

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 5 December 2023 commencing at 6.30 pm.

Present:

Councillor Mrs Lesley Rollings (Chairman)
Councillor Emma Bailey (Vice-Chairman)
Councillor Trevor Young (Vice-Chairman)
Councillor Owen Bierley
Councillor Frazer Brown
Councillor Stephen Bunney
Councillor Karen Carless
Councillor Jacob Flear
Councillor Paul Lee
Councillor Roger Patterson

In Attendance:

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Ady Selby	Director - Operational & Commercial Services
Russell Clarkson	Development Management Team Manager
Sarah Elvin	Homes, Health & Wellbeing Team Manager
Jane Bartle	Developer Contributions & Enabling Officer
Ele Snow	Senior Democratic and Civic Officer

Apologies: Councillor Mrs Diana Rodgers

49 PUBLIC PARTICIPATION

There was no public participation.

50 MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Meeting of the Prosperous Communities Committee held on 26 October 2023 be confirmed and signed as a correct record.

51 MATTERS ARISING SCHEDULE

With no comments, questions or requirement for a vote, the Matters Arising Schedule setting out the current position of previously agreed actions, as at 27 November 2023, was **DULY NOTED**.

52 MEMBERS' DECLARATIONS OF INTEREST

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

53 WEST BURTON SOLAR PROJECT - LOCAL IMPACT REPORT (LIR)

Members gave consideration to a report presented by the Development Management Team Manager regarding the West Burton Solar Project Local Impact Report. It was explained that the 480MW West Burton Solar Project, proposed by Island Green Power, qualified as a Nationally Significant Infrastructure Project (NSIP). It therefore would be determined by the Government under the provisions of the Planning Act 2008 (PA2008). Members were reminded that Nationally Significant Infrastructure Projects were examined by the Planning Inspectorate, a Government Agency. The Examining Authority would make recommendations to the Secretary of State who would then determine the application, however, host authorities were expected to have an important role to play in the PA2008 process.

It was noted that on 8 November 2023, the Examining Authority (ExA) recommenced the Preliminary Meeting and formally commenced the Examination. The ExA was under a duty to complete the examination within six months, giving a deadline of 8 May 2024. As part of the examination process, West Lindsey District Council had been invited to submit a Local Impact Report (LIR), which was defined in legislation as *'a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area).'* (Planning Act 2008 Section 60(3)).

Members were reminded that it was not a requirement for the council to submit an LIR, however, where one was submitted, the Secretary of State was placed under a statutory duty to have regard to any Local Impact Report when making his decision. The National Infrastructure Planning advice note stated that *"as such local authorities should not underestimate the potential importance of this document in the context of the wider examination."* The Committee was requested to review the draft LIR and to delegate responsibility to the Director of Planning, Regeneration and Communities in consultation with the Chair of the Prosperous Communities Committee, to complete and submit the final Local Impact Report to the examination, having incorporated the feedback of the Committee.

The Chairman thanked Officers and welcomed Alex Blake to the Committee, who was working with the council to review and respond to each of the NSIPs under consideration in the district. She expressed thanks for the detailed work of Officers and Mr Blake, recognising that each case was different and required significant attention.

Members were supportive of the draft LIR and expressed their thanks alongside those of the Chairman. There was discussion regarding the nature of NSIPs, and the extent of the proposals across West Lindsey, with Members acknowledging the strength of opposition within the district. Thanks to all involved in the preparation of the LIR was reiterated and, having been moved, seconded and voted upon, it was unanimously

RESOLVED that

- a) the invitation to submit a Local Impact report (LIR) to be made on the West

Burton Solar Project DCO examination be accepted and approved; and

- b) the draft Local Impact report (LIR) prepared for the West Burton Solar Project examination had been reviewed, and authority be delegated to the Director of Planning, Regeneration and Communities following consultation with the Chairman of Prosperous Communities Committee, to complete, finalise and submit the LIR to the Examination, having taken into consideration the Committee's comments.

54 WEST BURTON SOLAR PROJECT - WRITTEN REPRESENTATIONS

Members heard again from the Development Management Team Manager regarding the West Burton Solar Project, as detailed in the introduction to the previous report. It was explained that as an Interested Party (IP), the council was invited to submit "Written Representations" (WR). It was recommended that the council accepted the invitation, and provided written representations to the Examination, with the Committee requested to review the draft document and delegate responsibility to the Director of Planning, Regeneration and Communities in consultation with the Chairman of the Prosperous Communities Committee, to complete and submit Written Representations to the examination, having incorporated the feedback of the Committee.

Members of the Committee were once again supportive of the approach, the detail Written Representations, and expressed their thanks for the work that had gone into preparing the documents. Members sought to highlight the timescales that were being proposed for the duration of the project, with a multi-generational impact.

Having been moved, seconded and voted upon, it was unanimously

RESOLVED that

- a) the invitation to submit Written Representations (WR) to be made on the West Burton Solar Project DCO examination be accepted and approved; and
- b) the draft Written representations (WR) prepared for the West Burton Solar Project examination had been reviewed, and authority be delegated to the Director of Planning, Regeneration and Communities following consultation with the Chairman of the Prosperous Communities Committee, to complete, finalise and submit the WR to the Examination, having taken into consideration the Committee's comments.

55 LINCOLNSHIRE DISCRETIONARY HOUSING POLICY

Members gave consideration to a report presented by the Homes, Health & Wellbeing Team Manager, seeking to adopt the Lincolnshire Discretionary Housing Financial Assistance Policy. It was explained that the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 allowed Local Housing Authorities to directly or indirectly provide assistance if a policy was adopted and published setting out how it was intended to use this

general power to give assistance.

Members heard that West Lindsey District Council received funding from the Government, via Lincolnshire County Council, to fund Disabled Facilities Grants as part of the Better Care Fund, which aimed to draw together health, social care and housing, in order to help people live well and independently in their own homes for as long as possible. As such, this funding was used to provide discretionary housing financial assistance where availability allowed. It was highlighted that currently there was an over demand for the funding, which meant discretionary assistance could not be resourced, although this needed to be monitored alongside demand for mandatory Disabled Facilities Grants. Members heard that the Government had recently announced that it would continue to fund DFGs at the current level until 2025.

The Homes, Health and Wellbeing Manager explained to the Committee that the policy and explanatory notes appended to the report had been developed collaboratively by the seven district councils working with Lincolnshire County Council through the Lincolnshire Healthy and Accessible Homes Group (formerly the Lincolnshire Moving Forward with DFG Group). Additionally, other partners including Occupational Therapists, Adult Social Care & Childrens services, Foundations (the National Body for Disabled Facilities Grants and Home Improvement Agencies) had all been involved in the production of the policy through the Lincolnshire Healthy and Accessible Homes Group. Finally, the policy had also been presented to the Lincolnshire Housing and Health Network senior officers' group and the Lincolnshire Housing, Health and Care Delivery Group, where it was recommended that it progress through district councils' adoption processes, hence the consideration by the Prosperous Communities Committee.

Members heard that due to budget pressures for delivery of mandatory DFG's, should the policy be adopted, it would have to immediately be suspended. Delegated authority to enact the policy was recommended within this report, with the trigger for enacting the policy requiring a 20% underspend on DFG budget for two consecutive years. This would ensure the delivery of mandatory DFGs could be brought back in line.

Members of the Committee were supportive of the introduction of the policy, whilst understanding the requirement for it to be immediately suspended. The Vice Chairman sought to confirm her understanding of the county-wide funding arrangements in that, other councils in the county held credit balances whilst West Lindsey District Council was overspent. This was confirmed to be the case, with Members of the Committee voicing their support for continued lobbying across county.

The recommendations as written in the report were duly proposed, seconded and voted upon. It was unanimously

RESOLVED that

- a) the Lincolnshire Discretionary Housing Financial Assistance Policy and associated explanatory notes document be adopted; and
- b) the suspension of the policy immediately from adoption due to insufficient budget be approved; and

- c) authority be delegated to the Director of Planning, Regeneration and Communities in consultation with the Chairman of Prosperous Communities Committee for the following:
- making minor housekeeping amendments to the policy
 - making amendments to the local variations detailed within the Explanatory notes.
 - Suspend/unsuspend the awarding of new discretionary assistance under this policy based on the triggers outlined in section 3.4 of the published report – namely a 20% underspend on DFG budget for 2 consecutive years.

56 FIRST HOMES GUIDANCE

The Committee heard again from the Homes, Health and Wellbeing Team Manager with a report seeking to provide an update on the First Homes Guidance Note and consider the evidence around Key Workers criteria in the District. It was explained that First Homes was brought in by Ministerial Statement in June 2022. This required all Major housing developments with an affordable housing contribution to include 25% First Homes as part of that contribution. All First Homes required a Section 106 agreement to secure the necessary restrictions on the use and sale of the properties, and a legal restriction on the title of the properties to ensure that these restrictions be applied to the properties at each future sale, guaranteeing perpetuity.

Members were reminded that in May 2022, the Prosperous Communities Committee had tasked officers with understanding the evidence base for Key Workers in West Lindsey to provide an assessment as to whether a Key Worker priority was necessary in West Lindsey. Subsequent research had found there was no standard definition of Key Worker, with a number of definitions being considered - from the ONS, the National Planning Policy Framework (NPPF) and the Key Worker Living programme. Common to these was the focus on public sector workers.

Analysis of the First Homes purchasers to date within West Lindsey had shown that they came from a broad cross-section of occupations including public sector roles, but also sectors key to supporting the local economy such as agriculture, manufacturing and retail. Further analysis of their associated incomes had shown that those with public sector roles generally had higher incomes than those from other key sectors within West Lindsey.

Members heard that the purpose of the First Homes scheme was to support access to owner occupation for first-time buyers who otherwise would be unable to access the open market due to affordability issues. It was therefore considered that due to the below average house prices in West Lindsey, most public sector workers were already able to purchase a property on the open market unaided. Evidence had shown that applying a Key Worker priority was likely to significantly disadvantage other important employment sectors across the district, which the scheme in its current format had helped. If a Key Worker criteria were to be applied, it could shift the scheme's focus away from helping support those important sectors of the economy in West Lindsey such as manufacturing, skilled trades or retail and

effectively undermine the purpose of the scheme.

On the basis of the evidence contained in the report, Members of the Committee were requested to agree that a Key Worker definition and adopting a priority for Key Workers for the First Homes scheme were not currently required for West Lindsey.

Members of the Committee thanked the Homes, Health and Wellbeing Team Manager for a thorough and informative report and reiterated difficulties they were aware of for those unable to purchase their own property. In response to a question regarding young people having to move away from their home areas due to being unable to buy a home, it was confirmed that the local connections criteria, which gave priority to those who lived in the parish of the properties for sale, remained active for three months, giving that chance to those who might otherwise have to move away.

Having been moved and seconded, the Chairman took the vote and it was unanimously

RESOLVED that

- a) The updated First Homes Guidance (as provided at Appendix 1 of the published report) be approved, to bring in line with Policy S22 of the Central Lincolnshire Local Plan; and
- b) the research and evidence set out in the paper be noted and agreed that a Key Worker definition and priority for Key Workers for purchasing a First Home is not currently required for West Lindsey; and
- c) future nonmaterial amendments to the First Homes Guidance (including the annual Price Cap revision) be delegated to the Director of Planning Regeneration and Communities following consultation with the Chairman of the Prosperous Communities Committee.

57 HUMBER 2100 STRATEGY

The Director of Commercial & Operational Services presented a report updating Members on progress with the Humber 2100 Partnership Project which sought to manage and litigate the impact of tidal flooding in and around the Humber Estuary for the next 100 plus years.

It was explained that the Partnership consisted of the Environment Agency and eleven Local Authorities, with the Council's interest and inclusion being due to the potential impacts on the tidal rivers Trent and Ancholme, both of which were connected to the Humber estuary. One key objective of the Partnership was to develop an adaptive pathway for managing risks, described as a decision-making tree, which would evolve over time given the complexities of the estuary and the uncertainty surrounding future environmental impacts on it.

The Partnership had agreed priorities for the Humber 2100 Strategy and the early work had been understanding risk. The first part of that work had involved modelling present day outputs which had now been endorsed by all partners. At this point in time there was no commitment of any level of resource or finance to the project, the endorsement was simply

an acceptance of the as-is position.

It was further explained that the endorsement allowed the next piece of work to start, which was to model potential scenarios, or what might happen. There would be consultation with key stakeholders, with the outputs requiring a more formal decision from Members. This was likely to be in mid-2025.

The Committee heard details of Councillor and Officer involvement in the programme, as well as a recent presentation that had taken place for Councillors in November 2023. The Committee were requested to note the details of the project update, endorsement and indicative timeline.

Members of the Committee expressed their support for the work programme and recognition of the technical nature of the work. The importance of being involved in the Partnership was highlighted, with concerns of flooding in West Lindsey continuing to worsen.

With widespread thanks to all involved, the contents of the report, specifically the:

- Humber 2100+ project update
- indicative timeline
- endorsement of the present-day outputs

were **DULY NOTED**.

58 GAINSBOROUGH MARKET TRADER TERMS AND CONDITIONS

The Director of Commercial & Operational Services presented the final report of the evening, with the purpose of supporting the delivery and viability of Gainsborough Market by adopting revised Market Trader Terms and Conditions. He explained that work continued on the three-year Markets Action Plan, linked with the Levelling Up and UKSPF funding streams to further develop the offer in Gainsborough Town Centre. He noted that whilst the work had stabilised the number of traders attending the market, there had not been an increase in those numbers.

The Committee was advised that the newly formed Members' Markets Working Group had met on two occasions and had been seeking new and innovative ways to stimulate demand for stalls on the Markets. A key focus for the working group had been to explore the potential to improve the market offering in the short term through speciality markets. In recent months, the Council had received requests from operators to host specialist markets themselves, and recent conversations with potential traders had suggested that to allow the 'experts' to manage speciality markets by using their connections and relationships within particular sectors would enable a more commercial model to operate. To date these had included a small vegan market offering and a larger antiques market proposal.

There was a general desire to enable these proposals to be delivered in order to support the general market, however this was not possible within the constraints of the existing Market Trader Rules and Regulations. It was highlighted, however, that recent changes to the Fees and Charges regime approved by the Corporate Policy and Resources Committee in

November 2023 did allow for a reduction of stall rents of £7 per stall for traders who could deliver 25+ stalls. Further changes to the Rules and Regulations were needed to allow these operations to take place.

The proposed Rules and Regulations provided to Members at Appendix 1 within the published reports would allow operators to apply to sub-let stalls above a minimum level of eight stalls, subject to agreement by Council officers. Any operator proposing to deliver between 25 and 60 stalls would be deemed to be a Specialist Market Operator and additional conditions would apply. Most importantly, an Event Plan for this specialist Market should be delivered to the West Lindsey Safety Advisory Group (SAG) in a timely manner, this being the same process for any event organiser in West Lindsey, and would ensure the operator would receive and implement recommendations from the SAG ahead of the event taking place.

A wider review of the Rules and Regulations had also been undertaken, therefore bringing them fully up to date with current working practices. It was explained that the Member Markets Working Group had considered the new Rules and Regulations and recommended to the Prosperous Communities Committee the approval of the amended Rules and Regulations, and for minor changes to be delegated to the Director of Commercial and Operational Services following consultation with the Chairman of Prosperous Communities Committee.

The Chairman thanked Officers for their work and highlighted an exciting time for the prospects of the markets. Members of the Committee echoed the positive approach and the incentives for small businesses to be involved.

Having been proposed, seconded and voted upon it was unanimously

RESOLVED that

- a) the refreshed Gainsborough Market Trader Rules and Regulations (as at Appendix 1 of the report) be approved; and
- b) minor changes to the Rules and Regulations be delegated to the Director of Commercial and Operational Services following consultation with the Chairman of Prosperous Communities Committee.

59 WORKPLAN

In response to a query regarding the timeliness of business coming forward to the Committee following a Motion to Council, it was confirmed that timescales had been discussed and agreed with the Councillor involved, with the delay being in relation to their availability to attend the meeting of the Committee.

With no further questions or comments, the work plan was **DULY NOTED**.

The meeting concluded at 7.37 pm.

Chairman