this work and the benefits it could afford the District were outlined in detail to the Committee. It was noted neighbouring authorities such as NKDC had already invested in such a model and were now benefitting from funding assistance to their infrastructure aspirations. The study would enable the Council to put itself in a similar position and thus be able to access required monies.

Officers advised that following a Corporate Policy and Resources Chair's Briefing, they had been requested to reconsider the funding of this Study and as such if Members were minded to support the proposals it would not be submitted to the Corporate Policy and Resources Committee until such time as alternative funds had been sourced. As such an in principle decision subject to funding was now being sought and it would be for the Corporate Policy and Resources Committee to agree how to fund the project.

In light of this, and on the advice of Officers the second recommendation, which related to the funding of this work, was removed.

On that basis it was: -

**RESOLVED** that the need for the procurement of the Strategic Transport Model and Development Study be acknowledged.

## **77 MONITORING OF FESTIVALS – MARKET RASEN AND CAISTOR (PRCC.50 16/17)**

Consideration was given to report which sought to update Members regarding the Wolds Arts Festival and future tourism work. The report advised of the time limited funds which had been allocated to this work and assessed the impact the events had had on the local community.

The report advised that whilst the event was a great success and enjoyed by those attending, the cost of producing the Festival was not matched by economic impact over the two areas. In addition, as 82% of the audiences were from the local

catchment group, the Festival did not produce a large number of visits from outside the District. For these reasons it was being recommended that, given current financial constraints and the other emerging priorities detailed in the report, including the Mayflower 400, further provision of stand-alone events be not supported and no further resources be allocated in this regard.

Members felt it was still important for the authority to invest in the arts and culture but in a very much more enabling way. Volunteers desperately needed professional support in making grant applications, health and safety applications and leadership, if community events were to be successful. This was where it was felt the Council could still play a vital role in enabling, but a more sustainable approach was required.

Members also mentioned the support the authority had offered to North Lincolnshire, through the Devolution work, in seeking a review to the Wolds AONB, with a view to extending it to the Humber, which would further complement the tourist offer available in this District. An update was sought and the Chief Operating Officer undertook to contact the County Commissioner for the Environment to ascertain progress to date and would update the Committee through the matters arising report.

The enabling vision was shared across the Committee but some Members felt the Authority needed to aspire more.

**RESOLVED** that: -

- (a) the evaluation results of the Wolds Arts Festival be noted and no further funding be set aside to support the provision of stand alone events; and
- (b) Officers continue to work and support other emerging Tourism opportunities within the District and that this work continue to be monitored by the Leisure Culture Tourism and Events Working Group.

**78      PROGRESS AND DELIVERY PERIOD 3 (PRCC.51 16/17)**

The report was introduced by the Chief Operating Officer who noted that it reflected the performance of the Council in the first nine months of the 2016/17 municipal year (April – December).

The summary was structured to highlight those areas that were performing above expectations, those areas where there was a risk to either performance or delivery and those areas where further work was required for next year's report.

Areas described as performing well included: Building Control; Development Management; Projects and Growth; and the Trinity Arts Centre.



Those areas described as risks included: Local Land Charges; Enforcement; Markets; and Home Choices.

Further information was given on each of the above. Data relating to Complaints, Comments and Compliments were being reconsidered to present a more sophisticated way of monitoring. A measure around section 106s and CIL was also to be introduced to give members greater visibility.

Discussion ensued and a Member sought assurance that when planning applications alluded to economic growth, the Growth Team should be included as consultees and that link made and embedded. Officers advised that this was the case, however if the Member had a differing experience, they would be happy to discuss this outside of the meeting.

A Member made further enquiries regarding the under-performance in car parking income and sought to ascertain why the finance team had been unable to offer any explanation within the report. There was a view that the current Car Parking Strategy was failing Gainsborough. It was suggested that income was down, as people could no longer find a parking space.

In responding, the Financial Services Manager asked Members to recall that the Car Parking Strategy had stated there was limited evidence available as to what to base the charges on, furthermore the impact of the loss of the multi-storey and the introduction of charges in Market Rasen would be unknown and would need to be factored in at some point in the future. The quarter 3 Monitoring Report due for consideration by the Corporate Policy and Resources Committee on 9 February 2017, did advise, and provide details, of budget pressures relating to car parking income for a number of reasons including the delay in introducing charges in the Market Rasen, in order to support businesses through the Christmas period. Income from car parking permits had increased and pressure of around £39k was being reported.

Some Member considered the Strategy was just not working, permits were up and yet income in general was down. A Council priority was to be open for business and this Strategy just did not support it.

The Chief Operating Officer responded advising that he had been liaising closely with the Chairman regarding issues the Council were aware currently existed and those which were likely to arise in the future. The Car Parking Strategy for Gainsborough needed to be reviewed, and a further report would be submitted to the Committee in March 2017. The report would look at a raft of things including the financial position and pricing of permits but also opportunities for additional car parks around the town. Some work had been undertaken to date and approximately 70 council staff had been relocated to the Tesco overspill car-park, freeing up spaces nearer the town centre, however it was acknowledged that further work was required.

Members welcomed the positive position in terms of Enforcement, and the continued success being realised by the Trinity Arts Centre. Concern was expressed that the situation in respect of homelessness would only continue.

Returning to concerns relating to the car park income, Members shared their experiences of having tried to park in the town centre recently and expressed disappointment that the original Strategy's driver appeared to have been cost. Feedback from residents was that they could not get to their streets as the parking situation was having an impact and it had been suggested that this was Council Staff. There was a view that the Council needed to make parking easier and closer to the shops if it really wanted to support businesses. Expectation now dictated people wanted to park close and shop instantly and a cost neutral driver would never deliver this.

The interim work undertaken with regard to staff parking was reiterated. The revised arrangements could, and would, be enforced against essential car users, at a total of 59. However staff "paid for permits" / casual users were issued permits at the same cost as to residents, and staff which had agreed to relocate had done this out of good will.

Some Members were of the view that a radical review of how enforcement was carried out was required and welcomed indication that more resources would be put into this area.

**RESOLVED** that having reviewed the performance information contained in the Progress and Delivery Report, the report be accepted.

## **79 REVENUE BASE BUDGETS 2017/2018 (PRCC.52 16/17)**

Members gave consideration to a report which set out details of the Committee's draft revenue estimates for the period 2017/18 – 2021/22.

The process for preparing the budget was shared with Members and detailed at Section 1.3 of the report. The major variances when compared to the 2016/17 base budget and the reasons for these were also shared with Members and were detailed in Section 2 of the report.

In conclusion the Committee were asked to note that the Corporate Policy and Resources Committee, at their meeting on 15 December 2016, when considering the Committee's recommendations relating to Fees and Charges had resolved to remove the burial charges for children under 12 years old and had suggested that the proposed uplift of 130% be delivered over two financial years. Further information was contained in Section 3 of the report.

**RESOLVED** that the draft Prosperous Communities budget for 17/18 be **RECOMMENDED** to the Corporate Policy and Resources Committee for inclusion in the Medium Term Financial Plan 2017/18 – 2021/22

**Note:** Councillor Smith abstained from voting and requested that this be recorded.

## **80 WORK PLAN (PRCC.53 16/17)**

Members gave consideration to the Committee work plan.

It was confirmed that the two additional items, referenced throughout the meeting, namely, A Section 106 Monitoring Report and the Review of the Car Parking Strategy would be incorporated into the Work Plan.

**RESOLVED** that the Work Plan as set out in report PRCC.42 16/17, subject to the two additions referenced above, be received and noted.

## **81 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.

## **82 SUN INN RE-DEVELOPMENT- FUNDING AGREEMENT AND MARKET STREET REGENERATION – JOINT VENTURE PROPOSAL, GAINSBOROUGH (PRCC.54 16/17)**

In September/October 2016 both Prosperous Communities and Corporate Policy and Resources Committees agreed in principle to:

- (a) a capped grant to enable the delivery of hotel and restaurant, and
- (b) to the creation of a joint venture company.

In doing so Members acknowledged that securing a hotel in Gainsborough would have a significant and positive economic impact on the town; and with regard to the joint venture company the strong rationale as summarised below:

- DPL/NSGL ownership of the adjacent property required to deliver a hotel;
- DPL matching funding with the Council's equity share investment;
- DPL's track record of delivering successful regeneration in the town;

- enabling the Council to deliver key regeneration objectives and generate potential commercial return to the Council.

In short, both projects would accelerate the physical and economic regeneration of the town centre. Officers at that time had been delegated to negotiate and prepare a Grant Funding Agreement (GFA), Joint Venture Agreement (JVA) and Articles of Association in line with the Heads of Terms agreed by these committees.

When first considering these proposals Members stressed the importance of securing high quality development and the need to maximise the environmental and regenerative impact of the projects to be commensurate with the level of Council support. In response to this Officers had worked up the Joint Venture Agreement, and Articles of Association to incorporate a wider area of benefit, to include Market, North and Church Streets and Market Place.

The Council and its commercial advisors had continued to work on an “open book” basis with DPL to scrutinise the cost and value of the hotel. A detailed scheme had been worked up and would form a planning application to be submitted to a future meeting of the Planning Committee.

Officers had augmented and quantified the business case to support the redevelopment of the hotel and restaurant, and Joint Venture Company through a bespoke economic impact assessment undertaken by an independent specialist 31TEN.

Further specialist legal advice had been taken in developing these proposals specifically with regards to State Aid and procurement, in addition to in-house legal advice, which had appraised the final suite of agreements to implement the recommendations. These Agreements followed the Heads of Terms Members agreed in September/October 2016 and provided a robust basis to manage the release of the Council’s funding, delivery of outputs and ensure value for money.

Debate ensued and Members expressed their concerns at the press release contained in the Gainsborough Standard on 19 January despite the Council having only made an in principle agreement. There was a view that had Members released the content of the proposals prior to a final decision, they would have been reprimanded. It was also questioned whether Planning Members had been compromised.

Officers offered their apologies and confirmed it was not a Council press release, the event had been a community consultation event around the planning application. Regardless, Members were of the view that arrangements should have been put in place to ensure that there was no media cover prior to the decision being made. Members had been put in a difficult position when faced with questions from residents and the article had the potential to damage the Council’s

reputation without having put the potential loan arrangement into some wider context.

In responding to concerns, it was acknowledged that as with any project there was a risk, however the GFA had been drafted to include provisions which protected the Council in the event of non-performance or a breach of the terms of the GFA by NSGL the wholly owned subsidiary of DPL. There were also safeguards should the venture prove more successful than envisaged, the Council would share in these profits. These protections were outlined in detail to the Committee. It was stressed that this was in no way a soft loan and the private developer was considered to be carrying more risk. The provisions contained within the arrangements were tighter than any applied by European Funding. The project as a whole was a huge social and economic enabler and would deliver some key features the town was crying out for.

The S151 Officer offered further reassurance that he and the Monitoring Officer had looked at the proposal independently to ensure the Council's funding was safeguarded as far as possible and that the Council's interests were protected. The viability gap alleged by the developer had also been independently tested.

The Chief Operating Officer re-iterated his previous advice regarding Members of the Planning Committee and their position.

In responding to concerns that design and quality needed to be fitting, Officer reiterated that proposals would be subject to same planning requirements as any other application. This was a prime site and the developer would be obliged to meet certain legal requirements, if planning permission were to be granted, as would any development in that area. Members were reminded that this was part of the decision they were being asked to make and this was the responsibility of the Planning Committee. Visiting Members would be permitted at the Committee and would be able to submit consultation responses as with any planning application.

No funding would be released until such time as planning permission had been granted.

Following much discussion it was:

**RESOLVED** that:

- (a) the Council enters into a Grant Funding Agreement (in the form attached as appendix 1 to report PRCC.54 16/17), to enable the redevelopment of the Sun Inn to a new 56 bedroom hotel with an independent ground floor restaurant;
- (b) the Council becomes a member of Market Street Renewal Limited (a 50/50 joint venture company with DPL to facilitate the regeneration of Market, Church and North Streets and Market Place area) by subscribing for shares in the company in accordance with the Joint Venture Agreement, Articles of

Association and associated company formation documents in the form attached at Appendix 2 of report PRCC.54 16/17.

- (c) the Council enters into the Joint Venture Agreement, and the Shareholders Loan Agreement (in the form attached as appendix 2 to report PRCC.54 16/17) to form, finance and govern the operation of “Market Street Renewal Limited”
- (d) it be **RECOMMENDED** to the Corporate Policy and Resources Committee that the release of the requisite funding set out in recommendations 1 2 and 3 above and to include a capped grant of up to £1,400,000 to NSGL, pursuant to the GFA, and loan funding of £250,000 pursuant to a Shareholders Loan Agreement to Market Street Renewal Limited, be approved
- (e) it be **RECOMMENDED** to the Corporate Policy and Resources Committee that the sale of the Council’s long leasehold interest in two commercial properties into Market Street Renewal Limited at market value, subject to a business case and in compliance with the Council’s Disposal Policy, be approved
- (f) the Commercial and Economic Growth Director plus one other officer or independent, be appointed as Directors of Market Street Renewal Limited and approve that the Council enters into the Deed of Indemnity (in the form attached as appendix 3 to report PRCC.54 16/17) in respect of each such appointee.
- (g) the Director of Resources be appointed to represent the Council as the shareholder in Market Street Renewal Limited.
- (h) the Chief Executive be granted delegated authority, following consultation with Chairmen of Corporate Policy and Resources and Prosperous Communities Committees to take such decisions and execute such documents as shall give effect to the above decisions.

The meeting concluded at 9.08 pm.

Chairman

# Public Document Pack

Planning Committee- 8 February 2017

## 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 8 February 2017 commencing at 6.30 pm.

**Present:** Councillor Stuart Curtis (Chairman)

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

**In Attendance:**

Jonathan Cadd	Principal Development Management Officer
George Backovic	Principal Development Management Officer
Stuart Tym	Legal Services Lincolnshire
Simon Johnson	Senior Town Planner ENGIE
Dinah Lilley	Governance and Civic Officer

**Also present** 18 Members of the public

**Apologies:** Councillor Ian Fleetwood  
Councillor Hugo Marfleet

**Membership:** No substitutes were appointed.

## 68 PUBLIC PARTICIPATION PERIOD

Mr S Taylor addressed the Committee under the Public Participation Scheme.

“Chairman, the Spirit of Scothern is grateful to those members who have called for a monitoring report on the Planners approach to s106 agreements. In your response to my previous question Chairman (Which members will be interested to know I only received 2 days ago after having to demand that officers follow the public question procedure) you indicated that this matter is not officer driven. I beg to differ.

It is the officers who are shaping this approach, as a planning officer admitted in 2015 that, and I quote “The Council does not have a policy in relation to section 106 obligations”. Clearly in the absence of policy direction officers are taking personal views, without fully researching community facility needs. You claim that all developments in Scothern were fully assessed with regards to community facilities.

On what basis? Where are these assessments? And if officers did undertake professional assessments why are they not even mentioned in reports to this committee? Indeed, by way of example the officer report for the Dunholme Road development provides not one word by way of commentary or consideration the request for 106 monies for community facilities? Why not? Can you produce these assessments Chairman? Indeed where are the assessments of need for open space, sports and recreation facilities required by section 73 of the NPPF?

The Officers constantly quote the legal tests for 106 agreements but fail to ever explain how other councils do make 106 provision for village halls, sports facilities, childrens playgrounds and the like. Often Councils specifically require offsite contributions. And the question I asked at the last Planning Committee – why can other Councils fund community facilities from new homes development? Simply hasn't been answered.

Even within the district we recently have had a graveyard justified, allotments, footpaths and sports facilities. So the officers protest that you cannot justify community facility contributions legally are so weak – that they even disregard them themselves – when they choose. Clearly Scothern, and possibly other communities, have been discriminated by officers inconsistent approaches on this.

Why can't our officers understand if there are more houses in a community it will need more and bigger community facilities? Surely this is purely common sense and what you the members and we the public want? Surely they should be able to put their professional expertise to achieving this – rather than spending time and effort trying to justify not support community facilities.

Can you chairman and the committee ensure that we, the Spirit of Scothern, do have a meeting with Planners to work through the issues and concerns as only an intelligent discussion with goodwill from all parties will resolve this matter for the benefit of the district and its communities. Indeed does the Planning Services Manager wish to signify this agreement now to such a meeting?"

Mr Taylor was responded to that he would receive replies to all of his questions in due course.

## **69 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING**

Meeting of the Planning Committee held on 11 January 2017.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 11 January 2017, be confirmed and signed as a correct record.

## **70 DECLARATIONS OF INTEREST**

Councillor David Cotton declared that he had not been present on the Site Visit to Nettleham, so would not take part in the deliberation on the item.



Councillor Giles McNeill reiterated the declaration he made at the previous meeting “.. a personal interest as he had liaised with the public regarding item (135429 – Nettleham) but had not taken part in discussions”.

Councillor Giles McNeill also declared that he was the Ward Member for Item 6b (134989 – Riseholme) and had been lobbied, but would act in his capacity as Committee Member.

Councillor Owen Bierley noted that all Councillors had a personal interest in item 6c (131548 – Torksey) as the applicant was a fellow West Lindsey Councillor.

Councillor Bierley declared a personal interest in item 6d (134618 – Nettleton) as he had had a telephone conversation with the applicant, on procedural matters.

Councillor Bierley sought advice on item 6e (135428 – Normanby by Spital) as he had been on the Planning Committee when a previous application had been submitted, at which he had voted against the principle of development. The Legal Adviser informed Councillor Bierley that this was a separate application, and that if he was satisfied that he could be persuaded either way, then he was not conflicted from taking part.

Councillor Milne declared a personal interest in Item 6b (134989 – Riseholme) as she had accompanied Sir Edward Leigh MP at a meeting, however she had not taken part.

## **71 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Principal Development Management Officer informed the Committee that the Housing White Paper had been issued the previous day by the Secretary of State, and summarised the key points, which were:-

- Statutory Requirement for Starter Homes Not Introduced
- Standard National Methodology for Objectively Assessed Need (Housing)
- Housing Delivery Test
- Measures to Boost Build Out Rates
- Consideration to Fee Requirement for Making a Planning Appeal
- Neighbourhood Plans Face New Tests to Retain Protection
- Planning Application Fee Increases
- Support for Build to Rent

Many of the changes involved amendments to the National Planning Policy Framework. The Government intended to publish a revised Framework later this year, which would consolidate the outcome from the previous and current consultations. It would also incorporate changes to reflect changes made to National policy through Written Ministerial Statements since March 2012.

A government-commissioned review published alongside the White Paper recommended that the Community Infrastructure Levy (CIL) should be replaced with a "hybrid system" of a low level tariff for all developments and section 106 for larger developments. The White Paper said that the Government "will examine the options for reforming the system of developer contributions including ensuring direct benefit for communities" and would respond to the CIL review and "make an announcement at Autumn Budget 2017".

The Committee briefly debated some of the highlights and it was requested that the summary be circulated around all Members of the Committee.

## **72 PLANNING APPLICATIONS FOR DETERMINATION**

**RESOLVED** that the Planning Applications as set out in Item 6 be determined as set out below.

### **72a 135429 - NETTLEHAM**

Planning application for the full demolition of the two storey element of the existing outbuilding, extensive repair and renovation of the single storey sections together with the rebuilding of the two storey area, first floor extension and change of use to form a family annex at The Cottage, 10 Church Street, Nettleham.

The Principal Development Management Officer reminded Members of the revised conditions set out for the previous meeting - Conditions 2 and 4 were to be amended to end with the words "and be retained as such thereafter." A further plan was to be added to Condition 4 - RDS11066/01 revision B.

The Officer then summarised a letter which had been received regarding the structural integrity of the building at different points over time. The officer confirmed that there had been liaison with Building Control officers over the stability of the building and that they had confirmed it was unsafe and should be demolished.

Mr and Mrs Harris then spoke in objection to the proposals. The main concerns were that the assumption was that the new building would have no greater impact than the previous barn, when the proposals were to be one third taller than the original structure, and the design did nothing to preserve heritage assets. The wall would be 1.2 metres from windows and would be oppressive, overbearing and overshadowing. Concerns were also expressed for an elderly neighbour who lived in a bungalow next to which the new build would be 59% taller.

The Principal Development Management Officer noted that the increase in size and scale of the proposal over the existing barn, that such additions had been approved previously and the scheme had been considered acceptable. The barn had been present when the neighbouring properties had been built and the distance between considered adequate. It was also noted that the extension to the barn had been approved when the neighbouring development application (8 Church Street) was being determined. Windows were already affected and should in any case be obscured glazing, but were not.

Members agreed that the site visit had been useful, and whilst having some sympathy for the neighbours however, could find no planning reasons to justify refusal of the application.

It was questioned if an additional condition could be applied which stipulated that no further windows be installed which would overlook the neighbouring properties. This would be possible and an additional condition would be included.

It was moved, seconded and voted upon that permission be **GRANTED** subject to conditions, and the inclusion of the additional condition below.

Amended conditions

2. No development shall take place until details of all external and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials and be retained as such thereafter.

REASON: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have low environmental impact in accordance with West Lindsey Local Plan First Review Policy STRAT 1.

4. With the exception of the detailed matters referred to by the conditions of this consent, the works hereby approved shall be carried out in accordance with following drawings and be retained thereafter:

RDS 11066/01B Proposed Elevations

RDS 11066/02B Proposed Barn, Elevations, sections & Site Plan

RDS 11066/03A Site Location Plan

RDS 11066/04 Window & Door Details Type A

RDS 11066/05 Window & Door Details Type A

RDS 11066/06 Window & Door Details Type B

RDS 11066/07 Window & Door Details Type C

RDS 11066/08 Window & Door Details Type D

RDS 11066/09 Window & Door Details Type E

RDS 11066/10 Window & Door Details Type F

RDS 11066/11 Window & Door Details Type G

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

Additional Condition

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendments) Order 2008 (or any Order revoking and re-enacting that Order with or without modification), no additional openings other than those hereby permitted in the external walls or roof of the eastern elevation of the development shall be formed without an express grant of planning permission.

**Reason:** To avoid overlooking and light pollution in the interests of the residential amenities of adjoining occupiers in accordance with West Lindsey Local Plan First Review Policy STRAT1.

## **72b 134989 - RISEHOLME**

Listed building consent for the restoration of Riseholme Hall Stables at the University of Lincoln's Riseholme Campus - to be determined in accordance with application reference 134780, at the University of Lincoln, Riseholme Park, Riseholme.

Neil Foster, of Riseholme Parish Council, was pleased with the upgrade to the stable block and would like an Historic England buildings record completing. Whilst the restoration was to be sympathetic, the wider application proposals were unclear, and the Parish Council were open to continued dialogue with the University.

Alex McCallion, agent for the applicant, reminded Members of the poor condition of the stable block as seen on the site visit, which although architecturally significant, was merely used for storage. The buildings had been subject to a mixture of repairs of varying quality, and it was proposed to replace all of these. The original plan was to be retained, original features including the clock face restored, and the historic fabric preserved. There had been no objections from statutory consultees.

Whilst the Listed Building Consent being sought was part of a wider application the proposals were to be considered on their own merit. The remaining proposals had been deferred for further local consultation.

The proposals for approval of **Listed Building Consent** were moved and seconded, and on being voted upon it was **AGREED** that permission be approved subject to the conditions as set out in the report.

## **72c 131548 - TORKSEY**

Planning application for proposed housing development for two pairs of semi detached dwellings on Main Street, Torksey.

Roger Eyre, spoke on behalf of the applicant and questioned the recommendation to refuse the application, citing the weight to be given to the Central Lincolnshire Local Plan which allowed for up to four houses on infill sites. The Environment Agency had not objected to building on the site in 2014, however the report states that a sequential test would require development further away from flood risk. Any archaeological issues could be conditioned to be addressed, and the proposals would enhance the site, removal of Permitted Development Rights would ensure protection.

Christiana Naidu, spoke in objection to the application, stating that this was an important historic site which should not be developed at the expense of residents' enjoyment. There was the potential of increased traffic and anti-social behaviour. The height of the buildings would block light, overlook gardens, and block the view of the green strip. The field and green space should be left for residential amenity. Torksey was also prone to flooding.

The Principal Development Management Officer described how the issues were a matter of balance. It was up to the decision makers (the Local Planning Authority not the Environment Agency in this case) to assess whether the sequential test had been met, whether other less vulnerable sites were available. Reference was made to recent appeals, following which the

Planning Inspector had stated that development should not be permitted if other sites, not within a flood zone, were available. It was proposed that floor levels should be above flood level, however the effectiveness of defences could not be guaranteed and this would not in itself satisfy the sequential test.

Members made reference to the archaeological aspect and noted that once important remains had gone they could not be replaced.

It was moved and seconded that permission be **REFUSED** as per the recommendation and reasons as set out in the report, this was **AGREED**.

## **72d 134618 - NETTLETON**

Planning application to erect six affordable dwellings, together with change of use to public open space. Also, outline planning application for 19 dwellings with all matters reserved on land to the North of Moortown Road, Nettleton.

The Principal Development Management Officer informed Members that the original figure for the number of dwellings had been reduced, therefore the Local Education Authority might need to recalculate the level of contribution that would be required.

J. Parker, the applicant, addressed the meeting, was a long-time local resident, and had started pre-application discussions two years ago and had worked continually with planning officers. Nettleton had been identified for growth and there was a demand for affordable housing, therefore a sympathetic well planned expansion was proposed, to support the community. There were many positive aspects and no objections from highways officers or the Environment Agency.

Members debated the application, and whilst acknowledging that it was not an exceptions site outside of the settlement limit, and there were archaeological issues to address, they were able to support the proposals.

It was moved, seconded, voted upon and **AGREED** that:

the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to:

- A) enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-
  - 25% affordable housing (to be delivered on site;) along with a contribution of £12,108.50
  - A capital contribution would be required in lieu of on-site Education provisions. This would be determined utilising the Education Authority formulae for contributions.
  - Open space/attenuation basin and on-going maintenance for these areas and drainage infrastructure.

and;

- B) enable the satisfactory completion of the required archaeological investigation and reports.

And, in the event of the archaeological works are not being carried out satisfactorily or finds of archaeological significance are identified (in the opinion of LCC Archaeology Section) and/or s106 not being completed and signed by all parties within six months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the six months or the identification of archaeological finds of significance whichever is sooner.

## **72e 135428 - NORMANBY BY SPITAL**

Planning application for three dwellings on land to rear of Bottle and Glass, 46 Main St, Normanby by Spital.

The Principal Development Manager explained that as the houses, previously given permission, that had been erected on the site were slightly different to that granted the application had been submitted to regularise the situation.

The applicant, Martin Merrigan, addressed the meeting, thanking the Planning and conservation officers for their input, however he wished to point out that contrary to comments made on the application by the Parish Council that: condition discharges had been applied for on 23 March 2016; archaeology issues were being addressed; Anglian Water had given full support and there would be 28% less surface water; and the Public House was now a Community Asset, which had secured its future. The car park was still used by the shop and school. Attempts had been made, unsuccessfully, to liaise with the Parish Council.

Councillor Summers addressed the Committee as Ward Member, describing the properties as rabbit hutches and disputing the compass directions cited. He claimed that the site visit had been undertaken at the wrong time of the day in terms of school traffic. Local residents did not find the development acceptable, and changes to the design would not change this. Previous objections had been ignored, and the application did nothing to enhance the village, and met no local need. The lack of outdoor space meant that children would have to play in the pub car park. There were several issues with contaminated water run-off from the car park and inadequate drainage for rainwater and foul sewage, and there was a legal requirement to have two separate drainage systems. The rules were being disregarded, and there were many issues wrong with this development.

The Principal Development Management Officer addressed some of the issues raised, stating that the principle of development had been established by the previous planning permission, and that the surface water drainage had already been installed. This connected to the existing private drainage under the site which in turn connected to the public sewer. The Developer Services arm of Anglian Water accepted the proposals.

The Chairman stated that the crucial issues were whether the changes to that previously approved, made the development unacceptable.

Committee Members discussed the application, wondering how the changes to the original

proposals had been allowed to happen, and whether officers were aware of these changes. Officers confirmed that the new application was submitted following commencement of enforcement action

Slides were shown which depicted the proposals for the final design, and also a photograph of the built dwellings including a nearby dwelling, which showed some similarities

Members of the Committee moved, seconded and voted upon the recommendation and it was **AGREED** that permission be **GRANTED**.

### **73 DETERMINATION OF APPEALS**

Comment was made on the determination of the Saxilby appeal which had been allowed, however it was significant that no costs had been awarded. Although this had been a setback to the Neighbourhood Plan, it was worthwhile carrying on.

Note was also made regarding the length of time the appeal had taken to be determined.

**RESOLVED** that the determination of appeals be noted.

The meeting concluded at 8.30 pm.

Chairman

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## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 9 February 2017 commencing at 6.30 pm.

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

Councillor Owen Bierley  
Councillor David Cotton  
Councillor Michael Devine  
Councillor Adam Duguid  
Councillor Steve England  
Councillor Ian Fleetwood  
Councillor John McNeill  
Councillor Tom Regis  
Councillor Reg Shore

**In Attendance:**

Ian Knowles	Director of Resources and S151 Officer
Eve Fawcett-Moralee	Director Economic & Commercial Growth
Tracey Bircumshaw	Financial Services Manager
Steve Anderson	Information Governance Officer
Mark Sturgess	Chief Operating Officer
Dinah Lilley	Governance and Civic Officer

**Apologies:** Councillor Matthew Boles

**Membership:** No substitutes were appointed

### **94 PUBLIC PARTICIPATION PERIOD**

There was no public participation.

### **95 MINUTES OF PREVIOUS MEETING/S**

- a) **RESOLVED:** That the minutes of the Corporate Policy and Resources Committee meeting of 12 January 2017 be approved as a correct record.
- b) **RESOLVED:** That the minutes of the Joint Staff Consultative Committee meeting of 24 November 2016 be noted.

## **96 DECLARATIONS OF INTEREST**

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

## **97 MATTERS ARISING SCHEDULE**

The Governance and Civic Officer updated the Committee on the Matters Arising in terms of Councillor Shore's previous question on Flexible Working. In the three previous years there had been 13, two and seven requests respectively, all of which had been granted, bar one. As far as the implications and impact on the authority were concerned, each case was assessed on an individual basis, according to particular circumstances and the effects were difficult to quantify.

It was noted that this was almost 100%. The Chairman questioned the effects of remote working and its impact. The Chairman of the Joint Staff Consultative Committee stated that there was a legal requirement that if a request was made for remote working then there had to be valid, justifiable reasons to deny that request. Concerns were expressed that few staff would be available in the office, however even when working remotely staff should still be contactable, subject to connectivity.

## **98 REVIEW OF INFORMATION POLICIES**

The Information Governance Officer presented the report stating that there was a requirement to review and maintain policies on a regular basis to comply with legislation. The report presented the first five of a range of policies to be reviewed, these being:-

- **Data Protection Policy**
- **Information Management and Protection Policy**
- **Data Quality Policy**
- **Remote Working Policy**
- **IT Access Policy**

The changes made to each policy were set out at the end of the report and the policies themselves at appendices a)-e).

The reviewed policies had been considered by the Council's Management Team and the Joint Staff Consultative Committee and recommended to the Corporate Policy and Resources Committee for approval.

### **RESOLVED** that:

- a) the attached information policies for implementation to all staff, elected members, and partners where appropriate, be approved; and
- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policies in future, in consultation with the chairmen of the Corporate Policy and Resources Committee and Joint Staff Consultative Committee.

## **99     PROGRESS & DELIVERY Q3**

The Chief Operating Officer introduced the Progress and Delivery report for the third quarter, which highlighted the authority's Services.

The summary was structured to highlight those areas that were performing above expectations, those areas where there was a risk to either performance or delivery and those areas where further work was required for next year's report.

Areas described as performing well included: Building Control; Development Management; Projects and Growth; and the Trinity Arts Centre.

Those areas described as risks included: Local Land Charges; Enforcement; Markets; and Home Choices.

Further information was given on each of the above. Data relating to Complaints, Comments and Compliments were being reconsidered to present a more sophisticated way of monitoring. A measure around section 106s and CIL was also to be introduced to give members greater visibility. A further report specific to Markets was to be submitted to the Prosperous Communities Committee in due course.

One Member noted that a pattern had emerged over the years and that things such as sickness absences and markets were continually risk issues and did not appear to ever be resolved. Although it was good that the Trinity Arts Centre was now showing good progress, but was it actually making a profit?

The Chief Operating Officer responded to the points raised and stated that sickness absence rates were due primarily to a particular work area due to the nature of the work and the age profile of the staff, the figures were expected to fall. Regarding Trinity Arts, it was noted that, as a Grade II listed building, there would be a cost to close the establishment and that it did cover its running costs, and was a social asset to local residents. It was suggested that care was needed not to subsidise a Gainsborough asset at the expense of other areas in the district, however there was no subsidy involved.

The Chairman of the Joint Staff Consultative Committee responded to the comments on sickness absences and noted that West Lindsey was one of the best performing authorities compared with its benchmarked neighbours, and was a caring authority which would be sympathetic to an individual with a long term or serious illness.

Issues around recycling rates were then discussed, whilst the data was awaited it was felt important to know the contamination rates as this had implications for the new Technically, Environmentally and Economically Practicable (TEEP) legislation, as if contamination was high then recycling was not working. The Chief Operating Officer agreed that this was a good point and he would look into gaining statistics and work with the Operations Team Manager. It was agreed that there was room for promotion and education in the matter.

Note was made of the Leisure provision at De Aston and Caistor to be addressed within the new contract, and the Caistor Heritage Initiative, and the Ward Member for Caistor extended an invitation to Members to see the achievements made in the area.

The publication of the Housing White Paper was welcomed and addressed some outstanding issues, and it was hoped that West Lindsey would take part in the consultation through the Prosperous Communities Committee. The final section of the White Paper included reference to the Community Infrastructure Levy (CIL) of which it was important for Members to be aware. The Chief Operating Officer noted the next sessions of Planning Training for Members could include a session on CIL and dates for the next year would be issued shortly.

The Economic and Commercial Growth Director informed Members that the authority was writing its own Housing Strategy and the Improvement Plan would be submitted for Committee consideration and could perhaps be utilised as the authority's response to the White Paper.

The Chairman requested that the Chief Operating Officer undertake discussions with himself regarding the development of leisure facilities at Caistor Top, and also provide Schedule of BC Inspections and the process taken.

**RESOLVED** that having reviewed the performance information contained in the Progress and Delivery Report, the report be accepted.

## **100 CORPORATE PLAN**

The Director of Resources introduced the Corporate Plan report, reminding Members that the Plan had been signed off last year and it had been agreed to produce an Action Plan to set out delivery intentions. Appendix 1 showed the key strategic actions which matched the Corporate Plan themes and were colour coded accordingly. A summary leaflet was to be produced for publication and wider circulation. Appendix 2 of the report showed the actions undertaken and the progress made.

The report was moved and seconded for approval and on being voted upon it was

**RESOLVED** that:

- a) the key activity detailed within the report which will facilitate the delivery of the objectives of the Corporate Plan be supported;
- b) the activity set out be used as the basis for an external publication be agreed; and
- c) the report be approved for submission to Council on 6 March 2017.

## **101 BUDGET AND TREASURY MANAGEMENT Q3**

The Financial Services Manager informed Members of the Committee that the Council was currently forecasting a £560k surplus (after taking into account carry forwards of £238k, the significant element of which related to projects which were being funded from earmarked reserves and which would continue into the new financial year). There was a reduction of £15k since the Quarter 3 forecast. The major variances being contained within the report.

With regard to capital out turn forecasts this was expected to be £9.4m, a request for approval by this Committee of carry forwards totalling £1.9m where schemes and potential acquisitions were now likely to continue into the new year. The details of which could be found at Page 15 of the report.

Items of note were the use of Earmarked Reserves at paragraph 2 and successful grant bids at paragraph 3.

With regard to Treasury Management investment rates were at an all time low with overnight money at 0.26%. However the Council continued to exceed its benchmark and had achieved a rate of 1.17% compared to 0.23%.

There had been no breaches of prudential indicators and no actual borrowing undertaken.

The previous Committee Chairman welcomed the fact that interest rates had improved over time, and the Members commended the report without further discussion.

#### **RESOLVED**

- a) the forecast out-turn position as at 31 December 2016 be accepted;
- b) the use of Earmarked Reserves approved by the Director of Resources using Delegated powers be accepted;
- c) the amendments to the Capital and Revenue budget, including creating budgets for projects funded by grants and not included in the original Capital Programme be approved;
- d) the Capital budget carry forwards of £1,879k and Revised Capital Budget of £9,707k be approved; and
- e) the Treasury Management Report and Treasury position to 31 December 2016 be accepted.

## **102 REVENUE BASE BUDGETS 2017-18**

The Financial Services Manager presented the Committee's base budget for 2017/18 as well as those recommended by Prosperous Communities Committee, and noted that a high audit assurance had been received.

The base budget showed a £1m reduction against the 2016/17 base budget.

The significant variances were contained within the report, the capital investment of £13m in commercial property was expected to achieve a net additional income of £270k, with £625k being reflected in the Committee's services base budget.

The withdrawal of the LCTS grant to Parish Councils previously approved by this Committee contributed a further £169k towards this saving.

One other outstanding consideration for this Committee in relation to the proposed increase in burial charges and members were referred to paragraph 1.5 within the report. The overall budgetary impact of a stepped change over two years would result in additional income in year 2 of £381. There was no budgetary impact from the removal of charges for exclusive rights of burials for children under 12. The Committee were now requested consider their

recommendation to Council.

**Note** Councillor David Cotton declared a personal interest on this item as in his ministerial capacity he conducted burials.

Discussion ensued on the burial costs with it being questioned that in the second year of increase, a further 65% would equate to greater than 130% in total. Clarification was sought on the actual figures rather than percentages, these were read out by the Financial Services Manager. The Director of Resources stated that the second year increase could be at the percentage necessary to equal 130% in total, if Members preferred.

It was affirmed that only two burial grounds were affected and that these had had six burials in the last year. The authority was below the benchmark figure and the service was below cost recovery. Charges were not increased for customers when from out of the area as was the case with some cemeteries and crematoria. This could be borne in mind for future cost assessments.

With the amendment as agreed the Committee Members moved, seconded and voted upon the recommendations.

**RESOLVED** that:

- a) having given consideration to the Fees and Charges, in relation to burials, it to be recommended to Council, that the increase be 65% for the first year, and increasing further to a total of 130% for the two year period;
- b) the Corporate Policy and Resources Committee Budget 2017/18 be approved and recommended to Council for inclusion in the Medium Term Financial Plan 2017/18 – 2021/22; and
- c) the Prosperous Communities Committee Budget be accepted and recommended to Council for inclusion in the Medium Term Financial Plan 2017/18 – 2021/22.

### **103 FINANCIAL STRATEGY AND MEDIUM TERM FINANCIAL PLAN 2017/18 TO 2021/22**

The Director of Resources introduced the report which set out the financial context both local and national within which the budget and council tax for 2017/18 had to be agreed.

The paper was based on the provisional settlement announced on 15 December 2016, (the final settlement was expected in the next week or so) and would need to reflect any changes in the final paper for full Council. The final position on NNDR was also awaited due to late changes required by Government on the method of calculation

The document was the Council's primary strategic financial document and met a number of regulatory requirements. Firstly the authority was required to agree a balanced budget for the coming financial year 2017/18. Secondly the requirement to set the level of council tax, and also meet the best practice of setting the 17/18 budget in a medium term context

The Financial Plan was designed to deliver the corporate objectives set out in the Corporate

Plan 2016-20 which were covered in paragraph 2 of the Executive Summary.

Over the last four years the authority had delivered bottom line improvements of £4.4m through efficiencies and income generation. Efficiencies and increased income were continually sought through the five year plan and it was possible to show that the plans deliver a balanced budget for the next two years. With a deficit of over £400k remaining in 2020/21. This was in an environment where the authority's core spending power, as calculated by Government had reduced over that time by 11% and the Government Grant had reduced by £2m since 2015/16. The reduction from 16/17 to 17/18 was £626k.

The balanced position was achieved primarily by the assumptions as set out in paragraph 4.11.2

- Employee Pay Award 1% per annum
- Council Tax increase at £4.95 per annum and growth 0.5%
- Commercial Property Investment of £20m to generate £0.6m savings by 2020/2021
- No growth in NNDR
- Contractual inflation only applied to service expenditure budgets
- 4 year funding settlement in line with draft figures issued by Government
- New Homes bonus is based on Government estimates and payable over 4 years.
- NNDR 1.8% (August RPI)
- Electricity 4%
- Gas 4% from 2018/19
- Capital Programme – total investment; total borrowing; use of reserves; balances at end of five years

During the year a number of initiatives, projects and reviews were undertaken with the aim of achieving £2m of savings in five years. The projected savings requirement for 2017/18 was £0.382m. The Council had been successful in identifying these savings against this target. The significant savings have been achieved from;

- Budget and service reviews £0.147m
- Fees and Charges £0.043m
- Staffing Restructures £0.231
- Removal of Localisation of Council Tax Support (LCTS) Parish Grant £0.169m
- Contract Renewals £0.520m
- Planning Fee Income £0.086

This was against pressures identified during the budget process and legislative impacts

- No charging for Green Waste in 2017/18 £0.502m
- Apprenticeships incl Levy £0.48m

In addition to the above the continued focus on maximising New Homes Bonus through capital investment and identification and intervention measures relating to empty homes had resulted in a further £0.208m per annum of additional grant having been generated. However the New Homes Bonus scheme had been reviewed and allocations would be for a four year period reduced from a six year period. Further reductions may be required in future years to support other public services. The total allocation for 2017/18 was £1.889m. Future projections were based on Government estimates.

The Council continued to set aside New Homes Bonus to support growth and housing regeneration investment (many other authorities require this grant to support their revenue budgets).

The Medium Term Financial Plan also included an ambitious Capital Programme of over £53m which was to be funded from a mix of our own reserves, Grant Funding and borrowing.

Appendix M to the Strategy provided Members with a comparison against other authorities using standard financial measures and due to the level of reserves West Lindsey compared reasonably well in many areas.

The Rural Services Network representative thanked the authority for taking the lead role in the previous year in lobbying for a better settlement for rural areas, the same success was not expected for the 2017/18 year. Reductions in Government funding were greater for rural areas and the gap was widening. It was necessary to take all opportunities to lobby for rural support.

The changes to the New Homes Bonus were unprecedented. The Council currently used this to support regeneration investment, however in future years this may be required to support other public services.

Members gave further consideration to the proposals and the recommendations were moved and seconded, and on being voted upon it was **RESOLVED** that:

- a) the Draft Financial Strategy and Medium Term Financial Plan 2017/18 to 2021/22 (which may be subject to change once the final settlement is announced) be recommended to Council for approval;
- b) the Capital Investment Programme 2017/18 to 2021/22 be recommended to Council for approval; and
- c) any housekeeping changes (including any required by the final settlement) be delegated to the Draft Financial Strategy and Medium Term Financial Plan to the Director of Resources following consultation with the Chairman of the Corporate Policy and Resources Committee prior to the final consideration by Council on 6 March 2017.

## 104 COMMITTEE WORK PLAN

**RESOLVED** that the Work Plan be noted.



## **105 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.

## **106 SUN INN AND JOINT VENTURE COMPANY**

Councillor Cotton sought clarification regarding the item in terms of those Councillors who were also Members of the Planning Committee. The Director of Resources assured Members that the project was for 'in principle' agreement only at this time, and should an application be presented to the Planning Committee in due course, Members of this Committee should then declare their involvement at that time.

The Economic and Commercial Growth Director reminded Members that 'in principle' approval had been agreed in September 2016, by both the Prosperous Communities and Corporate Policy and Resources Committees, following which negotiations had continued with the developer, and the viability gap acknowledged.

Members had acknowledged that securing a hotel in Gainsborough would have a significant and positive economic impact on the town; and with regard to the joint venture company the strong rationale as summarised below:

- DPL/NSGL ownership of the adjacent property required to deliver a hotel;
- DPL's matching funding with the Council's equity share investment;
- DPL's track record of delivering successful regeneration in the town;
- enabling the Council to deliver key regeneration objectives and generate potential commercial return to the Council.

In short, both projects would accelerate the physical and economic regeneration of the town centre. Officers at that time had been delegated to negotiate and prepare a Grant Funding Agreement (GFA). Joint Venture Agreement (JVA) and Articles of Association in line with the Heads of Terms agreed by these committees.

When first considering these proposals Members stressed the importance of securing high quality development and the need to maximise the environmental and regenerative impact of the projects to be commensurate with the level of Council support. In response to this Officers had worked up the Joint Venture Agreement, and Articles of Association to incorporate a wider area of benefit, to include Market, North and Church Streets and Market Place.

The Council and its commercial advisors had continued to work on an "open book" basis with DPL to scrutinise the cost and value of the hotel. A detailed scheme had been worked up and would form a planning application to be submitted to a future meeting of the Planning Committee.

Officers had augmented and quantified the business case to support the redevelopment of the hotel and restaurant, and Joint Venture Company through a bespoke economic impact

assessment undertaken by an independent specialist 31TEN.

Further specialist legal advice had been taken in developing these proposals specifically with regards to State Aid and procurement, in addition to in-house legal advice, which had appraised the final suite of agreements to implement the recommendations. These Agreements followed the Heads of Terms Members agreed in September/October 2016 and provided a robust basis to manage the release of the Council's funding, delivery of outputs and ensure value for money.

Members debated the report and its proposals at some length and generally agreed that this was an exciting opportunity to develop part of the town. Concerns were however expressed at the lack of a Councillor on the board, as this was felt to be an opportunity to have close scrutiny. It was clarified however that a Councillor's primary role was allegiance to West Lindsey District Council, but as a board member would be required to support the company which would lead to a conflict of interest. It was therefore recommended that one of the Council's independent Governance and Audit Committee Members be allocated the place on the board, which would alleviate that conflict.

Officers were congratulated for undertaking a thorough job on the project, and that the risks had been mitigated as far as was possible. This would be a bold and enterprising venture and would turn Gainsborough's fortunes and perception positively.

**RESOLVED** that:

- a) the Council enters into a Grant Funding Agreement (as attached as Appendix 1 to the report), to enable the redevelopment of the Sun Inn to a new 56 bedroom hotel with an independent ground floor restaurant, be approved;
- b) the Council becomes a member of Market Street Renewal Limited (a 50/50 joint venture company with DPL to facilitate the regeneration of Market, Church and North Streets and Market Place area) by subscribing for shares in the company in accordance with the Joint Venture Agreement, Articles of Association and associated company formation documents (attached at Appendix 2 to the report), be approved;
- c) the Council enters into the Joint Venture Agreement, and the Shareholders Loan Agreement (attached as Appendix 2 to the report) to form, finance and govern the operation of "Market Street Renewal Limited", be approved;
- d) the release of the requisite funding set out in recommendations a), b) and c) above and to include a capped grant of up to £1,400K to NSGL, pursuant to the GFA, and loan funding of £250K pursuant to a Shareholders Loan Agreement to Market Street Renewal Limited, be approved;
- e) the sale of the Council's long leasehold interest in properties in North Street into Market Street Renewal Limited at market value subject to a business case and in compliance with the Council's Disposal Policy be approved in principle;
- f) the appointment of the Economic and Commercial Growth Director plus one other officer or independent, as Directors of Market Street Renewal Limited and approve that the Council enters into the Deed of Indemnity (attached as Appendix 3 to the report) in respect of each such appointee, be agreed;
- g) the appointment of the Director of Resources to represent the Council as

- the shareholder in Market Street Renewal Limited, be agreed;
- h) delegation be given to the Chief Executive, following consultation with Chairmen of Corporate Policy and Resources and Prosperous Communities Committees, to take such decisions and execute such documents as shall give effect to the above decisions.

## **107 SURE STAFF BUSINESS PLAN**

The Director of Resources introduced the report which had been agreed to be required to provide an annual business plan for consideration.

The background was set out in the executive summary:

The original proposal to buy Surestaff was based on four potential benefits:

- To have a reliable local provider of agency staff to WLDC
- To minimise the cost of managing suppliers within the Operational establishment (cost avoidance)
- To generate an income stream from charged in services
- To generate a shareholder return

The report provided an update on current performance and had the full business plan for the following three years attached.

The acquisition of Surestaff had proved to be a success from a business perspective, with a smooth re-entry into the market following the previous “winding down” of the agency. Losses were expected to be relatively small over the first two years with an overall benefit to the Council when recharged income, costs avoided and security of supply were taken into account. Over the longer term, these indirect benefits would be supplemented by a stream of positive profit contributions generated by the new venture.

A recent reforecast, compiled on a relatively prudent basis, illustrated the potential for a positive contribution resulting from a local enterprise which was already generating a social return for the local communities of WLDC.

Members sought assurance on the ethical aspect of the company, that agency staff were not exploited through desperation, nor being employed to replace permanent workers at a cheaper rate on zero hours contracts.

The Director of Resources reassured members that the Council's own arrangements were to cover needs at particular, usually seasonal, times. Contracts were temporary rather than part-time, and staff were paid at similar rates to permanent staff. There was no evidence that agency staff were replacing permanent jobs, however as a shareholder he would raise this with the board.

It was acknowledged that agency work could be a route for individuals to get into work, and it could also suit some individuals to be temporary instead of permanent.

Note was made of the intention to not continue the employment of migrant workers for practical/ethical reasons.

Reference was made to the reduced gross margin prediction set out on page 10 of the report. The Director of Resources responded that whilst the profit margins were currently less than predicted, the intention was that there would be two companies, one of which would be TECKAL, which would enable services to be provided to other local authorities, and this would make a positive contribution to the bottom line of the Council and it was hoped for profit in year 3.

**RESOLVED** that the Business Plan be **RECOMMENDED** to Council, as the single shareholder, for agreement.

The meeting concluded at 8.38 pm.

Chairman