



CITY OF
Lincoln
COUNCIL

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TO ALL COUNCIL MEMBERS

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COUNCIL - TUESDAY, 5 DECEMBER 2017

Further to the previously issued agenda for the Council meeting of Tuesday, 5 December 2017, please find attached the following additional papers.

6 (c) Amendment to Minimum Revenue Provision Policy (Pages 3 - 4)

Attached is an extract from the draft minutes of the meeting of the Executive held on 27 November 2017.

6 (d) Procurement Policies (Pages 5 - 6)

Attached is an extract from the draft minutes of the meeting of the Executive held on 27 November 2017.

6 (e) Brownfield Land Register (Pages 7 - 8)

Attached is an extract from the draft minutes of the meeting of the Executive held on 27 November 2017.

8. Proposed amendments to the Constitution

In addition to the amendments proposed in the original report, Council is requested to approve the following further amendments to the Constitution:

The following functions be added to those under the responsibility of the Assistant Director (Health & Environmental Services):

- 1) The Energy Act 2011.
- 2) Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

The function '*to waive any unpaid Fixed Penalty Notices and Penalty Charge Notices issued under the Road Traffic Act*' be transferred from the Assistant Director (Health & Environmental Services) to the Assistant Director (Communities & Street Scene).

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EXTRACT FROM DRAFT MINUTES OF EXECUTIVE – 27 NOVEMBER 2017

TREASURY MANAGEMENT AND PRUDENTIAL CODE UPDATE REPORT

Purpose of Report

To provide the Executive with an update on the Council's treasury management activity and the actual prudential indicators for the period 1 April 2017 to 30 September 2017 in accordance with the requirements of the Prudential Code.

Decision

That the Executive:

- (1) Notes the Prudential and Local Indicators and actual performance against the Treasury Management Strategy 2017/18 for the half-year ended 30 September 2017.
- (2) Supports the change to the Minimum Revenue Provision Policy and recommends this to Council for approval.

Alternative Options Considered and Rejected

None.

Reason for Decision

It was noted that the Council held £20.4 million of investments at 30 September 2017, with its investment profile outlined in Appendix A to the report.

As of 30 September 2017 the Council held £75.354 million of external borrowing, of which 100% was fixed rate loans. For the six months ended 30 September 2017, the Council achieved an average rate of 4.15% on its external borrowing, which was slightly lower than the budgeted rate set in the Medium Term Financial Strategy.

Further information relating to Prudential Indicators, particularly in respect of capital expenditure, financing of the capital programme, the capital financing requirement and external debt and limits to borrowing activity were set out in paragraphs 4.1 to 4.6 of the report.

The report also provided information on the Treasury Management Strategy 2017/18 to 2019/20 in relation to an economic update, borrowing activity, the Investment Strategy 2017/18 to 2019/20 and risk benchmarking as outlined in paragraphs 5.1 to 5.4.2 of the report.

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EXTRACT FROM DRAFT MINUTES OF EXECUTIVE – 27 NOVEMBER 2017

PROCUREMENT POLICIES

Purpose of Report

To update the Executive on proposed changes to the Council's internal procurement policies following an internal review of the current provision.

Decision

That the proposed procurement policies be recommended to Council for approval and inclusion within the Council's Constitution.

Alternative Options Considered and Rejected

None.

Reason for Decision

Further to the decision to withdraw from the shared service arrangement under Procurement Lincolnshire, there was a need to ensure that the Council had a robust procurement service in place. A comprehensive review had therefore been undertaken to ensure that the service and its underpinning policies and strategies met the needs of both the Council and those who the Council wished to do business with.

The following policies and strategies were therefore developed which, alongside the Council's Contract Procedure Rules, would enable all parties to have a clear and transparent understanding of what was required of them:

- Procurement Protocol;
- Delivering Social Value Through Procurement;
- How To Do Business With City of Lincoln Council;
- Local Purchasing Strategy.

Each of these documents was appended to the report.

It was agreed that, subject to formal adoption by the Council, a publicity campaign should be undertaken via the Council's Communications Team in order that they were promoted as much as possible.

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EXTRACT FROM DRAFT MINUTES OF EXECUTIVE – 27 NOVEMBER 2017

BROWNFIELD LAND REGISTER

Purpose of Report

To provide the Executive with an overview of the new requirements of the Town and Country Planning (Brownfield Land Register) Regulations 2017 and set out how the Council's Planning Team would implement the Brownfield Land Register.

The report also advised the Executive that the Council be recommended to amend the Constitution to include decision making associated with its forthcoming Brownfield Land Register.

Decision

That the Executive:

- (1) Notes the report on the new requirements of the Town and Country Planning (Brownfield Land Register) Regulations 2017.
- (2) Notes how the Council's Planning Team will implement the Brownfield Land Register.
- (3) Recommends that the Council amends the Constitution to include decision making associated with its forthcoming Brownfield Land Register.

Alternative Options Considered and Rejected

To not prepare a Brownfield Land Register would put the Council in breach of the legal requirements contained within the 2017 Brownfield Land Register Regulations.

Reasons for Decision

The Town and Country Planning (Brownfield Land Register) Regulations 2017 came into force which introduced a requirement on Local Planning Authorities to publish and maintain a Brownfield Land Register. Brownfield land referred to land which had previously been developed and was or had been occupied by a permanent structure.

There was a legal requirement for all Local Authorities to comply with the deadline for publication of the register by 31 December 2017 and the Department for Communities and Local Government had published a prescribed format that all Local Authorities must use to publish their data.

Part 1 of the Brownfield Land Register included details of all sites within the Council's area which were categorised as previously developed land irrespective of planning status and which met the following criteria:

- the land must be at least 0.25ha and have capacity to accommodate at least five dwellings;
- the land must be 'suitable' for residential development;
- the land must be 'available' for residential development;
- housing development on the land must be 'achievable'.

The terms 'suitable', 'available' and 'achievable' were defined in Regulation 4 of the Brownfield Land Register Regulations.

Implementation of Part 1 of the Brownfield Land Register would be carried out by the Principal Planning Officer with support from the Departmental Management Team Leader and Planning Manager. This would comprise of a review of sites that had previously been identified through the Strategic Housing and Economic Land Availability Assessment which formed part of the evidence base in support of the recently adopted Central Lincolnshire Local Plan. A review of other suitable sites had also been undertaken which met the Brownfield Plan definition criteria.

Part 2 of the Brownfield Land Register was effectively a subset of Part 1, which allowed Local Planning Authorities to select sites that they considered to be appropriate to grant permission in principle for housing-led development. This was an additional tool that the Government had created and the Council had to carefully consider whether it was beneficial to use it, and if so where. At this stage it was considered that no sites should be put into Part 2 of the City of Lincoln Council's register. This was due to the focus being on preparing for Part 1 of the register in order to meet the legal deadline. Further consideration would be given to Part 2 of the register as part of the annual review of the Brownfield Land Register in 2018.