

Present: Councillor Calum Watt (*in the Chair*),
Councillor Gary Hewson, Councillor David Clarkson,
Councillor Jane Loffhagen and Councillor Mark Storer

Apologies for Absence: Councillor Hilton Spratt

1. Declarations of Interest

There were no declarations of interest received.

2. Call In of Decision - Events and Culture in the City - Christmas 2023 and Beyond

The Chair reported that a decision made by the Executive on 20 February 2023 entitled 'Events and Culture in the City – Christmas 2023 and Beyond' had been called in by Councillors Thomas Dyer and Rachel Storer, who had cited three reasons for the call in, and had suggested four outcomes, which were laid out on pages 4 and 5 of the agenda pack.

A. Reasons for the Call in Request and Suggested Outcomes

Reasons for the Request for the Call In

Councillor Thomas Dyer, as the lead call in member, provided detail on each of the grounds for the call in request as follows:

- (a) The process in which the decision had been made to re allocate the existing budget provision for the Christmas Market to provide a wider events programme throughout the year including a new 'Christmas in Lincoln' offer, had been made without sufficient public consultation. Opposition Councillors and backbench Members of the controlling group were notified one day prior to the public announcement. The strength of public feeling was referenced and was evidenced by the petition entitled 'Save the Lincoln Christmas Market' organised by Rachel Whitaker. Despite a significant number of signatories, the organiser was declined the opportunity to address Executive Members. The Council had fallen short of the necessary consultation that local stakeholders expect from a local authority.
- (b) There had not been adequate discussions held with Members, stakeholders and the wider public to consider the alternative options suggested by the multi-agency Safety Advisory Group (SAG). There had been limited anecdotal discussion however no detailed data had been provided to demonstrate the feasibility of the alternatives.
- (c) The decision to re-allocate the existing budget provision for the Christmas Market to provide a wider events programme throughout the year, including a new 'Christmas in Lincoln' offer had not been taken with due regard to possible alternative options.

Suggested Outcomes

Councillor Thomas Dyer also explained the four suggested outcomes;

- (a) The City of Lincoln Council (CoLC) issue a full public apology for its poor engagement with local stakeholders, businesses and residents.
- (b) To undertake a review of the decision making process to ensure that decisions could not be made in the future in the absence of engagement standards having been met.
- (c) That the decision to re-allocate the existing budget provision away from the Christmas Market be paused until such time a full public consultation comprehensively considers the feasibility of alternative arrangements.
- (d) In the instance that the CoLC formally decide to re-allocate the existing budget provision for the Christmas Market, that the budget would receive full protection from decrease for five full financial years, commencing from 2024 – whereby an events programme was due to commence.

Statement from Councillor Rachel Storer in Support of the Call In Request

Councillor Rachel Storer, as a signatory to the call in, made a statement in support of the call in request:

- (a) It was disappointing that the decision to re-allocate the existing budget provision away from the Christmas Market had been made in the absence of sufficient public consultation despite adequate opportunities to consult.
- (b) Tourism played a significant role within the local economy and there were a number of businesses that were reliant on income generated through additional Christmas Market footfall. The Council had failed to adequately give due consideration to the impact on local businesses. In addition, CoLC had not sought the views of local businesses, key stakeholders and the wider public and therefore, there had been no exploration of alternative options.
- (c) Councillor Neil Murray, Portfolio Holder for Economic Growth was informed of the decision only weeks prior to the public announcement and Opposition Councillors only one day prior to the same announcement. The decision appeared to be made with a lack of transparency.
- (d) There had been a regrettable lack of evidence based data and details with regards to viable alternatives. The SAG offered three alternative considerations of which did not include a recommendation to disperse of the Christmas Market.

- (e) The decision had been taken in haste and had not given due consideration to future proofing the Christmas Market; an event that affected the whole City.

B. Questions from Members of the Committee to Councillor Thomas Dyer, the Lead Signatory to the Request for Call In

Following questions from members of the Committee, the following points were confirmed:

- It was not possible to disregard recommendations received from SAG and any behaviour contrary to their advice, would have been reckless and irresponsible.
- Consultation on the wider events programme including a new 'Christmas in Lincoln' offer would be extensive.
- The Leader of the Council had previously confirmed that for consultation to be 'meaningful', an offer of 'choice' was necessary. There was no 'choice' to offer on this occasion as public safety would always be the primary consideration and priority.
- As Leader of the Council and Chair of the Executive, Councillor Ric Metcalfe was responsible for responding to the decision.

C. Response to the Call In Request from Councillor Ric Metcalfe, Leader of the Council

In his response to the call in request, Councillor Ric Metcalfe, Leader of the Council made the following points:

- (a) The Council had a proven track record of extensive public consultation on a range of issues. Given previous track records and the cultural and politically pragmatic value of public consultation, there was only rare occasions where consultation was not possible.
- (b) The advice received from the SAG was compelling - an adjudication against considerable knowledge and expertise. The Council was placed in an exceptional and somewhat unprecedented position.
- (c) SAG had not carried out any work to assess the viability of the alternative options. The responsibility of such fell on the Council as the event organiser and all three options were thoroughly considered and assessed.
- (d) Visitor safety would supersede all alternative considerations and to implement one of the three alternatives, plans would require provision for the visitor numbers experienced in 2022 as a minimum which would necessitate considerable additional safety measures.
- (e) It was important to operate a safe and financially viable Christmas Market that did not negatively impact on the reputation of the City.
- (f) The three alternative suggestions were thoroughly evaluated by highly experienced event commanders with over thirty years cumulative

experience and as such, the decision take was not ill informed nor made casually.

- (g) Should the Council have chosen to engage in consultation on the three alternative considerations and discovered after assessment from events commanders, the conclusion was that those options were not viable, it would have placed the Council in a tremendously difficult position. Therefore, assessment of alternative provision was required in the absence of consultation.
- (h) Occasionally, there were situations whereby consultation was not possible. The Council was placed in an invidious position.

Simon Walters, Director for Communities and Environment, presented a thorough explanation to summarise the evaluation of the three alternatives and provided full reasoning for their non viability.

D. Questions from Members of the Committee to Councillor Ric Metcalfe, Leader of the Council

Following questions from Members of the Committee, the following points were confirmed:

- The decision to re allocate the existing budget provision for the Christmas Market was a collective decision taken by the Executive.
- The Christmas Market was a much loved event and held in affection. Therefore, it was a shock when it was realised that it had to change however public safety was the primary consideration.
- Executive Members and all elected Councillors received the same information by way of briefing.
- Consideration had been given to sponsorship in an attempt to mitigate the financial loss experienced from the Christmas Market. However, it had not been possible given the size and duration of the market, to secure an appropriate sponsor.
- It would be inappropriate to issue a public apology for the determination of a decision that prioritised public safety.
- Full consultation would have occurred had it been a possibility. The decision to re allocate the existing budget provision had been an exceptional circumstance as we had a duty of care to safeguard public safety.
- It was not possible to give assurance that the re-allocated budget provision could be ring fenced of the next five financial years as it was not possible to indicate what the Council's expenditure on any given department might be in five years' time. It would be dishonest to give assurances that could be broken.
- The long-term trend demonstrated an increase in visitor numbers and perpetual feedback received indicated that it was not a comfortable or enjoyable experience.
- Officers and the Leader of the Council met with Rachel Whitaker and praised her for her organisation of the petition entitled, 'Save the Lincoln Christmas Market'. During a meeting of the Council's Executive, it was for the Chair to reach a determination whether to permit an address from the

public gallery. Executive Members had deliberated the item and it was given a full airing prior to final resolve. Therefore, it would have added no significant value to permit members of the public to address Executive Members and Officers.

E. Decision

After consideration of all the information submitted, it was **RESOLVED** that the request for the call in of the decision of the Executive on Events and Culture in the City – Christmas 2023 and Beyond on 20 February 2023 be refused for the following reasons:

- (1) The Executive had taken into account the compelling advice pertaining to public safety, received from SAG. Public consultation on the consideration of the advice received, was not possible nor responsible.
- (2) City of Lincoln Council had a positive proven track record of meaningful public consultation on a wide range of matters. However, there were exceptional circumstances whereby public consultation was not possible.
- (3) Businesses, residents, and key stakeholders would be consulted with widely to enable their views to be considered in the creation of a new “Christmas in Lincoln” offer and wider events programme proposal.
- (4) Alternative options had been full considered and examined by Events commanders. The non-viability had been extensively and satisfactorily demonstrated to Members of the Committee.
- (5) It was not possible to give assurances with regard to the Council’s financial commitments for the next five full financial years.
- (6) There was nothing defective about the decision making process and therefore, the decision should not be called in.

(Vote: Three in favour, two against)