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Lincoln
COUNCIL

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**TO ALL PERFORMANCE SCRUTINY
COMMITTEE MEMBERS**

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Date:

PERFORMANCE SCRUTINY COMMITTEE - THURSDAY, 18 JANUARY 2024

Dear Councillor,

Further to the previously issued agenda for the Performance Scrutiny Committee meeting of Thursday, 18 January 2024, please find attached the following additional papers. Please note that the attached replaces the minutes as published previously.

1. Confirmation of Minutes - 7 December 2023 (Pages 3 - 14)

If you require any further information please feel free to contact me using the information provided above.

Yours faithfully,

Democratic Services Officer

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Present: Councillors Gary Hewson (*in the Chair*), Pat Vaughan, Martin Christopher, David Clarkson, Thomas Dyer, Lucinda Preston, Joshua Wells and Loraine Woolley

Apologies for Absence: Councillor Rachel Storer

Also in Attendance: Councillor Bob Bushell, Portfolio Holder for Remarkable Place

50. Confirmation of Minutes - 16 November 2023

RESOLVED that the minutes of the meeting held on 16 November 2023 be confirmed and signed by the Chair.

51. To Receive Minutes of Housing Scrutiny Sub Committee - 2 November 2023

RESOLVED that the minutes of the Housing Scrutiny Sub Committee held on 2 November 2023 be received.

Members suggested that the Lincoln City Profile be presented to future meetings of Performance Scrutiny Sub-Committee. Information from the Lincoln City Profile was relevant when considering performance. Consideration would be given to the use of the information from the profile when Councillor Donald Nannestad, Portfolio Holder for Quality Housing attended Housing Scrutiny Sub-Committee in January 2024.

52. Declarations of Interest

No declarations of interest were received.

53. Portfolio Holder under Scrutiny - Remarkable Place

(Note: Councillor Lucinda Preston joined proceedings at 18:06)

Councillor Bob Bushell, Portfolio Holder for Remarkable Place:

a) presented a report to Performance Scrutiny Committee covering the following main areas:

- Parks and Open Spaces – General
- The Arboretum
- Boultham Park
- Hartsholme Country Park/ Swanholme Lakes and the Camp Site
- Commons
- Hope Wood
- Allotments
- Equipped Play Areas
- John Dawber Gardens
- Events and Activities
- Education

- Volunteering
- Arboriculture
- Travellers
- Local Landscapes, Hidden Histories
- Street Scene
- Infrastructure
- Waste/ Recycling
- Street Cleansing
- Graffiti
- Public Toilets
- Community Centre and Recreation Grounds
- Sport and Leisure
- Lincoln 10K
- Crematorium
- Licensing
- Food, Health and Safety
- Local Air Quality Management

b) invited questions and comments from Members of the Committee.

Question: Thanks given for an excellent report. How many green burials had taken place in the city? Was Long Leys Road burial site used for green burials?

Response: The city did not have green burial space and as such, green burials took place outside of the city. The provision of green burial space would be considered in the future.

Question: How many Green Flag Awards had been won in the city?

Response: Three major parks within the city had received a Green Flag Award and it was hoped that Hope Wood would be the next. Inspectors were extremely impressed with the cleanliness, maintenance and management of the parks which were fantastic facilities within the city.

Question: Thanks given to individuals that worked within waste disposal. When would the food waste bins be implemented and would they be separate bins?

Response: Under the Environment Act, food waste was to become a mandatory collection and would commence in April 2026. The new waste collection contract was due to commence in September 2026. Every household would have food waste bins collected weekly from a separate caddy with biodegradable liners. Food waste collections would be built into the contract specification for the successful waste collection contractor.

Question: Would there be an additional collection implemented for food waste or would the collection run alongside existing collections? Had Central Government confirmed any financial assistance with the new statutory obligation?

Response: In respect of paper and card collections, negotiations remained ongoing with Lincolnshire County Council (LCC). Consideration had been given to the dense terraced housing within the city that could not always accommodate two 40 litre bins. Food waste collection was a mandatory service and it was suspected that Government financial assistance would be limited. Food waste collection would be carried out independently of existing waste collections, on a weekly basis with an additional vehicle. Implementation was a significant task.

Question: Would an additional vehicle be required of BIFFA?

Response: Yes. Implementation delayed until 2026 would be helpful as there was an issue with supply of vehicles.

Comment: As we moved towards the arrangement of the budget for the new financial year, it would be useful to be aware if food waste collections would be a national cost to ensure a sustainable budget was set.

Response: Central Government had confirmed that funding would be made available but not the recovery of the full costs. To access funding, the City of Lincoln Council (CoLC) was required to evidence that we were effective and efficient. The mandatory food waste collection was due to begin six months prior to a new waste contract commencing and as such, the Council was placed at a disadvantage. Discussions with Government regarding a delay in implementation remained ongoing.

Comment: Any new organisation that considered a tender for the contract would be fully aware of the requirements. If the new collections were implemented six months prior to the end of the current contract, the procurement of vehicles would be difficult and as such, the contract may move to a different company.

Question: Thanks given for a comprehensive report. Referred to 'Horizon Scanning' on pages 49/50. Regarding the ring-fenced income for parks, how was that money to be generated?

Response: The policy was relatively new and had recently gone through Policy Scrutiny Committee. The policy considered raising monies from individuals that used the parks and remained at the discretion of the Director and relevant Portfolio Holder, acting within a framework. It could be derived from commercial entities and would be tailored to the requirements of the park and those wishing to hire space within it.

Question: Referred to waste collection. Why had the number of green bins risen but the number of tonnes of waste going into bins reduced?

Response: Some households visited local household recycling centres with waste. There were provisions for the continued use of green bins within the Environment Act and the Council continued to encourage their use. There was periods of times throughout the year where green bin usage was lower.

Question: Garden waste remained a chargeable service however all organic waste could be included in the same collection. Was this in relation to garden waste?

Response: Yes.

Question: Referred to cross contamination in relation to mixed dry recycling. Was it possible to identify the areas that frequent cross contamination occurred in? Had consideration been given to the identification of a specific round or day whereby cross contamination occurred?

Response: Operatives were conscious of areas where cross contamination occurred. The targeting of specific areas and residents remained ongoing. Operatives continued to issue red tags and refused to collect contaminated waste. One bin of contaminated waste could contaminate the entire lorry load.

Question: The rate of recycling was poor. Was there evidence available from areas that had implemented paper and cardboard recycling collections, that recycling rates improved?

Response: Contamination was reduced as waste was separated more effectively. Residents in areas with such collections were more careful about which items were placed in respective bins. Food contamination was reduced.

Question: Referred to 'Horizon Scanning' on page 58 of the report. Did the report refer to litter bins within the city? Had consideration been given to the installation of bins with two compartments?

Response: Bins referred to within the report related to Boultham Park. Day to day litter separation was a good idea and further roll out across the city was hoped for in the future. Contamination rates were high as there were a number of residents that did not discriminate what articles were placed in different bins. Subsequent separation of contaminated waste was very expensive. It was hoped that with education, all residents would become conscious of environmental matters.

Question: Referred to 'Recreation Grounds' on page 65 of the report. The University of Lincoln Men's Football used Skellingthorpe Road as their home venue. Was anyone deprived by the University's use of the recreation ground?

Response: The University played on a Wednesday and as such, did not affect weekend leagues which accounted for the majority use. The University had only one green pitch that it owned within the city however work remained ongoing to enable it to develop facilities of its own.

Question: Yarborough Leisure Centre had recently reopened. What were the arrangements between CoLC and Active Nation? Was it possible to recover any monies spent on the repair of the roof?

Response: Under the contract provisions, responsibility for repair to the roof remained with the City Council. Yarborough Leisure Centre had since faced increased costs of energy supply to the premises and these were picked up by Active Nation. The expenditure on the roof was an investment in a worthwhile service provided for residents' use.

Question: Referred to the number of licences that were active at the end of quarter 4 of the financial year 2022-2023 on page 70 of the report. UBER had spread throughout the city but were registered in Wolverhampton. As such, we did not receive licensing fees. Was there anything that could be done to ensure that drivers that operated within the city, were licenced with the CoLC?

Response: We had a relationship whereby information was passed to the CoLC which enabled an awareness of drivers that were licenced elsewhere.

Comment: The area was complex and subject to legal challenge around the world. We continued to liaise at a local and regional level to share information. If there was an issue with a driver, the Council would approach Wolverhampton with information to enable appropriate enforcement. If an UBER driver dropped a passenger off in Lincoln, they were legally permitted to collect a fare and therefore this area remained complex.

Comment: There were a number of UBER drivers that were registered in Wolverhampton but based in Lincoln and as such, they should be licenced in the city.

Comment: If a private hire vehicle was not owned by an individual that lived within a street, it would not qualify them for an application for a residents parking pass.

Response: Consideration would be given to the subject.

Question: Would the proposal to review and revoke air quality management fit into an existing Committee or would there be a new Committee?

Response: The review of air quality management would be presented to Policy Scrutiny Committee.

Comment: Thanks given for an informative report. Despite ongoing financial difficulties experienced by the Council, the report contained considerable innovation. It was positive that consideration had been given to allotments that had not been used well. Open days and the use of volunteers was positive. In respect of prominent trees within the city, sooty bark disease was an issue that necessitated the removal of affected trees.

Question: What officer support would there be for allotments?

Response: There was a part time administration officer that supported allotments however there were other officers who worked to support allotments. There had been innovative work with the Lincoln Horticultural Society which meant allotments were allocated more quickly which reduced the possibility of overgrowth. Fellow allotment holders offered support and guidance to one another. It was hoped that volunteers would be incorporated into the annual show at the Grandstand. If successful, it was hoped to move it to the South of the city. People enjoyed passing over knowledge and experience.

Question: When a diseased tree was removed, how long did it take to replant another?

Response: Quite often, the ratio of tree replantation was more than one for one. Consideration was being given to the plantation of 6000 trees in Hope Wood. The winter season every year was when plantation took place as it was more successful than other times of year.

Comment: There was a lot contained within the report that positively impacted children. The activities ran in the park were fantastic and not too expensive to result in prohibited attendance, and still generated income.

Question: Allotments helped people to remain active, particularly older individuals, and there were links to the encouragement of healthy living. Was it possible for joint allotment tenancies?

Response: Some plots were larger than others. Joint tenancies were permitted in certain circumstances however joint tenancy applications were closely controlled to prevent waiting lists being by-passed.

Question: What was the Council's UBER policy?

Response: The Council did not have a specific UBER policy.

Question: What stopped a Lincoln driver working for UBER? Why were drivers licenced with Wolverhampton?

Response: Wolverhampton Council was significantly less expensive to be licenced with and as such, taxi drivers obtained a licence with the cheapest authority. At present, legislation permitted licensing elsewhere. The issue was emerging and as such, there had not been a policy. Consideration would be given to the creation of a policy.

Comment: There were two layers to taxi licensing; an operator's licence and a taxi drivers' licence. Licenced operators paid an operator's fee and drivers operated underneath that licence with their own vehicle. UBER were not licenced as an operator within the city however drivers were permitted to collect a return fare providing that it was pre-booked. Fees were higher if more drivers drove under an operator's licence which explained why Wolverhampton was the chosen authority to licence with as the cheapest. The relevant licensing policy would be forwarded to Members and consideration would be given to the creation of an UBER policy.

Comment: Online culture had been embraced and any taxi driver in the country could go online and apply. The generation of a profit was not permitted however the number of employees at Wolverhampton Council within the licensing department was high. It created jobs for another authority but placed Lincoln at potential risk. The issue could be brought before the Licensing Committee or Hackney Carriage Private Hire Licensing Sub-Committee for further discussion.

Question: Why was the rolling out of paper waste collection an issue in Lincoln? What was different between Lincoln and central Boston? What timescale was proposed by CoLC to roll the scheme out?

Response: The City Council wanted to learn from other areas to secure the best deal for Lincoln residents. LCC had issued the relevant statutory notice for implementation by the CoLC. A number of properties within the city could not accommodate an additional bin due to the denseness of the area. There would be a significant expense to issue a bin to all households across the city. LCC may generate income through improved recycling and waste collection and as such, it would be positive for the relationship between authorities to reflect that.

Comment: The number of high-rise flats and maisonettes made Lincoln different to neighbouring areas. Any change made to waste collection rounds would change the associated costs. Based on practicalities, it would likely be rolled out slowly. A fixed timescale was unknown.

Question: Tree maintenance within the city was poor. Some trees were in the wrong places. Why were trees maintained to a low standard? Were residents permitted to pay for tree maintenance and return overgrowth to the Council?

Response: The City Council maintained a large number of trees across the city. Some tree maintenance carried out by CoLC was on behalf of LCC, such as trees on the public highway. LCC benefitted from the contract held by CoLC which resulted in best value. If a resident was unhappy with a tree which caused disruption to footpaths and walls, it was often the case that they did not wish for the removal of the tree. If residents requested a radical solution, the views of LCC would be sought on what was deemed to be acceptable. Any action taken by the City Council had to be acceptable to LCC. The legal position permitted cutting

back of overhanging tree branches, to the perimeter of the property and the return of branches however it would not be the best solution. Discussions continued with LCC and a meeting had been requested on a particular street to assess all trees.

Comment: The contractor used for tree maintenance had recruited skilled and trained staff. In respect of tree maintenance, the matter was a policy decision with LCC.

Question: Referred to new bins on page 57 of the report. Were the bins on the High Street rented? What was the cost saving in respect of the bins?

Response: The bins were rented but could be purchased. The bins were compactors and as such, required emptying less often. A trial was underway in conjunction with the contractors and the cost savings would come, if viable. The bins had been strategically placed in areas of the city where collections were a struggle. The bins also offered a cleaner Lincoln.

Question: Would the Council achieve their net zero carbon target by 2030?

Response: Lincoln would achieve the net zero carbon target if funded was received from Central Government.

Question: Thanks given for a well written report. The solar bin in the Cornhill area hadn't worked on one occasion. Was the position of the bin hindered by tall buildings to the southern side? Had there been any experience of solar bins that lost charge and did not work?

Response: The position of the bins formed part of the trial. Consideration of the placement and use of the bins may be altered further to the telemetry. Officers welcomed reports of any issues.

Question: Were the transport bags used by Deliveroo and UBER Eats inspected as part of the protocol for food hygiene? Travel from the restaurant to the home presented a risk of contamination.

Response: Fast food operatives posed the highest risk. Legally, food hygiene regulations covered preparation and food within the curtilage. Mobile operatives were not inspected in the same way a fixed location would be inspected. Officers welcomed comments and feedback from the public to consider any required action.

Question: There was a large volume of batteries from vapes on the city's streets. There was little control over the attractive advertisement and marketing of electronic cigarettes. There was a high risk of children using the products within the school setting. Was there action that could be taken at a local level to prevent children's access to nicotine products?

Response: Concerns were shared by officers and the Portfolio Holder. There had been national debate over the licensing of nicotine products. The issue was known to public health and discussion took place regularly with the relevant Portfolio Holder.

Comment: Thanks offered to the officers that worked within the Portfolio for the concise feedback received.

Comment: There had been a number of batches of purple sacks issued to households inside a plastic bag that was not recyclable. Contaminated waste from flats and maisonettes was high however bins were not secure, often placed on the side of the road. Individuals often put waste into the closest bin to them and some areas in the city had communal bins such as in the Ermine area.

Response: BIFFA had a large existing stock of purple sacks which took many months to use completely. BIFFA confirmed that consideration would be given to this issue in the future. It was disappointing that the minority of individuals contaminated waste that had been correctly recycled, by the majority. The issue was difficult to resolve within a communal setting and contaminated waste from communal bins had added to the collective contamination rate for a long time. Contaminated waste did not go into landfill.

Question: Was it possible for a public bin to be installed on Flavian Road? Officers had confirmed that Flavian Road had not been adopted however residents were confused by the advice received.

Response: Officers would consider the request further to the meeting.

Question: Referred to the contractor performance points score on page 41 of the report. After the first quarter, the cumulative figure was 125. Given the high figure, was consideration of the performance a necessity?

Response: The contractor had been challenged on performance and robust discussions had taken place with their Director. It was understood that there had been difficulties experienced with staffing and a commitment to the improvement of their standards had been received and was expected in the near future.

Comment: Was it possible to remove graffiti from private property?

Response: It was difficult to remove graffiti from private property. It was expected that the Council received permission from the property owner. If the nature of the graffiti was offensive, CoLC offered to carry out works with no cost. If no response was received from a property owner, the Council acted in the public interest if graffiti was racially offensive etc.

Comment: The increased activities within the community centre provision was positive. A fantastic report.

RESOLVED that:

1. Consideration to matters as requested by members be investigated further by officers.
2. The annual report be noted.

54. Addressing the Challenge of Climate Change Vision 2025 Progress Report

Kate Bell, Climate Change Manager:

- a) presented a report to Performance Scrutiny Committee with an update towards addressing the challenge of the Climate Change Strategy Priority contained in Vision 2025
- b) explained that Appendix A of the report provided an overview of the current and live projects for the strategic priority

- c) highlighted that there were 12 projects that were currently being monitored in the work programme for Climate Change and these were listed in paragraphs 4.3-4.4 of the report
- d) explained that Appendix B of the report contained a set of performance indicators that had been developed for the Climate Change strategic priority
- e) invited comments and questions from Members of the Committee.

Question: The report confirmed that one major decarbonisation project had been completed. What other projects had been completed?

Response: The crematorium and Lincoln Central Market projects had been completed which offered substantial energy efficiency savings.

Question: In respect of setting Lincoln standards for carbon neutral homes, was 'zero carbon' net zero?

Response: The term related to making homes as energy efficient as possible. The countrywide target was to bring all properties to an Energy Performance Certificate (EPC) rating of C or lower.

Question: Had funding been set aside to achieve EPC rating C or lower?

Response: Some funding had been ring fenced. Further to retro fitting homes, through contractors there was a good indication of the expected costs. Detailed costings were being worked on and at that point, an application would be made for funding from the social housing decarbonisation fund. Government funded up to 30% of the works.

Question: Had any properties been fitted with a heat pump?

Response: The CoLC had not encouraged anyone to move from gas to a heat pump.

Question: What was the city's baseline year for net zero?

Response: The baseline year was 2005, contained within the action plans.

Question: Thanks given for a great report. Was the feasibility study in respect of Wigford Way, further to information from LCC?

Response: A working group met every two weeks with LCC and it was understood that funding was returned for CoLC to deliver the projects. Further information would be forwarded further to the meeting.

Comment: The scheme was great. Lincoln Town Deal Board agreed only to the feasibility study for Wigford Way.

Comment: Referred to Lincoln's area wide Carbon Dioxide (CO₂) Emissions figures contained at Appendix B to the report. Why had rates risen considerably in 2023?

Response: The figures shown demonstrated what happened two years ago; there was a two-year lag. Due to the covid-19 pandemic, there had been mass closure of industry and a considerable reduction in traffic. Therefore, 2023 was a bounce back from earlier years. Electricity consumption had reduced, however a reflective reduction of emissions had not been experienced. Approximately 46% of our electricity came from renewable sources.

RESOLVED that the progress of the Vision Group and Strategic Priority be noted.

55. Vision 2025 - Remarkable Place Progress Report

Simon Walters, Director of Communities and Environment:

- a) provided Performance Scrutiny Committee with an update on the *Let's Enhance our Remarkable Place* Strategic Priority in Vision 2025
- b) gave an overview of the key projects that the Council was progressing:
 - Emergence of an events programme for the city across the year
 - Hope Wood
 - Greening the City Centre
 - Heritage Action Zone
 - Leisure Strategy
 - Boutham Park Phase Two
 - Branding Green Spaces
 - Preparations for new Refuse Collection, Street Cleansing and Grounds Maintenance Service
 - Paper and Card Collections
 - Biodiversity Net Gain
 - St Giles Youth Centre
 - Greyfriars
 - Harlequin
 - Local Landscapes, Hidden Histories
- c) invited comments and questions from Members of the Committee.

Comment: Referred to the new programme of events for 2023 on page 98 of the report. Due to the inclusion of a hyphen, the overall cost to the City Council for the Monster Invasion read as minus £25,000.

Response: Apologies offered for the typo and thanks given for the feedback. Confirmed that the cost to the Council for the Monster Invasion was £25,000.

Question: Thanks given for the report. What was the budget for the programme of events for the 2023 financial year?

Response: £250,000.

Question: What was the budget set for the programme of events planned for the 2024 financial year?

Response: The budget set was £250,000 however it was possible that costs could be higher or lower depending on the shape and structure of the final programme of events, yet to be secured.

Comment: If inflation were to be considered, the 2024 events budget therefore would be a reduced budget when compared with 2023.

Response: Across the city Council there were contractual elements to the budget that were inflated year on year however those not contractually bound would not be inflated. The actual spend in 2023 was £250,000 and broadly, the budget for 2024 had been set at £250,000 but that figure could be higher once the programme was agreed.

Question: What events were planned for Lincoln in 2024? Were they planned to be the same as 2023 or something new?

Response: 2023 was a pilot year and the development of the events programme was ongoing. Aspirations included the growth of events, if successful, such as the Lincoln Ice Trail and consideration had been given to new events also. More information would be provided further to sign-off from the relevant Portfolio Holder.

Comment: It was positive that a bid had been submitted for funding to aid with the associated running cost of swimming pools.

Response: Two applications had been submitted for support with energy costs. One bid failed. Sport England had not offered clarity on the reasons for failure. It was hoped that the current bid would enable investment in energy efficient measures and also support technology to measure and monitor the water of pools and new swimming pool covers which retained heat overnight.

Comment: Thanks given to officers for all the hard work that had been carried out. At a time where local authorities struggled financially, the continued hard work of officers and the Portfolio Holder had resulted in the continuation of the wonderful facilities available to Lincoln residents.

RESOLVED that the progress made under the Remarkable Place Vision Strategic Theme be noted.

56. Work Programme 2023/24

The Chair:

- a) presented the draft work programme for 2023/24 as detailed at Appendix A of the report
- b) advised that the work programme for the Performance Scrutiny Committee was put forward annually for approval by Council; the work programme was then regularly updated throughout the year in consultation with the Performance Scrutiny Committee and its Chair
- c) reported that items had been scheduled in accordance with the existing work programme and officers' guidance regarding the meetings at which the most up-to-date information could be reported to the committee; the work programme also included the list of portfolio holders under scrutiny
- d) requested any relevant comments or changes to the proposed work programme for 2023/24.

The Chair requested that parties nominated representatives for the membership of the Budget Review Group.

RESOLVED that:

1. The report from the Portfolio Holder for Remarkable Place be moved to the end of the annual Portfolio Holder reporting cycle.
2. The work programme 2023/24 be agreed.

3. Nominated parties for membership of Budget Review Group be notified to Democratic Services.