

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 29 October 2024 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 Christopher Darcel
Councillor Peter Morris
Councillor Roger Patterson

Also Present: Councillor Paul Key

In Attendance:

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Nova Roberts	Director of Change Management, ICT & Regulatory Services
Russell Clarkson	Development Management Team Manager
Grant White	Communities Manager
Andy Gray	Housing & Environmental Enforcement Manager
Katy Allen	Corporate Governance Officer
Robert Gilliot	Operational Services Manager
Peter Davy	Financial Services Manager (Deputy Section 151 Officer)
Ele Snow	Senior Democratic and Civic Officer

Apologies: Councillor Paul Lee

22 PUBLIC PARTICIPATION

There was no public participation.

23 MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Meeting of the Prosperous Communities Committee held on 9 July 2024 be confirmed and signed as a correct record.

24 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest.

25 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 21 October 2024, was **DULY NOTED**.

26 TILLBRIDGE SOLAR - LOCAL IMPACT REPORT (LIR)

The Committee heard from the Development Management Team Manager regarding the Local Impact Report (LIR) prepared for the Tillbridge Solar Project Development Consent Order (DCO) examination. It was explained that the 500MW Tillbridge Solar Project, proposed by Tillbridge Solar Ltd, qualified as a Nationally Significant Infrastructure Project (NSIP). It therefore fell to be determined by the Government under the provisions of the Planning Act 2008 (PA2008). It was one of five solar NSIP projects that were proposed within the District. Nationally Significant Infrastructure Projects were examined by the Planning Inspectorate, a Government Agency. The Examining Authority (ExA) would make recommendations to the relevant Secretary of State who would then determine the application as to whether to grant a Development Consent Order (DCO). However, host authorities were expected to have an important role to play in the PA2008 process and to participate in the examination process. Members heard that the examination commenced on 15 October 2024 and would run until 15 April 2025. The Secretary of State would be due to have determined the application within 6 months of the examination closing, that being 15 October 2025.

It was explained that as part of the examination process, West Lindsey District Council had been invited to submit a Local Impact Report (LIR). A LIR 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)). 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. It was recommended that the draft LIR appended to the report be reviewed, and responsibility be delegated to the Director of Planning, Regeneration and Communities in consultation with the Chairman of the Prosperous Communities Committee, to complete and submit the final Local Impact Report to the Tillbridge solar examination, having incorporated the feedback of the Committee. Members heard that the deadline for submission had been confirmed as 6 November 2024.

Members of the Committee expressed their thanks for the work undertaken, recognising the importance of the Council submitting the LIR. Members raised concerns regarding the battery storage, citing incidents of fire breaking out on sites in other countries which had proven highly difficult to extinguish. It was explained that this proposal differed from others in that the battery storage was planned to be smaller areas per each set of panels, as opposed to the single large storage area proposed on other sites. It was acknowledged that fire safety

was a consideration, with developers expected to follow National Fire Council advice.

A Member of the Committee voiced his concerns regarding the cumulative impact of multiple NSIPs underway in the county. This was not only regarding the present day impact, but also the longer term effect of losing so much active farmland. Additionally, it was enquired as to what the flood risk impact would be, having such swathes of land no longer farmed but used for solar power. Other Members of the Committee expressed their agreement with these concerns, with the Officer confirming the cumulative impact was a focus of both the LIR and Written Representations. With regard to flood risk, it was explained that it was an area of assessment within the application process, with the risk for this particular site being assessed as 'not significant', however it did need to be taken into consideration.

Members further voiced concerns that there appeared to be limited long-term impact assessments, noting the proposed timeframe of 60 years, with questions raised as to why there had been no obvious modelling or investigations as to the effect of these sites over such a period of time.

With Members in agreement with the concerns raised, and praising the work undertaken by Officers to complete the LIR, the Chairman read aloud the recommendations contained within the report. Having been proposed, seconded, and voted upon, it was unanimously

RESOLVED that

- a) the invitation to submit a Local Impact report (LIR) to be made on the Tillbridge Solar DCO examination be accepted and the submission of the same be approved; and
- b) the draft Local Impact report (LIR) prepared for the Tillbridge Solar 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 LIR to the Examination, having taken into consideration the Committee's comments.

27 TILLBRIDGE SOLAR - WRITTEN REPRESENTATIONS (WR)

Members heard again from the Development Management Team Manager regarding the submission of Written Representations prepared for the Tillbridge Solar Project Development Consent Order (DCO) examination. Further to the details provided for the previous item, it was highlighted that as part of the examination process, interested parties, including the host authorities, were invited to submit a written representation (WR) to clarify their views on the application that were included in their relevant representation. The examination timetable showed that written representations were to be submitted by 14 November 2024, and it was recommended that the Council did submit written representations. In anticipation, the draft WR had been prepared and was appended to the report. It was recommended that responsibility be delegated to the Director of Planning, Regeneration and Communities, in consultation with the Chairman of the Prosperous Communities Committee, to complete and submit the final written representations to the Tillbridge solar examination, having incorporated the feedback of the Committee.

Members of the Committee again thanked Officers for their detailed work on the representations. Several concerns were raised regarding the NSIP, including the loss of the heritage landscape around Harpswell, the impact of power storage and possible strains on the national grid, and the use of Canadian Solar in light of claims made against the company regarding unethical practices . In response, the Officer confirmed that the heritage landscape was an area of great landscape value, with the risk to that landscape being raised within the report. It was recognised that the developer had amended their original scheme because of the listed buildings and monument in the area. With regard to the use of Canadian Solar, there had been national communications suggesting there were no concerns, however it was recognised this remained a source of discontent. In relation to the access to the national grid, it was confirmed that the Secretary of State would need to be satisfied there was sufficient capacity, including seeking evidence of approved grid connections.

A Member of the Committee highlighted that, if the proposal had not been considered an NSIP, it would be contrary to all local planning policy framework. Not only was it contrary to the Central Lincolnshire Local Plan, but also several Neighbourhood Plans which were enacted within the area in question. The level of opposition to the proposal, and the cumulative effect of this with other NSIPs, would also be taken into account by the Local Planning Authority. The loss of food-producing farmland would be to the detriment of the country, with the Member of the Committee questioning whether such considerations had been looked at by the Secretary of State when approving other applications. Concerns were again voiced regarding the impact on flood risk, as well as the longer-term impact of climate change, with the Officer confirming such NSIPs were assessed for impact on flood risk, climate change and associated implications.

With Members of the Committee reiterating their united opposition to the proposed development, and repeating those concerns regarding the impact on the landscape, the loss of food-production, the environmental worries, as well as flood risk and how to manage an area such as this over the timespan of 60 years, the Chairman summarised the debate and expressed thanks again to the Officers involved.

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

RESOLVED that

- a) the submission of Written Representations (WR) to be made on the Tillbridge Solar DCO examination be agreed; and
- b) the draft Written Representations (WR) prepared for the Tillbridge Solar 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.

28 SPORT & PHYSICAL ACTIVITY STRATEGY TASK AND FINISH GROUP

Members gave consideration to a report presented by the Communities Manager, seeking to establish a task and finish group, with associated Terms of Reference, to oversee and direct the development of a new Sport & Physical Activity Strategy for West Lindsey. It was explained that the Council did not currently have strategy focussed on this area of delivery. The development of a Sport & Physical Activity Strategy would set out how the Council would play an important role in supporting the development of sport and physical activity provision across the district. It was highlighted that a collaborative approach to the development of the strategy would enable consensus direction at key decision points to inform and shape the strategy for final committee approval. Approval was therefore sought for the establishment of a task and finish group.

Members enquired as to the anticipated timescale for the work to be undertaken, with the Officer explaining it was expected to be around a year for the draft strategy to be developed. It was highlighted that one of the first tasks for the group would be to agree specifics, including the timeframe and associated milestones to achieve.

The Chairman proposed an amendment to recommendation three contained within the report, that being for the number of members of the group to be increased to six, rather than five, and for Group Leaders to be invited to put forward representatives, in order for the group to be made up of those Councillors who had a passion for the specific area of work. It was explained that, for expedience of confirming group membership, the Committee could delegate authority to the Director of Planning, Regeneration and Communities, in consultation with the Chairman, with a view to having the membership confirmed within 14 days. Having been seconded and voted upon, it was

RESOLVED that recommendation three within the report be amended to read:

“Membership of the Sport and Physical Activity Task and Finish Group, to comprise of six cross-party and cross-district Member representatives, be delegated to the Director of Planning, Regenerations and Communities, in consultation with the Chairman of the Prosperous Communities Committee, and to be confirmed within 14 days.”

A Member enquired as to the reporting of non-attendance at meetings of the task and finish group. It was explained this was a standard approach for all task and finish groups and working groups, in order to ensure there was continuity of Member engagement, and recognising that circumstances for individuals may change meaning they could no longer be involved in such groups. It was confirmed that Members could arrange substitutes to attend on their behalf, and other Members would be able to attend should they wish, in much the same way as Visiting Members at a Committee meeting.

With no further comments, the recommendations, including the amended recommendation three, were duly proposed, seconded, and voted upon, and it was

RESOLVED that

- a) a task and finish group (Sport & Physical Activity Task and Finish Group,

SPATFG) to support the collaborative development of the new Sport & Physical Activity Strategy be established; and

- b) the draft terms of reference (Appendix 1 of the report) for the Task and Finish Group, including the amendment to the appointment of members to the SPATFG, be adopted; and
- c) Membership of the Sport and Physical Activity Task and Finish Group, to comprise of six cross-party and cross-district Member representatives, be delegated to the Director of Planning, Regenerations and Communities, in consultation with the Chairman of the Prosperous Communities Committee, and to be confirmed within 14 days.

29 REVIEW OF LITTER AND FLY-TIPPING FIXED PENALTY NOTICE CHARGES

The Committee heard from the Housing & Environmental Enforcement Manager regarding the current Fixed Penalty Notice (FPN) amounts for littering, fly-tipping and household waste duty of care. It was explained that the Council revised its FPN amounts in September 2023 when provision was made by Government to increase these for littering, graffiti and fly-tipping offences. Since the introduction of the revised FPN amounts, a legal opinion had been provided by the Council's instructed legal services, suggesting that littering FPN of £500 was not proportionate, nor in the public interest to recover if there was non-payment. Alongside this, it was also advised that the £1,000 FPN amount for fly-tipping should not be applied to all fly-tips, but should be determined based on the type of fly-tip that had occurred.

Members heard that non-payment of any FPN was dealt with by the court, and was likely to result in a fine that was lower than the issued FPN if it remained at the current amount. This meant that the prosecuting of any non-payment would be at a significant cost to the Council and was likely to result in only a small amount of costs being recovered. In the current cost of living climate, it was felt prudent to revisit the FPN amounts, particularly for littering. The report for consideration sought to put in place a more proportionate amount for fixed penalty notices for littering and graffiti, and to introduce a tariff type system for fly-tipping offences.

Members recognised the need for a proportionate approach, accepting that whilst the FPN was hoped to be a deterrent, it did need to be enforceable when issued. Members enquired as to the success rate of FPNs in other areas. It was explained that this data was not routinely gathered or shared however Officers could make enquiries and feedback responses to the Committee.

With regard to fly-tipping, it was accepted that there was something of a sliding scale of fly-tips, from smaller tips such as a bin bag, to van-loads of rubbish being dumped, often in rural areas. In response to an enquiry regarding catching and identifying those who fly-tipped, it was explained that there was a new link on the council website that allowed members of the public to send images of the site. If there was evidence which could identify the person responsible, enforcement officers would attend prior to the site being cleared. Members enquired as to whether it was possible to have increased signage in those areas known for frequent instances of fly-tipping, both to inform fly-tippers of the penalties they faced and to assist members of the public with how to report an instance of fly-tipping. Officers confirmed this could be arranged and undertook to have signs made up.

Additionally, Members discussed the use of the 'Fix My Street' reporting portal as well as the West Lindsey District Council reporting system, with praise for the ease of use, efficiency of reporting, and speed of Operative response when using the West Lindsey website. It was enquired as to whether there could be comms undertaken in order to remind members of the public of how to report, for example, instances of fly-tipping, as well as highlighting the West Lindsey website.

With no further comments or questions, and having been moved and seconded within the course of the debate, the Chairman took the vote, and it was unanimously

RESOLVED that

- a) fixed penalty notice amounts for littering, graffiti, fly-tipping and household waste duty of care be determined and agreed; and
- b) for littering and graffiti FPNs a £250 charge for a single item, with an early payment of £75, along with a £350 charge for a larger item/s with an early payment of £150 be agreed; and
- c) for fly-tipping FPNs, the matrix set out in section 6 of the report be adopted with a fee range from £1000 to £250 agreed; and
- d) for household waste duty of care FPNs, the matrix set out in section 7 of the report be adopted with a fee range of £600 to £250 agreed; and
- e) the agreed amounts be included in the quarter two monitoring report and **RECOMMENDED** for approval to the Corporate Policy and Resources Committee in November 2024.

30 GARDEN WASTE CONSULTATION AND BUSINESS PLAN

The Committee heard from the Corporate Governance Officer and the Operational Services Manager, presenting the results from the Garden Waste Consultation and the proposed business plan for 2025/26. It was explained that in December 2017, the Prosperous Communities Committee had resolved to introduce a subscription-based garden waste collection service. This service had grown year on year, and in July 2024, the Committee had agreed to undertake a consultation to discover the views of the service from residents. This consultation took place between mid-July and early September, with the full results provided to the Committee in appendix one of the report.

It was summarised that 7352 residents had taken part in the consultation, with 555 of those being non-subscribers to the service. The main reason for non-subscription was highlighted as the cost. For those who did subscribe, 77% believed the service was value for money, 92% were satisfied with the service they received, 66% wanted to continue with 18 collections, and 72% were happy with the current payment method.

Members were advised that several options to amend the service had been put forward for consideration, however, based on the outcome of the consultation, and maintaining the

approach of 'cost-recovery', it was recommended that the service be continued with the existing number of collections (that being 18), and a cost increase of £2 per bin to £46, to be able to achieve full cost recovery for the service. It was explained that Officers were also looking at several different options for promoting home composting that could be advertised via the website, to support those who may wish to take up home composting as an alternative or alongside the garden waste service.

Members of the Committee expressed their thanks for the work undertaken and praised those who had been involved with the consultation process. Given the thoroughness of the work, it was felt that the right outcome had been recommended. Therefore, it was proposed that option two, the same number of collections with a price increase related to cost recovery, be the preferred option.

With further praise to those involved, and having been seconded, and voted upon, it was unanimously

RESOLVED that

- a) the consultation results had been reviewed in line with the garden waste business plan for 2025/26; and
- b) the preferred option of 18 collections at a cost of £46 per bin be **RECOMMENDED** to the Corporate Policy and Resources Committee for approval.

31 SIDE WASTE PILOT

The Committee gave consideration to a report presented by the Operational Services Manager, seeking to provide an update on the implications and options of running a trial side waste pilot scheme covering approximately 1,300 properties for a period of 26 weeks. It was explained that as part of the preparation for the report, operational services crews were asked to log every piece of side waste presented over a 4-week period of which there were 172 reports (none of which were reported to the council by the resident, therefore not collected). For over 200,000 collections in that period, the figures represented that only a minority of households presented occasionally and adhered to Council policies.

It was highlighted that the collection of side waste not only contradicted national legislation and upcoming statutory guidance from the government, but also had serious financial impacts on West Lindsey District Council and Lincolnshire County Council in the collection and disposal of the waste and would in turn increase both councils' carbon footprint.

The additional cost for this service, if it was to be trialled and then implemented, had been estimated at £11,500 for West Lindsey District Council and £17,500 for Lincolnshire County Council, with an additional £220,000 for the purchase of a vehicle, £170,000 per annum running costs and £700,000 for Lincolnshire County Council.

Based on the evidence presented in the paper, it was recommended that the Council continued to operate under its existing Policy 11: Collection of Side Waste (Refuse) and did not proceed with a trial side waste collection scheme. Alongside this approach, Waste

Operatives would continue working closely with the enforcement team to educate those who were frequently putting out additional materials.

The Chairman invited Visiting Member Councillor P. Key to address the Committee, as the paper had been prepared for the meeting following Councillor Key's Motion to Full Council. He thanked the Chairman and Committee for their consideration, however expressed his disappointment with the approach recommended within the paper. He stated his belief that the existing vehicles did not run at capacity, and therefore there was opportunity to run a trial period of collecting side waste. In response, the Officer reiterated the financial and environmental implications, highlighting that the collection of side waste would be contrary to the waste hierarchy and upcoming legislation.

The Chairman thanked the Officer for the due diligence undertaken in preparing the report and responding to the concerns raised in the original Motion. Members of the Committee recognised the potential impact of implementing either a trial period or a change of policy, with it highlighted that the focus across the county was for less waste overall to be presented. Reference was made to the upcoming introduction of separate food waste collections, with the Committee noting the priority needed to be, not just on presenting less waste, but also ensuring as much of that waste was recycled or directed away from general rubbish.

In response to an enquiry regarding educating residents and how District Councillors could be of assistance, it was explained that Waste Operatives and Enforcement Officers worked together to identify and communicate with those residents for whom it was a persistent issue. There were leaflets which District Councillors could be provided with to help communicate with their residents and the Council often ran media campaigns, for example 'Right Thing, Right Bin'.

With repeated thanks to the Officer, and having been moved and seconded, the Chairman took the vote, and it was

RESOLVED that

- a) a side waste pilot collection scheme would not be trialled; and
- b) Policy 11: Presentation of Side Waste (Refuse) be kept under review in line with the scheduled review timetable for the Council's Operational Waste Policy documents (currently conducted biennially) and;
- c) Operational Services to work closely with the Enforcement Team in identifying repeat offenders with side waste issues, and through education and then enforcement (if no other options are available), to reduce any incidents of this type.

32 PROPOSED FEES AND CHARGES 2025/2026

The Committee gave consideration to the final report of the evening, presented by the Financial Services Manager (Deputy S151). It was explained that the report detailed the proposed fees and charges to be implemented from 1 April 2025, for services within the

Prosperous Communities Committee, and the budget implications which reflected both the impact of proposed amendments to fees, and the forecast demand for each service. Schedules were provided at Appendices A and B to the report.

Members heard that statutory fees accounted for 41% of the fees listed, the most significant in budgetary terms being planning application fees. Guidance issued by the Government indicated that 2025/26 planning fees would be increased in line with the CPI rate as of September, which was 1.7%. The income budget for this service area already included a 2.5% inflationary increase from 2025/26, therefore the impact on the MTFP was a reduction of £11.5k on the income budget. Officers were currently waiting for the Government to release the fee schedule for next year and would report to Members once it was released.

In relation to those fees which were able to be set locally, where inflation had been applied this was at the rate of 3.5%. This reflected the impact of the pay award on service provision, with employee costs and officer time being the main cost driver for most of the proposed fees. Where no increase was proposed, this was to ensure that the Council maintained or increased market share whilst remaining comparable to benchmarking data.

It was explained that the report included the proposed uplift in the garden waste service fee to £46, which increased the total impact on the MTFP from 2025/26 to an increase in income of £48.8k, rising to £63.1k in 2029/30.

There were two new non-statutory fees proposed, the first being an application check for Validation, under the planning Pre-App Advice schedule. This was an optional service to check that planning applications were valid prior to submission. The second new non-statutory fee fell under Planning Policy and was a S106 Monitoring fee to recover the cost of monitoring s106 agreements from the relevant parties.

Members were asked to recommend the proposed fees to the Corporate Policy and Resources Committee for approval, and for inclusion within the 2025/2026 revenue budget.

Members of the Committee recognised that the meeting was taking place ahead of the scheduled Budget Announcement from Government the following day, and enquired as to how those announcements may impact the contents of the report. Additionally, it was requested that the more substantial changes be highlighted within the report, and that nationally agreed targets also be clearly marked. In response, it was acknowledged that the Budget would provide greater context for the Council as to some of the anticipated pressures. There was a Member briefing scheduled following the Budget, however Officers would amend information as necessarily following the announcements.

There was further discussion regarding the importance of reserve funds, and how these may be strengthened or prioritised, as well as areas of concern which may require greater focus in the future. The Committee expressed their thanks to the Officers involved, recognising the good financial stability of the Council and the work undertaken to maintain that.

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

RESOLVED that the proposed fees and charges for 2025/2026 had been considered, as detailed, and they be **RECOMMENDED** to the Corporate Policy and Resources Committee for approval and inclusion within the 2025/2026 Revenue Budget.

33 WORKPLAN

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

The meeting concluded at 8.19 pm.

Chairman