

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 21 March 2024 commencing at 6.30 pm.

Present: Councillor Trevor Young (Chairman)
Councillor Mrs Lesley Rollings (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Frazer Brown
Councillor Ian Fleetwood
Councillor Roger Patterson
Councillor Tom Smith
Councillor Mrs Mandy Snee
Councillor Lynda Mullally
Councillor Moira Westley

Also Present: Councillor Paul Key

In Attendance:

Ian Knowles	Chief Executive
Emma Foy	Director of Corporate Services and Section 151
Ady Selby	Director - Operational & Commercial Services
Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Ian Knowles	Chief Executive
Emma Foy	Director of Corporate Services and Section 151
Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Ady Selby	Director - Operational & Commercial Services
Lisa Langdon	Assistant Director People and Democratic (Monitoring Officer)
Ele Snow	Senior Democratic and Civic Officer
Maisie McInnes	Democratic and Civic Officer

Apologies: Councillor Stephen Bunney
Councillor Paul Swift

Membership: Councillor M. Westley was appointed as substitute for Councillor S. Bunney for this meeting.
Councillor L. Mullally was appointed as substitute for Councillor P. Swift for this meeting.

112 ANNOUNCEMENT FROM CHAIRMAN REGARDING URGENT ITEM OF BUSINESS

The Chairman stated that arrangements for handling urgent business at committee or sub-

committee meetings were governed by statute, which required the Chairman's approval before an urgent item could be considered, and for the reason for the urgency to be recorded in the minutes.

He explained the item was the recommendation from the Prosperous Communities Committee on 19 March 2024 regarding the Healthy Homes Project, and it would be heard for consideration as the first of the public reports this evening. At the time of publishing the meeting agenda it was not known that a decision would yet be required for this item of business and it was expected that a report would be presented to this Committee at a later date. However, a decision was required earlier than anticipated and it was requested to be an urgent item in order to expedite the decision required and to maximise transparency of decision making rather than the Head of Paid Service taking a delegated decision. This matter would need to be determined before 29 March 2024. The Chairman stated his agreement with this request.

113 PUBLIC PARTICIPATION PERIOD

There was no public participation.

114 MINUTES OF PREVIOUS MEETING/S

Having been moved and seconded it was

RESOLVED that the Minutes of the Meeting of the Corporate Policy and Resources Committee held on 8 February 2024 be confirmed and signed as a correct record.

115 DECLARATIONS OF INTEREST

Councillor T. Smith declared a disclosable pecuniary interest in relation to agenda item 6a, Establishment of the District Joint Committee for Devolution Purposes, as he was a Councillor for Lincolnshire County Council.

116 MATTERS ARISING SCHEDULE

The Senior Democratic Services Officer introduced the Matters Arising Schedule and highlighted the action relating to signage on the new enforcement vehicle.

With no comments or questions, the Matters Arising Schedule, setting out the position of previously agreed actions as at 13 March 2024, was **NOTED**.

117 URGENT ITEM: RECOMMENDATION FROM PROSPEROUS COMMUNITIES COMMITTEE ON 19 MARCH 2024: HEALTHY HOMES PROJECT

The Director of Corporate Services and Section 151 Officer introduced the urgent item and explained that Members were being asked to provide approval to Officers to complete the

Memorandum of Understanding to take part in the Healthy Homes Project. Due to the funding required being more than £50K, the Corporate Policy and Resources Committee were required to provide approval for the grant application via the memorandum of understanding. If Members were minded to approve the project, the Director of Corporate Services could sign the Memorandum of Understanding and submit the application to take part in the project. Further details and a breakdown of expenditure had been sent to Members. The Department for Housing and Levelling Up Communities (DHLUC) had suggested a spending profile for the money which provided spend to be allocated towards materials and other related costs.

Members discussed the importance of approving and submitting the application as swiftly as possible. Members questioned the transfer of the grant monies and asked for clarification on the definition of exceptional circumstances. The Director of Corporate Services and Section 151 Officer explained that there were no foreseeable changes in circumstances, and the scheme was for the 2024/25 period.

Having been proposed and seconded, it was unanimously

RESOLVED that the recommendation made by the Prosperous Communities Committee on 19 March 2024, that the Council commit to seeking the required grant funding from the Government for the Healthy Homes Project, be approved.

118 ESTABLISHMENT OF THE DISTRICT JOINT COMMITTEE FOR DEVOLUTION PURPOSES

The Assistant Director for People and Democratic Services and Monitoring Officer presented the update and explained that in preparation for devolution, there were three constituent authorities leading on the devolution work and the creation of the Mayoral Combined County Authority (MCCA) for Lincolnshire, those being Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council. The District Joint Committee would provide a forum for District Councils to be represented, and the purpose of the joint committee would be to establish governance arrangements and other joint working and decision-making in preparation for devolution. Members were asked to note the work undertaken to date, and were advised that a report would proceed to full Council seeking authority for West Lindsey District Council to enter into the Joint Committee of the Lincolnshire districts.

Councillors I. Fleetwood and M. Boles made declarations of interest in relation to their roles as County Councillors, however both stated they had not been involved in the decision making process regarding the MCCA.

Members were happy that the districts would be represented in the forum and felt it was important that the needs of West Lindsey were considered. Members questioned the cost implications of setting up and running the District Joint Committee, and the time and travel allowances for attending meetings.

The Chief Executive stated that cost would be determined when the Memorandum of Understanding (MOU) was established for the District Joint Committee. He anticipated that travel allowances and other expenses would be the responsibility of individual councils to

fund. Once the MCCA was established, there would be other boards created in relation to Governance and Audit, Transport, Overview and Scrutiny and so on. There would be 12-15 Elected Member Representatives that would sit on each of these and would provide opportunity for involvement and engagement. The MOU would set out the terms of engagement and the commitment of all of the authorities involved.

The Chair thanked Officers and emphasised the importance of the process and opportunity for joint working across districts and encouraged Members to be actively involved in the District Joint Committee.

With no further requests to speak, and with no requirement for a vote, the report was **DULY NOTED**.

119 COMMITTEE WORK PLAN

The Senior Democratic Services Officer introduced the Committee Work Plan and explained the report was for noting, and that the item relating to Private Rented Sector Commitment scheduled for a later meeting had been considered already as the urgent item of business following recommendation from Prosperous Communities Committee.

With no comments or questions, the Committee Work Plan was **DULY NOTED**.

120 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 ground that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act.

Note: The meeting entered closed session at 6.52pm

121 COMMERCIAL OPPORTUNITY UPDATE

Members received a progress update from the Director of Commercial and Operational Services relating to a commercial opportunity for the Council, previously presented to, and approved by, the Corporate Policy and Resources Committee in October 2023.

Members enquired as to the specifics of the report and it was explained that work was ongoing, however a further report would be brought to the Committee for final approval of the Council's continuing involvement.

With no requirement for a vote, the progress update was **DULY NOTED**.

122 COMMERCIAL WASTE ANNUAL BUSINESS PLAN

The Director of Commercial and Operational Services presented the report which

considered the Commercial Waste service delivery over the next two years. Members expressed their support for the continued delivery of the service and thanked Officers for the work undertaken, particularly with small businesses.

Having been proposed and seconded, and with no further requests to speak, the Chairman took the vote, and it was unanimously

RESOLVED that the 2024-26 Commercial Waste Business Plan be approved.

123 SURESTAFF ANNUAL BUSINESS PLAN

The Director of Commercial and Operational Services presented the Surestaff Annual Business Plan to Members.

Having been proposed and seconded, and with no requests to speak, the Chairman took the vote, and it was unanimously

RESOLVED that the Surestaff Business Plan 2024-26 be approved.

124 RAF SCAMPTON: UPDATE ON PROCEEDINGS AND ADVICE TO MEMBERS

Members gave consideration to a report detailing the update on legal proceedings and subsequent advice regarding the site of former RAF Scampton. The Chairman provided the Committee with a summary of conversations with had taken place that morning with Government Ministers, West Lindsey District Council and Sir Edward Leigh, MP.

Officers summarised the financial implications within the report, explaining they were based on a worst case scenario, but ongoing negotiations with the Home Office would have an impact on those implications. The recommendations within the report were also explained, with Members asked to specifically give attention to recommendation three, regarding the negotiations with the Home Office.

Members heard from the Monitoring Officer who highlighted the sensitive and complex legalities surrounding the various challenges and themes regarding Scampton. She noted that the Council continued to seek specialist legal advice through barristers and the Lincolnshire legal service. Members were reminded of the confidential nature of what was outlined in the report.

She further stated that, in light of the exceptional situation Scampton presented, the implications section of the report highlighted the constitutional provisions that were relevant and in particular the delegations to Officers. She brought attention to the Chief Executive's delegations in this circumstance, which provided for him to do what was necessary to settle any legal proceedings and also to take any such action that he considered necessary to protect the interests of West Lindsey District Council, through whatever means appropriate. Members were directed to the short update of the ongoing legal proceedings provided at Appendix 1.

The Chairman thanked Officers and reiterated that the meeting that morning had been

positive. He thanked the Chief Executive and Director – Planning, Regeneration and Communities for having manoeuvred the Council into a strong position and again acknowledged their good work.

During the course of debate, Members of the Committee requested specific information regarding the progress of matters at the site, details of which were provided by Officers. In supporting the work that had been undertaken, Councillor I. Fleetwood, as Leader of the Opposition, also noted that the flow of information to Councillors had been limited. It was acknowledged that there were fast-paced changes to circumstances, however, in order to ensure full communication with Councillors, he proposed an amendment to recommendation three, to include “in consultation with the Leader **and** the Leader of the Opposition”.

The Chairman highlighted that the approval sought within recommendation three was not suggested to be in consultation with any Councillor and he, as Leader of the Council, was content for the Head of Paid Service (Chief Executive) to undertake such negotiations with the Home Office as was necessary, without the need to consult with the Leader, or other Councillors. He also stated his support for the Head of Paid Service to act as he saw fit with regard to potential amendments to the parameters of negotiations (as detailed in the report).

The Monitoring Officer reiterated the delegations detailed within the Constitution, and highlighted that changes to such delegations were not within the remit of the Committee. In order to address the concerns raised regarding flow of communications to Councillors, she suggested that structured briefings for all Councillors could be scheduled to ensure information was available in a timely manner. The Director- Planning, Regeneration and Communities explained that the pace of change between the publishing of the report and the meeting taking place had been exceptional, with additional information becoming available even within the duration of the meeting.

The suggestion for a series of briefings to be scheduled and open to all Councillors, was welcomed and supported, in light of which, Councillor I. Fleetwood withdrew his proposal to amend recommendation three.

Chairman, Vice-Chairman and Committee Members repeated their thanks and appreciation to all Officers involved in the ongoing work, and stressed the importance of such work to the whole district.

Having been proposed and seconded, on taking the vote it was unanimously

RESOLVED that

- a) the update and risks provided by the Director of Planning, Regeneration and Communities and the Assistant Director of People and Democratic Services in Section One of the report in relation to Legal Proceedings at RAF Scampton be **noted**; and
- b) the costs incurred to date and further litigation cost risk provided in Section Two of the report be **noted**; and
- c) the Corporate Policy and Resources Committee **approve** the Head of Paid Service to negotiate with the Home Office (if the opportunity should arise)

to explore the possibility to take control of the site by negotiation within the parameters set out in Section 3.9 of the report to enable the delivery of the procured Heritage, Skills and Regeneration Scheme approved by this Committee on 15 December 2023, and **approve** the Head of Paid Service to make any minor amendments to the parameters in section 3.9 if required; and

- d) the development agreement required to deliver Recommendation Three be funded from the Investment and Growth Reserve up to a cost of £209,800; and
- e) the Corporate Policy and Resources Committee **note** that the Judicial Review proceedings in respect of the December 2023 Environmental Impact Assessment Screening Direction ('December Screening Direction') may be withdrawn in accordance with external legal advice and that all efforts shall be made to recover costs wherever possible.

The meeting concluded at 7.57 pm.

Chairman