

POLICY SCRUTINY COMMITTEE

Tuesday, 16 March 2021

6.00pm

Virtual Meeting

Membership: Councillors Bill Bilton (Chair), Laura McWilliams (Vice-Chair), Alan Briggs, Jane Loffhagen, Hilton Spratt, Ralph Toofany and Pat Vaughan

Substitute member(s): Councillors Kathleen Brothwell and Gary Hewson

Officers attending: Democratic Services and Legal Services

A G E N D A

To join this virtual meeting please use the below link:

<https://zoom.us/j/94778278067?pwd=S01NQU1jVFFYN09xbjBqcSs4NIZXUT09>

Passcode: 222664

Alternatively, please join the meeting via telephone by calling 0330 088 5830 using the following ID:

947 7827 8067

Passcode: 222664

SECTION A	Page(s)
1. Confirmation of Minutes -12 January 2021	3 - 8
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Health Scrutiny Update	
4. Policy Scrutiny Work Programme 2021-22 and Executive Work Programme Update	9 - 16
5. Exclusion of Press and Public	17 - 18

You are asked to resolve that the press and public be excluded from the meeting during the consideration of the following item(s) because it is likely that if members of the press or public were present, there would be

Section B

6. Management of Change in Development Management

19 - 36

Present: Councillor Bill Bilton (*in the Chair*),
Councillor Thomas Dyer, Councillor Alan Briggs,
Councillor Gary Hewson, Councillor Jane Loffhagen,
Councillor Ralph Toofany and Councillor Pat Vaughan

Apologies for Absence: Councillor Laura McWilliams and Councillor Hilton Spratt

99. Confirmation of Minutes - 24 November 2020 and 8 December 2020

RESOLVED that the minutes of the meetings held on 24 November 2020 and 8 December 2020 be confirmed.

100. Declarations of Interest

No declarations of interest were received.

101. Housing Strategy 2020-25 - Response to the Consultation Draft

Kate Bell, Housing Strategy Officer:

- a. presented a report which advised the Policy Scrutiny Committee of the results of the external consultation on the draft Housing Strategy 2020-25.
- b. reported that the consultation for the draft Housing Strategy was launched on 26 October 2020, inviting comments by 11 December 2020.
- c. reported that feedback had been very positive regarding the detailed evidence base within the draft Housing Strategy and the range of actions proposed to meet Lincoln's housing need over the next five years.
- d. highlighted that specific areas commented on as part of responses received had focussed on the following:
 - the provision of student accommodation;
 - city centre living and mixed use residential areas;
 - community land trusts;
 - private rental accommodation.
- e. invited members' comments and questions.

Comment: A concern raised at the Lincoln Tenants' Panel meeting was the effect allocating housing to the homeless and rough sleeping was having to those on waiting lists for housing in the city.

Response: The Council had a duty of care to any person who presented themselves as homeless.

Question: When working with Housing Associations, did the City Council take advantage of nominations rights and was there any feedback in that respect?

Response: The Council did actively encourage use of nominations rights and would be taking advantage of this. Affordable and social housing were scarce resources so it was important to make the best use of them in the city.

Question: Were developers being encouraged to provide opportunities for apprenticeships as part of procurement agreements with the Council?

Response: On Council-owned land and developments managed by the City Council it was much easier to provide such opportunities. One of the obstacles was the longevity required as part of an apprenticeship scheme, which the nature of work associated with developments could not always facilitate.

Question: There appeared to be a shortage of three and four bedroomed properties in the city in terms of affordable and social housing stock. How many more of these properties were expected to be delivered in the city over the next five years?

Response: The specific number of two, three and four bedroomed properties scheduled for delivery in the city was set out in the Strategy, supported by specific demand for each size of property.

Question: What information was being collected via Hometrack and how would this information be used?

Response: Hometrack would provide the Council with details on private sector rents in specific areas and track respective movements. This would provide evidence to substantiate rent increases and decreases and provided an important evidence base for the Council to work with.

Question: Did any consideration go into a person's circumstances and the physical location of their support network, for example, when offered housing? This related to an example whereby a resident was offered housing in the north of the city when their support network was located in the south of the city.

Response: This was a very difficult issue to balance and the Council was always bound by what accommodation was available at the time. With families, use of temporary accommodation was not appropriate unless it was an emergency, which also presented some challenges. There had been an increase in people presenting themselves as homeless given the unprecedented nature of the current circumstances and specific 'next steps' accommodation was being developed to accommodate these individuals. These were purpose built, one-bedroomed, facilities. People in need of housing would always be matched to the most appropriate use but, given the restrictions in respect of stock in the city, this was challenging.

Comment: Affordable housing rents were dictated by private sector rents as opposed to social housing, however, it was due to rent increases in the private sector that led people to present themselves as homeless in some cases.

Response: It was acknowledged that affordable rents were linked to the private rental sector, whereas social rents were prescribed. Other than the amount of rent paid, the conditions of a tenancy agreement would be exactly the same for a tenant in an affordable rented property or socially rented property.

Comment: The Allocations Policy should include a condition that a person could demonstrate an association with the city within a two year period to qualify for a council house. The Tenants' Panel was concerned that people who, for example, 'sofa-surfed' in the city and had been residents of the city all their lives were on waiting lists for long periods of time, whereas people outside of the city could present themselves as homeless and be offered accommodation. The city had significant resources available to support homeless people, rough sleepers and some of the conditions associated with people who found themselves in these situations, which made Lincoln attractive to them.

Response: The Council had duties under legislation to respond to people who presented themselves as homeless. However, accommodation offered to these people was temporary and not on the basis of a full-time tenancy, which would lessen the impact on those people included on the Council's wait list for housing. Allocations would always be made on the most appropriate type of accommodation for a person's circumstances.

Question: There had been instances whereby vacant flats had been used to accommodate homeless people, which were located in or around buildings where the elderly or vulnerable lived. Unfortunately cases of anti-social behaviour had been reported as a result of the allocation. Could more consideration be given to those properties used to accommodate the homeless in this respect and where they were located, taking into consideration the nature of people already living there, even given the short-term nature of the tenancy?

Response: 15 next step properties would be funded to provide this short-term provision which focussed on helping people understand how to live independently. The example referred to above must have been an older allocation on the system, which was not part of this new scheme. It was acknowledged that further consideration should be given to existing tenants and residents to avoid problems such as those put forward in the example.

Comment: The provision of purpose built student accommodation was supported, which would have a knock on effect on the private rented sector in some areas and free up properties that had been houses in multiple occupation for some time. It was hoped that this would assist in rents being reduced in Lincoln.

Response: Projections from the University of Lincoln were that it did not anticipate any further growth apart from the Medical School, with purpose built accommodation for students generating some movement in terms of those students in the second and third years of University as opposed to the first year who traditionally lived in student accommodation. There was a perception that a lot of student accommodation in the city, particularly newly built units, were empty and that there was not enough demand to fill them. It was reported that this accommodation had specifically been designed for students in their second and third years so would start to be used during the next academic year.

102. Proposals for the Review of Existing Public Space Protection Order within the City Centre

Francesca Bell, Public Protection, Anti-Social Behaviour and Licensing Service Manager:

- a. briefed the Policy Scrutiny Committee on the process and consideration given to date to review an existing Public Space Protection Order in the city centre area of Lincoln.
- b. provided the background relating to the existing Public Space Protection Order, including the area it covered and the reason for its existence in those areas.
- c. reported the outcome of the consultation that had be undertaken for 28 days, commencing on 2 November 2020, further to which five responses had been received with four coming from partners and one being received from a member of the public.
- d. reported that all five response had called for the existing Public Space Protection Order to remain in place.
- e. reported that all four partner responses called for the extension of the geographical area of the Public Space Protection Order to cover St Rumbolds Street.
- f. reported that, in addition to consultation responses, the Citizens Panel had also returned comments relating specifically to drug users and drunks in the city centre and St Rumbolds Street area. 45 separate comments about drug and alcohol misuse in the city centre had been received.
- g. reported evidence for the current geographical area to remain in place for the Public Space Protection Order, including the number of surrenders, breaches, fixed penalty notices and prosecutions.
- h. reported evidence for the extension of the Public Space Protection Order to include St Rumbolds Street, referred to as Zone 3 in Appendix C attached to the report.
- i. Invited members' comments and questions.

Question: How many fixed penalty notices had been issued?

Response: A full overview of each year from 2015 was included in the report but for 2020 there had been four surrenders, one breach for alcohol, two breaches for other substances, two fixed penalty notices and two prosecutions.

Question: Was St Peter's Passage still gated?

Response: St Peter's Passage was still currently gated with no public access.

Comment: The figures regarding enforcement of the Public Space Protection Order were surprising as it was expected that they would be much higher.

Question: If the Council knew it was the same individuals causing problems and could identify the organisations that were actively supporting them, could the Council request that those organisations took some responsibility? Did the Council actively work with these organisations to prevent problems reoccurring in the city centre? Enforcement should be much stricter as drinking and other substance misuse in the streets, particularly in the city centre, provided a negative reflection on the reputation of the city.

Response: The Council did actively engage with other organisations who supported some of these individuals, who in turn had improved the way in which they engaged with the authority and was a positive development in comparison to previous years. It was emphasised that there were often limitations as to what responsibility they had over an individual and that cases were often extremely complex. Enforcement did need to be strong as otherwise it provided the wrong message in respect of the Order being in place but this was reliant on resources, specifically the Police. It was accepted that, in balancing out all policing matters in the city, enforcement of the Public Space Protection Order was not always considered as a priority. A much better understanding of the issues faced in the city centre, particularly in respect of the Order itself, had been demonstrated since the city centre policing team had been located at City Hall. It was also reported that a lot of issues were dealt with informally, such as the removal of alcohol for example which may not always be logged. The statistics did not, therefore, reflect the subtle enforcement that actively took place in the city centre.

Comment: The proposal to extend the geographic boundary of the Order to Rumbolds Street should be supported and the city centre policing team should be commended for the excellent work they undertook which had made a noticeable difference to the city.

Question: Was the reduction in the number of surrenders, breaches, fixed penalty notices and prosecutions a result of appropriate enforcement and deterrents or the problem being moved to other parts of the city? Would extending the boundary of the Public Space Protection Order therefore move the problem elsewhere, leading to further proposals to extend it in future years?

Response: The issue had generally improved in Lincoln, particularly since 2014 when the consumption of legal highs and super strong alcoholic beverages were a significant issue in the city centre. The reason St Rumbolds Street had become problematic was that there were lots of support and resources available in that area for a lot of the client groups whose behaviour predominantly breached the Public Space Protection Order, so the area naturally attracted those people. It was hoped that extending the boundary would not simply push these problems to another part of the city but it was acknowledged that this was a risk. It was also noted that the larger the geographical area that required enforcement, the more diluted resources became to enforce it.

Question: Would the Council ever consider reducing the geographical area of the Public Space Protection Order?

Response: It was hoped that this would be a possibility in future with one area considered for removal being South Park. However, the Police were keen that this be maintained as part of the Public Space Protection Order to assist with enforcement on match days at the football stadium in relation to street drinking in particular. Any proposal to reduce the area would be undertaken in consultation with key partners, such as the Police.

Question: Issues of substance misuse and anti-social behaviour had been reported at Cannon Street and Stamp End. Could these areas be considered for inclusion as part of the Public Space Protection Order?

Response: The Order was reviewed every three years and there was currently no data available in relation to Cannon Street or Stamp End to substantiate inclusion

in the Order. Further consultation would take place where evidence for further areas such as these could be taken into account.

103. Policy Scrutiny Work Programme 2020 -21 and Executive Work Programme Update

The Democratic Services and Elections Manager:

- a. presented the Policy Scrutiny Work Programme 2020-21 and Executive Work Programme update.
- b. reported that an item on a review of public conveniences, scheduled for consideration by the Executive in March 2021, had been added to the work programme for the next meeting of the Policy Scrutiny Committee.
- c. invited members questions and comments.

Members made no further comments or suggestions regarding the Policy Scrutiny work programme.

RESOLVED that:

- (1) The work Policy Scrutiny work programme be noted.
- (2) The Executive work programme be noted.

104. Health Scrutiny Update

The Chair of the Policy Scrutiny Committee reported that the Health Scrutiny Committee for Lincolnshire had not met since before Christmas, with its next meeting scheduled to be held on 20 January 2021.

He reported that things were moving rapidly in response to Covid-19, with testing kits now available in the city and testing stations having been set up over Christmas and the New Year. These were still in place at Lincoln City Football Club and would be located at the Community Centre on Croft Street for a period of two weeks.

It was noted that the vaccination programme was being led nationally and that no local information regarding rollout was available at this stage. It was confirmed, however, that all residents in the city were located within ten miles of a proposed vaccination site.

RESOLVED that the update be noted.

POLICY SCRUTINY COMMITTEE

16 MARCH 2021

SUBJECT: POLICY SCRUTINY WORK PROGRAMME 2021/22 AND EXECUTIVE WORK PROGRAMME UPDATE

REPORT BY: CHIEF EXECUTIVE'S

LEAD OFFICER: CLAIRE TURNER, DEMOCRATIC SERVICES OFFICER

1. Purpose of Report

1.1 To present the Policy Scrutiny Committee Work Programme for 2021/22 and receive comments and considerations from members with items for the municipal year 2021/2022 and to advise Members of the items that are on the current edition of the Executive Work Programme.

2. Background

2.1 The work programme is attached at **Appendix A**.

2.2 The Constitution provides for the publication of the Executive Work Programme on a monthly basis detailing key decisions/ exempt para (Section B) items to be taken by the Executive, a committee of the Executive or a Member of the Executive during the period covered by the programme. This is attached at **Appendix B** and has been provided to assist members in identifying items for inclusion within the work programme.

3. Recommendation

3.1 That Members give consideration to the Policy Scrutiny Work Programme for 2021/22 and update where appropriate to include items which they wish to consider from the Executive Work Programme as required.

List of Background Papers: None

Lead Officer: Claire Turner, Democratic Services Officer
Telephone 873619

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Policy Scrutiny Committee Work Programme – Timetable for 2021/22

15 June 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Protecting Vulnerable People	Paula Burton	Annual Update
Public Toilet Review	Steve Bird	
Parking on Grass Verges	Chris Moreton	
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report
Policy Scrutiny Work Programme 2021 -2022	Democratic Services	Regular Report

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17 August 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2020-2022 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

5 October 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2020 -2021	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

23 November 2021

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Review of Facilities Strategy	Steve Lockwood	
Policy Scrutiny Work Programme 2020-2021 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

11 January 2022

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2021-2022 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

15 March 2022

Item(s)	Responsible Person(s)	Strategic Priority/ Comments
Policy Scrutiny Work Programme 2022-2023 Update	Democratic Services	Regular Report
Health Scrutiny Update	Chair of Policy Scrutiny	Regular Report

EXECUTIVE WORK PROGRAMME

March 2021 - February 2022

NOTES

1. The Leader in consultation with the Chief Executive and Town Clerk prepares an Executive Work Programme to cover a period of twelve months.
2. The Executive Work Programme contains matters which the Leader has reason to believe will be the subject of a key decision during the period covered by the Plan or Executive decisions which are likely to be taken in private.
3. A Key Decision is one which is likely:
 - a) to result in the Local Authority incurring expenditure which is , or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which it relates; or
 - b) to be significant in terms of its effect on communities living or working in an area comprising 2 or more wards in the area of the local authority.
4. Whilst the majority of the Executive's business at the meetings listed in the Executive Work Programme will be open to the public and media organisations to attend, there will be some business to be considered that contains, for example, confidential, commercially sensitive or person information.

This document serves as formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that certain items in the Executive Work Programme will be considered in private because the item contains exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. If an item is to be considered in private this will indicated on the individual decision notice.

If you have any queries, please telephone 01522 873387 or email democratic.services@lincoln.gov.uk.

EXECUTIVE WORK PROGRAMME SUMMARY

Date of Decision	Decision	Decision: Summary	Decision Taken By	Key Decision	Exempt Information
17 March 2021	New Build Homes: Rookery Lane	To consider final proposals, costings and a funding strategy for the delivery of a scheme of affordable homes on land owned by the Council off Rookery Lane.	Executive	Yes	Partly Private
17 March 2021	Lincoln Town Deal	To consider the Town Deal offer made by government to support the delivery of the Lincoln Investment Plan; To review and agree proposed governance and management arrangements for the programme and constituent projects going forward.	Executive	Yes	Public
17 March 2021	Climate Change Report	To consider recommendations and approve work programme for delivery in 2021	Executive	No	Public
17 March 2021	Covid-19 Business Support and Discretionary Grants	Provide an overview of the current Business Support & Grants being administered by City of Lincoln and to highlight potential opportunities for the deployment of our discretionary funding to support businesses and economic recovery.	Executive	No	Private
17 March 2021	Appropriation of properties between General Fund and HRA	To approve a mutual exchange of properties between the Housing Revenue Account (HRA) and the General Fund (GF) by way of appropriation.	Executive	Yes	Private
17 March 2021	MOC PPASB	to consider proposal	Executive	No	Private

17 March 2021	Management of change - Development Management	Executive decision on resource reduction	Executive	Yes	Private
17 March 2021	MANAGEMENT AGREEMENT RELATING TO AN AREA OF HOBBLERS HOLE	To seek Member approval to enter into a long-term management agreement with Long Leys Residents Association (LLRA) for the general management and improvement of an area of open space known as 'Hobblers Hole' off Long Leys Road, Lincoln.	Executive	No	Public
25 May 2021	Recycling- paper and card collections proposal	To formally commit to the Lincolnshire Waste Partnership initiative to undertake separate paper and card collections, alternate to existing general recycling collections, where it can reasonably be accommodated.	Executive	Yes	Public
25 May 2021	Financial Performance - Outturn Report	Note the provisional 2020/21 financial outturn for the General Fund, Housing Revenue Account, Housing Repairs Service and Capital Programmes as set out in sections 3 – 7, and in particular the reasons for any variances; Approve the proposed transfer to General Fund earmarked reserves Approve the financial changes to both the General Investment Programme and the Housing Investment Programme (paragraphs 7.4 and 7.10) that are above the budget variance limit delegated to the Chief Finance Officer, prior to reporting to the Executive.	Executive	No	Public

21 June 2021	Public Conveniences Review	To consider options for financial savings from this service, so as to contribute to the council's Medium Term Financial Strategy.	Executive	Yes	Partly Private
21 June 2021	Next Steps Accommodation Project update report	Update only	Executive	No	Public

SUBJECT:	EXCLUSION OF THE PRESS & PUBLIC
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, MONITORING OFFICER

1. Purpose of Report

1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

2. Recommendation

2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.

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