

EXECUTIVE

Monday, 9 December 2024
6.00 pm
Committee Room 1, City Hall

Membership: Councillors Naomi Tweddle (Chair), Donald Nannestad (Vice-Chair), Sue Burke, Bob Bushell, Rebecca Longbottom and Joshua Wells

Officers attending: Angela Andrews, Democratic Services, Kate Ellis, Jaclyn Gibson, Daren Turner, Simon Walters and Carolyn Wheeler

A G E N D A

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2. Declarations of Interest	
<p>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.</p>	
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QUALITY HOUSING	
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You are asked to resolve that the press and public be excluded from the meeting during the consideration of the following items because it is likely that if members of the press or public were present, there would be disclosure to them of 'exempt information'.

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, notice is hereby given of items which will be considered in private, for which either 28 days' notice has been given or approval has been granted by the appropriate person specified in the Regulations. For

further details please visit our website at <http://www.lincoln.gov.uk> or contact Democratic Services at City Hall, Beaumont Fee, Lincoln.

This item is being considered in private as it is likely to disclose exempt information, as defined in Schedule 12A of the Local Government Act 1972. No representations have been received in relation to the proposal to consider this item in private.

SECTION B

REMARKABLE PLACE

- | | |
|---|----------------|
| 8. Statutory Food Waste Collection Service - Capital Finance Report | 47 - 62 |
| [Exempt Para 6] | |

Present: Councillor Naomi Tweddle (*in the Chair*),
Councillor Donald Nannestad, Councillor Sue Burke and
Councillor Rebecca Longbottom

Apologies for Absence: Councillor Bob Bushell

40. Confirmation of Minutes - 14 October 2024

RESOLVED that the minutes of the meeting held on 14 October 2024 be confirmed and signed by the Chair as a true record.

41. Declarations of Interest

No declarations of interest were received.

42. Change to Order of Business

RESOLVED that the order of business be amended to allow Item No 4 entitled 'Annual Complaints Performance and Service Improvement Report' be considered as the next agenda item.

43. Annual Complaints Performance and Service Improvement Report 2023-2024

Purpose of Report

1. To present an annual complaints report including details from the Annual Review of Local Authority Complaints issued by the Local Government and Social Care Ombudsman (LGSCO) and the decisions of the Housing Ombudsman Service (HOS).
2. To report on the overall number of complaints received by the Council on a Directorate basis for the full year 2023-2024, including performance against target response times and the percentage of complaints which were upheld

Decision

That the content of the annual complaints report for 2023-2024 be received and noted.

Alternative Options Considered

None.

Reason for Decision

The Council's complaints procedure included two levels in response to formal complaints, once the complaint had been considered and responded to by two separate officers the complainant was advised if they were not satisfied with the final response, to seek redress from the relevant Ombudsman service

Complaints relating to the landlord function of the Council, as a provider of social housing were escalated to the Housing Ombudsman Service, all other complaints, about any other service or aspect of Council business fell under the jurisdiction of the Local Government and Social Care Ombudsman.

In April 2024 the Housing Ombudsman Complaint Handling Code (The Code), became statutory for all social housing providers, we updated our policy to ensure that we complied with The Code and, as it represented best practice in dealing with customer complaints, we adopted the principles of The Code as a corporate policy

The main changes to our complaint handling were in terms of reporting of our performance, learning lessons from complaints, and ensuring that customers found it easy to make a complaint.

The Code required that we complete an annual self-assessment against all of the provisions set out in The Code. The self-assessment required that we consider each element of The Code and certify ourselves as either “Complied” or “Not Complied” with each of 78 provisions. Our self-assessment was also considered by the Lincoln Tenant’s Panel prior to submission.

Our 2024 Corporate Complaints Policy and Guidance was compliant with many of the provisions but there were a small number of areas where we had to undertake work; at date of submission of the initial self-assessment (30 June 2024) only 5 of the provisions were self-assessed as non-compliant at the date of submission (30 June 2024) as detailed in paragraph 2.8 of the officer’s report. These were now almost complete in demonstrating full compliance with The Code. The self-assessment was available for inspection on the Council’s website and attached to this report as Appendix A.

Further detailed information was provided within the report on performance received by the Council on a Directorate basis for the full year 2023-2024 before the Complaint Handling Code came into force covering the following main areas:

- Complaints – Annual Performance (April 2023 – March 2024)
- Breakdown of Complaints
- Local Government and Social Care Ombudsman Annual Review Report
- Housing Ombudsman Service Complaints
- Complaint Trends
- Learning from Complaints
- Compliments

44. Department of Housing and Investment Remedies Policy

Purpose of Report

To seek approval of the new Department of Housing and Investment(DHI) Remedies Policy as detailed at Appendix 1 of the officer’s report.

Decision

1. That the new DHI Remedies Policy be approved.

2. That authority be delegated to the City Solicitor in conjunction with the Portfolio Holder for Quality Housing to consider and approve any suggested amendments recommended by the Policy Scrutiny Committee on 19 November 2024. Any major recommendations would be referred back to Executive for approval.

Alternative Options Considered

None.

Reason for Decision

The Council now had a statutory duty to handle customer complaints in line with the Housing Ombudsman Service (HOS) Complaint Handling Code, (The Code), as detailed within paragraph 2.1-2.6 of the officer's report.

Whilst there were existing procedures for offering small sums to compensate loss there was not a formal policy document which was in line with the HOS Guidance on Remedies and therefore, a new one was developed and agreed to ensure compliance with The Code.

Lincoln Tenants Panel (LTP) had been consulted about this report and had made the following comments:

1. Recommend the remedies policy be reviewed annually.
Response: This had been noted and reflected in the review date information.
2. LTP requested that they were provided with an annual report on the volume of compensation administered and areas of service related to.
Response: This had been noted and could be provided.
3. Agreed with the proposed compensation amounts and increments system relating to qualifying improvements, gesture of goodwill and payment of compensation to customers,
Response: This had been noted.
4. Recommended rent refund for disturbance allowance amount was reduced.
Response: This had been noted however, the amounts had been suggested were based on the Housing Ombudsman award thresholds.

This policy was reviewed at Housing Scrutiny Sub Committee on 31 October 2024 and it was supported to be referred to Executive for approval. It was also discussed that the report and policy should be presented to Policy Scrutiny Committee on 19 November for further review and consideration.

45. Unacceptable Customer Actions Policy

Purpose of Report

To seek approval of the new Unacceptable Customer Actions Policy as detailed within Appendix 1 to the officer's report.

Decision

1. That the new Unacceptable Customer Actions Policy be approved.

2. That the assistance given by the Lincoln Tenant's Panel in developing this policy be noted.
3. That authority be delegated to the City Solicitor in conjunction with the Portfolio Holder for Customer Experience, Review and Resources, to consider and approve any suggested amends recommended by the Policy Scrutiny Committee on 19 November 2024. If any of the recommendations were major changes they would be referred back to the Executive for approval.

Alternative Options Considered

None.

Reason for Decision

The Council now had a statutory duty to handle customer complaints in line with the Housing Ombudsman Service (HOS) Complaint Handling Code. (The Code)

Section 5.14 of the Code self- assessment stated that:

- Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.

Whilst we had existing procedures for reporting incidents and handling reports of unacceptable behaviour it was not a formal policy document and therefore, we needed to develop and agree one to ensure that we were compliant with The Code.

The new policy had been developed with the assistance of Lincoln Tenant's Panel who were keen to help ensure that while protecting staff the policy was also proportionate in terms of the action taken.

The policy was reviewed at Housing Scrutiny Sub Committee on 31 October 2024 and it was supported that the policy be referred to Executive for approval. It was also discussed that the report and policy should be presented to Policy Scrutiny Committee on 19 November for further review and consideration.

46. Quarter 2 2024-25 Operational Performance Report

Purpose of the Report

To present an outturn summary of the Council's operational performance in quarter two of 2024/25.

Decision

1. That the achievements and challenges identified in the Quarter 2 2024/25 operational performance report found at Appendices A and B be noted.
2. It be confirmed that the format of the performance report continued to meet requirements.

Alternative Options Considered and Rejected

None were considered.

Reasons for the Decision

Regular monitoring of the Council's performance was a key component of the Local Performance Management Framework. This report covered the key strategic performance measures identified by members and Corporate Management Team (CMT) as of strategic importance.

The outturn summary report at the end of Quarter 2 2024/25 detailed performance against a total of 87 quarterly measures and 2 annual measures across the directorates Chief Executive's, Communities and Environment, Housing and Investment and Major Developments. Of the 89 performance measures monitored against targets, 15 were below target; 17 were within target boundaries; 33 had met or exceeded a higher target; 24 measures were recorded as volumetric and there were no measures recorded as data not available for this quarter.

Out of the 89 performance measures monitored during the quarter with 65 targets allocated to them, 50 (76.9%) were within or exceeding the targets set.

A review of the quarterly performance process was undertaken at the end of 2023/24, which led to the following changes:

- Appendix A now contained a wider range of performance information, including qualitative data in the form of case studies and service highlights. These were grouped into seven themes, namely the five Vision Priorities and the two inward looking portfolios 'Our People and Resources' and 'Customer Experience and Review.'
- The more detailed performance data tables were now grouped together in Appendix B, including the suite of corporate measures that were previously in Appendix A. Performance data remained grouped by directorate, and a colour coding system had been introduced to make it simpler to identify which portfolio each measure related to. Appendix B also included a quarterly Communications update.

When read together, Appendices A and B aimed to enhance the range of performance information presented via the quarterly reporting process and make it easier to assess and scrutinise the performance of each priority/portfolio.

Members praised officers for the easily read format of the report and its content.

47. Financial Performance Quarterly Monitoring

Purpose of Report

To present the second quarter's performance (up to 30 September 2024) on the Council's General Fund, Housing Revenue Account, Housing Repairs Service and Capital Programmes, and to seek approval for changes to the capital programmes.

Decision

1. That the financial performance for the period 1 April 2024 to 30 September be noted.
2. That the underlying impact of the pressures and underspends identified in paragraphs 3.3 (and Appendix B), 4.3 (and Appendix D), and 5.2 (and Appendix F) of the officer's report be noted.
3. That the changes to the General Investment Programme and Housing Investment Programme as approved by the Chief Finance Officer detailed in paragraphs 7.5 and 7.12 of the officer's report be noted.
4. That the changes to the General Investment Programme and Housing Investment Programme, as detailed in paragraph 7.11 of the officer's report, be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

Financial Procedure Rules required members to receive a report prepared jointly by the Chief Finance Officer and Corporate Management Team on a quarterly basis commenting on financial performance to date. This report was designed to meet this requirement.

Whilst there were still a number of variables which were subject to a level of uncertainty, based on the latest set of assumptions as at the end of the second quarter (up to 30 September 2024), the forecast financial position of the Council for 2024/25 was detailed at paragraph 2.2 of the officer's report, together with the detailed financial position shown in sections 3-7 and the accompanying appendices.

Updates were reported as follows:

General Fund Revenue Account

For 2024/25 the Council's net General Fund revenue budget was set at £15,427,670 which included a planned contribution from balances of £146,820 resulting in an estimated level of general balances at the year-end of £2,391,979 (after allowing for the 2023/24 outturn position).

The General Fund Summary was currently projecting a forecast underspend of £37,277 (Appendix A provided a forecast General Fund Summary) resulting in general balances at the year-end of £2,429,206. This position maintained balances above the prudent minimum of c.£1.5-2m.

There were a number of forecast year-end variations in income and expenditure against the approved budget, as detailed at paragraphs 3.3-3.5 of the report, with the main variances provided in Appendix B to the report.

Alongside these variances, a significant variance against the Council's crematorium budget was also forecasted, resulting from a continuation of the reduction in income from cremations seen last financial year, driven by increasing competition from neighbouring Crematoriums. This position was being carefully monitored and an action plan developed. In addition, the service was currently being supported by external industry professionals, increasing the management and administration costs, this was being carefully monitored and would only remain in place for as long as required.

In addition, a significant in-year variance was now forecasted for the Cornhill Market. The refurbished Market opened on 17 May 2024 but the original budget for 2024/25 was set on the basis of a full year of operation and based on the draft business plan approved at Executive in July 2021. Now that the market was operational, a full review of the business plan based on the actual operating costs and income levels was underway, would be reported to Executive in early 2025 and reflected in the next update of the Council's MTFS. The in-year variance being reported at the end of Q2 therefore reflected a number of one-off opening costs in this regard.

Whilst the forecast outturn for the General Fund was a small budget underspend, there still remained uncertainty in terms of service demands and income forecasts. As such the final outturn position for the year was still subject to further change and would continue to be carefully monitored. While mitigating actions were underway as detailed within the officer's report, strong budgetary control should continue to be a focus to ensure expenditure and income remained balanced within the budget, resulting in a positive contribution to reserves at outturn.

Towards Financial Sustainability Programme

The savings target included in the MTFS for 2024/25 was £125,000.

Progress against this target, based on quarter 2 performance, showed secured savings of £88,840, with a further £25,400 identified savings totalling £114,240 for the General Fund, resulting in a forecast under-achievement of £10,760 in year.

Housing Revenue Account

For 2024/25 the Council's Housing Revenue Account (HRA) net revenue budget was set with a planned contribution from balances of £101,220, resulting in an estimated level of general balances at the year-end of £1,030,024, after allowing for the 2023/24 outturn position.

The HRA was currently projecting a forecast underspend of £519,410 which would result in HRA balances of £1,549,435 at the end of 2024/25. (Appendix C provided a forecast Housing Revenue Account Summary). This position maintained balances above the prudent minimum of circa £1m.

Although the forecast position was an underspend, there were a number of significant variations in income and expenditure against the approved budget as outlined at paragraph 4.3-4.5 of the report, with full details of the main variances provided in Appendix D of the report.

In response to the key cost pressures forecast in 2024/25; the additional staff costs arising as a result of the nationally agreed pay award were unavoidable and would require the resetting of budgets for 2025/26 within the upcoming Medium Term Financial Strategy (MTFS). In relation to housing repairs, the Housing Directorate Management Team continued work on the individual repairs service areas, i.e. Aids & Adaptations, Voids, Responsive Repairs etc, in order to review and manage demand and cost drivers. Work also continued within the Housing Repair Service (HRS) to address the recruitment and retention challenges, (this also formed part of a wider scope of work developing the Council's Workforce Development Strategy), which was already seeing some success with a reduction in levels of vacancies.

As detailed throughout this report, there still remained a number of variables in the forecast assumptions, and as such the final outturn position for the year was still subject to further change. At this stage no additional mitigations, other than those currently being implemented in response to the issues faced by the HRS were recommended. Strong budgetary control should continue to be a focus in this financial year to ensure expenditure and income remained balanced within budget.

Housing Repairs Service

For 2024/25 the Council's Housing Repairs Service net revenue budget was set at zero, reflecting its full cost recovery nature.

At quarter 2 the HRS was forecasting a deficit of £17,146 in 2024/25, an improvement of £338,165 since quarter 1, which had subsequently been repatriated to the HRA as detailed within the forecast HRS summary at Appendix E. Full details of the main variances were provided in Appendix F, together with a summary of the key variances at paragraphs 5.2 – 5.3 of the officer's report.

While the forecast outturn for the HRS was a small budget overspend, there still remained uncertainty in terms of service demands and income forecasts. As such it was essential that the tight controls implemented to monitor premium sub-contractor spend were maintained to minimise the projected deficit and mitigate against the potential for the current net underspend in the HRA, to deteriorate.

The forecast deficit also included the impact of the national pay award announced in November 2023, which was significantly over and above the assumptions included within the MTFS, as outlined in both the General Fund and HRA variances.

Earmarked Reserves

The Council held a number of earmarked revenue reserves over both the General Fund and HRA. These reserves were sums set aside for specific purposes and to mitigate against potential future known or predicted liabilities. Key reserves included income volatility, business rates volatility, IT investment fund, asset sinking funds for future refurbishment etc. A number of these reserves were budgeted for use over the period of the MTFS.

The details of all the earmarked reserves and their forecast balance as at 31 March 2025 were attached at Appendix G, and summarised at paragraph 6.2 of the officer's report, with further details in the MTFS 2024-2029.

General Fund Investment Programme

The revised General Investment Programme (GIP) for 2024/25 amounted to £23.5m following the quarter 1 report. At quarter 2 the programme had increased by £4.4m to £27.9m, as detailed at paragraph 7.2 of the officer's report.

Changes over the approved limit which required approval by the Executive for the second quarter were detailed at paragraph 7.3 of the officer's report.

There were no new projects added to the GIP, which required Executive approval.

The financial changes delegated to the Chief Finance Officer and approved for the second quarter 2024/2025 were detailed at paragraph 7.5, with a summary of the projected outturn position provided at paragraph 7.6 of the officer's report.

The overall spend on the General Investment Programme active schemes for the second quarter of 2024/25 was £3.2m, which was 14.5% of the budget as detailed further at Appendix I of the report.

The low percentage of expenditure at this stage of the financial year was mainly due to the reprofiling of a number of large schemes, only starting on site towards the end of quarter 2/beginning of quarter 3 e.g., Greyfriars, Yarborough Leisure Centre, Western Growth Corridor Phase 1a Homes and the LUF2 Eastern Access Bridge.

Housing Investment Programme

The revised Housing Investment Programme (HIP) for 2024/25 amounted to £17.650m following the quarter 1 position. At quarter 2 the programme had been decreased by £0.219m to £17.432m, as detailed within paragraph 7.10 of the officer's report.

All changes over the approved limit which required approval by the Executive for quarter 2 were detailed at paragraph 7.11 of the officer's report.

Two new projects were added to the Housing Investment Programme having been approved at Executive during quarter 2 as detailed at paragraph 7.12 of the officers report.

The financial changes delegated to the Chief Finance Officer for approval as set out under Financial Procedure Rules for the second quarter 2024/2025 were detailed at paragraph 7.13 and a summary of the projected outturn position for the Housing Investment Programme at paragraph 7.15 of the officer's report.

The overall expenditure on the Housing Investment Programme at the end of quarter 2 of 2024/25 was £5.730m, which was 32.87% of the 2024/25 revised programme. This excluded expenditure relating to Western Growth Corridor, which was currently shown on the General Investment Programme, to be apportioned at year-end (current forecast outturn £1.3m) This was detailed further at Appendix J.

A further £1.091m had been spent as at the end of October 2024. Although this was still a low percentage of expenditure at this stage of the financial year, works had been constrained by the availability of contractors and materials, however,

new contracts were in place and spend was expected to increase by the end of the financial year.

Members praised officers for accomplished management of the Council's finances despite there having been significant cuts in resources over recent years, which was testament to their excellent management skills.

48. Treasury Management and Prudential Code Update Mid-Year Report - 30 September 2024

Purpose of Report

To report the Council's treasury management activity and the actual prudential indicators for the period 1 April 2024 to 30 September 2024, in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice. The strategy included indicators that helped ensure that the Council's capital investment plans were affordable, prudent and sustainable.

Decision

That the Prudential and Local Indicators and the actual performance against the Treasury Management Strategy 2024/25 for the half-year ended 30 September 2024 be noted and referred to Full Council (in accordance with CIPFA's Code of Practice for Treasury Management).

Alternative Options Considered and Rejected

None.

Reason for Decision

The prudential system for capital expenditure was well established. One of the requirements of the Prudential Code was to ensure adequate monitoring of the capital expenditure plans, prudential indicators (PIs) and the treasury management response to these plans. The report fulfilled that requirement and included a review of compliance with Treasury and Prudential Limits and the Prudential Indicators at 30 September 2024. The Treasury Management Strategy and Prudential Indicators were previously reported to and approved by Council on 27 February 2024.

It was noted that the Council held £29.355 million of investments at 30 September 2023, with the full investment profile set out at Appendix A of the report. Of this investment portfolio, 100% was held in low risk specified investments, the requirement for the year being a minimum of 25% of the portfolio to be specified investments. During the six months to 30 September on average 93% of the portfolio was held in low risk specified investments and an average of 7% of the portfolio was held in non-specified investments with other local authorities.

It was noted that as at 30 September 2023, the Council held £107.406m of external borrowing, of which 100% were fixed rate loans (Appendix A referred).

As at 30 September 2023, the average rate of interest paid during the first half of the financial year on external borrowing was 3.26%. This was lower than the

budgeted rate set in the Medium Term Financial Strategy (MTFS) 2024-29 of 3.65%, due to the repayment of a loan in the prior year, which was not anticipated in the MTFS, and the new borrowing forecast at budget setting had not yet been required.

This Council had adopted the CIPFA Code of Practice for Treasury Management in the Public Sector and operated its treasury management service in compliance with this Code and the above requirements. These required that the prime objective of treasury management activity was the effective management of risk, and that its borrowing activities were undertaken in a prudent, affordable and sustainable basis.

It was anticipated that no additional borrowing would be undertaken during this financial year. A loan of £2m was due to mature in February 2025, the need to replace this would be assessed closer to the time in-line with cashflow forecasts and interest rates at the time.

The capital programme was being kept under regular review due to the effects of inflationary pressures and shortages of materials and labour. The borrowing strategy would therefore also be regularly reviewed and revised, to achieve optimum value and risk exposure in the long-term.

Officers confirmed that the approved limits within the Annual Treasury Management Strategy were not breached during the quarter ended 30 September 2024.

49. Setting the 2025/26 Budget & Medium Term Financial Strategy 2025/26-2029/30

Purpose of Report

To update Executive on the latest Medium Term Financial Strategy (MTFS) position for the Council, including the challenges in preparing for the 2025/26 and future years budget, setting out the parameters within which the Council would prepare these budgets and confirmation of the Council's approach to development of the budget and Medium Term Financial Strategy.

The report included an update on the current economic position and developments in national policy, specifically the Government's first Budget and Spending Review, which gave rise to specific impacts for local government funding. This, along with cost and demand pressures, and other emerging issues, would inform the development of the MTFS. Further details in respect of key budget assumptions for 2025-30, together with budget and financial planning preparation timetables for 2025/26 were outlined at Appendices A and B of the report.

Decision

1. That the financial challenges and risks that the Council faced, particularly the uncertainty surrounding future funding levels be noted.
2. That the projected budget parameters for 2025/26 and future years and note the planning assumptions, as set out in Appendix A be noted.

3. That the budget, strategic and service planning preparation programme, as set out in Appendix B be noted.

Alternative Options Considered and Rejected

There were significant, unprecedented risks to the Council's budget strategy, particularly in the short-term as detailed within the officer's report.

The budget process included the recognition of these risks in determining the 2025/26 budget and MTFS, but it would be imperative that the Council continued to build upon its record of delivering significant savings and maintained a strong financial management discipline in order to ensure a sustainable financial position.

Reason for Decision

The Council's new emerging Vision 2030 and its five strategic priorities would drive the medium-term financial planning process, with changes in resource allocation determined in accordance with policies and priorities. The MTFS provided the framework for the development of annual budgets in line with the aims of the Council's strategy and priorities.

The refreshed MTFS would include financial projections for the five-year financial planning period through to 2029/30. It would set out the financial parameters within which the Council was required to work and the recommended approach to addressing the financial challenges the Council faced to develop a balanced, sustainable budget and set Council Tax and Housing Rents for 2025/26.

The refresh of the MTFS needed to be seen in the context of significant financial uncertainty for the Council in relation to future Government funding levels. Significant changes to future public sector departmental spending through the Spending Review 2025, the allocation of this funding to local government through reforms to the distribution methodologies, and the potential implementation of a Business Rates Reset, were as yet all unknown but all of which had the potential to fundamentally affect the Council's funding trajectory and MTFS

Furthermore, the Council continued to face budget pressures due to changes in the use of, and demand for, services, as well as increased costs and reduced income streams.

As a result of these factors, the Council, and local government as a whole, was yet again having to update their medium-term financial strategies in a very uncertain environment. It was a long time since the Council had any stability and certainty beyond a one-year timeframe, and the development of the latest MTFS looked set to continue this tradition, which made financial planning, and the subsequent impact on service delivery, in this climate extremely challenging.

Against this backdrop of uncertainty, the report sets out the current financial planning assumptions that would form the basis of the MTFS refresh. However, due to the level of uncertainty it was difficult to make a full, definitive and comprehensive assessment of the ongoing financial impact of some of these issues. As such, the figures in this report were based upon best estimates and forecasts and would therefore be subject to change as the budget process developed, and would continue to change into the new financial year. This medium-term financial planning process was though critical to ensuring that the

Council had an understanding of the likely level of available resources and the potential costs of delivering services, identifying budget shortfalls at the earliest opportunity to ensure appropriate action could be taken in advance.

Based on the current financial planning assumptions it was estimated that the Council would not need to make any significant increases in the level of savings targets that underpinned the existing MTFS. The assumption that reductions in the annual net cost base of the General Fund of c£1.75m by 2027/28, if it was to remain sustainable in the medium term, would remain. The Council had a strong track record of managing its finances, having delivered annual revenue reductions of over £10.5m over the last 10+ years. But, £1.75m was a significant amount in comparison to the General Fund budget and with each year the challenge got much harder.

Careful and prudent financial management would continue to be required to ensure that the Council maintained a robust and sustainable financial position and was able to respond to the financial risks that it faced. The MTFS needed to remain flexible, the Council's reserves resilient and the sound track record of delivering savings needed to be sustained, whilst ensuring that resources were directed towards the new Vision 2030.

50. Strategic Risk Register Quarterly Review

Purpose of Report

To provide a status report on the revised Strategic Risk Register as at the end of the second quarter 2024/54.

Decision

That the Council's strategic risks as at the end of quarter 2 2024/25, be noted.

Alternative Options Considered and Rejected

None were considered. The Strategic Risk Register contained the key strategic risks to the delivery of the Council's medium and longer term priorities. A failure to monitor the action that was being taken to manage those risks would undermine the Council's governance arrangements.

Reasons for the Decision

An update of the Strategic Risk Register developed under the risk management approach of 'risk appetite', was last presented Members in August 2024 and contained fifteen strategic risks as detailed within paragraph 3.1 of the officer's report.

Since reporting to Members in August, the Strategic Risk Register had been refreshed and updated by the Risk Owners and Corporate Management Team. This update had reviewed each risk in terms of the level of assessed risk, control measures in place and mitigating actions required, and had identified there had been some positive movement in the Risk Register. It had also considered whether there were new risks that need to be assessed.

The updated register was contained with Part B of this agenda, it contained fifteen strategic risks along with details of relevant mitigations.

Each risk included a number of control measures in order to avoid, seek, modify, transfer or retain the risks. These included actions already in place and further actions required with the relevant timescales for implementation. These control actions continued to be implemented and the risks managed accordingly.

Each risk was evaluated in terms of the level of assessed risk (likelihood and impact), taking into consideration any changes in control measures and the wider environment in which the Council operated. There had been some positive movements in terms of the implementation of control measures, which had resulted in a change to the assessed levels or likelihood and/or impact of one of the risks:

- Risk 13 has decreased from Red: Almost Certain/Critical to Amber: Probable/Major.

The assessed level of each of the fifteen risks was outlined at paragraph 3.4 of the officer's report.

51. Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following items of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

52. Strategic Risk Register Quarterly Review

Purpose of Report

To receive the revised Strategic Risk Register as at the end of quarter 2 2024/25.

Decision

That the Council's strategic risks, as at the end of quarter 2 2024/25, be noted.

Alternative Options Considered and Rejected

None were considered. The Strategic Risk Register contained the key strategic risks to the delivery of the Council's medium and longer term priorities. A failure to monitor the action that was being taken to manage those risks would undermine the Council's governance arrangements.

Reasons for the Decision

The reasons for the decision were set out at Minute 49 above.

53. Opportunity to Acquire 9 x 3 Bed New Build Homes

Purpose of Report

As detailed in the exempt report to the Executive.

Decision

That the recommendation to the Executive, as set out in the exempt report, be approved.

Alternative Options Considered and Rejected

As detailed in the exempt report to the Executive.

Reasons for the Decision

As detailed in the exempt report to the Executive.

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SUBJECT: INCOME MANAGEMENT AND ARREARS POLICY (HOUSING TENANTS)

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: MARIANNE UPTON, TENANCY SERVICES MANAGER

1. Purpose of Report

- 1.1 To present the reviewed Income Management and Arrears Policy (previously Rent Arrears Recovery Policy) document and highlight changes.

2. Lincoln Tenants Panel Consultation

LTP have been consulted about this report and have made the following comments:

- The Panel agree with the revised policy in general terms.
- They requested more information on the outcomes of the Eviction Prevention Panel that is referenced in the document, and this can be provided annually.
- LTP would like to see review information in 6-months' time about the performance of pilot structure with a dedicated Rent Team. There will be a review of how the pilot structure is working and the information can be shared.
- The Panel would like to work on looking at how we sustain tenancies, particularly for first time tenants and people who are being resettled from other types of accommodation. A working group is being formed with LTP to look at this.
- There will need to be further work to look at what makes up the total amount of arrears, and this will include considering any coming from "bedroom tax" and a working group to review the Downsizing Scheme pilot.

3. Background

- 3.1 This Policy is scheduled for its 3-year review in 2024.
- 3.2 The report and policy were presented to Housing Scrutiny Sub-Committee on 8 August 2024.

4. Proposed Amendments

- 4.1 All references to legislation and guidance have been updated.

4.2 The Policy has had no significant changes to its content and purpose so has not been widely consulted on. It has been re-written in a clearer format and elements that are more procedural have been removed.

4.3 It is proposed to look at further work on the technical aspects of income collection, which do not impact on the content of this policy, later this financial year.

5. Strategic Priorities

5.1 Let's reduce all kinds of inequality

To have a fair and consistent approach to collecting rental income and arrears.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

There are no financial implications in reviewing this policy.

6.2 Legal Implications including Procurement Rules

There are legal implications of reviewing this policy, as there were for the previous policy, because it can result in taking possession proceedings.

6.3 Equality, Diversity and Human Rights

The review of the policy has no implications for Equality, Diversity or Human Rights.

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

An Equality Impact Assessment was not required as part of this review as any amendments were not a change to the existing policy.

7. Risk Implications

7.1 (i) Options Explored

No risks are identified with reviewing this policy.

7.2 (ii) Key Risks Associated with the Preferred Approach

N/A.

8. Recommendation

8.1 That the attached Policy is approved.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 1

List of Background Papers: Income Management and Arrears Policy

Lead Officer: Marianne Upton, Tenancy Services Manager
Email address: marianne.upton@lincoln.gov.uk

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City of Lincoln Council

Income Management and Arrears Policy



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Scope

Paying the rent on time is a key condition of our tenancy agreement and the council is committed to providing an efficient and effective process for the prevention and collection of arrears.

Tenants are offered a variety of payment methods to choose from, but with an emphasis on Direct Debit as the preferred method in all cases.

Tenants wishing to pay by other methods will be advised of the options available to them, which currently includes, but is not limited to, Standing Orders, payments online, by telephone, at a PayPoint, or at a Post Office.

Dedicated Officers are available to give individual debt and benefits advice to those who need it.

The council will also offer referrals to specialist, independent services that provide help and advice for tenants about debt and benefits.

The council will closely monitor the effects of the continuing introduction of Universal Credit on individuals, as well as other welfare reforms within the Welfare Reform Act 2012 that continue to affect our tenants.

The council will also consider, when taking possession action, the Housing Act 1996, the Human Rights Act 1998, the Equality Act 2010, and our duties under the Public Sector Equalities Duty within this Act, as well as any other relevant information or Acts, and will make assessments accordingly. Any application for possession will be supported by a signed Equality Impact Assessment that will be kept under review until the outcome of the hearing.

This policy relates to secure and introductory tenancies and reflects a balanced and holistic approach to the collection of rent and recovery of rent arrears.

Aims

The aim of this policy is to sustain tenancies by offering a fair and balanced approach to the collection of rental income, and to ensure that early intervention measures are adopted in all instances.

Possession action should be used as a last resort, and only where all other methods of intervention have failed.

The policy aims to be fair and consistent, whilst also being efficient and effective in its approach.

Objectives

- To prevent rent arrears accruing.
- To clarify the policy for dealing with current tenant arrears.
- To summarise the assistance the council can provide for tenants to assist them with paying the rent and clearing their debts.
- To prevent homelessness and promote tenancy sustainment.



Approach

The council will work closely with other council departments and outside agencies to ensure early intervention measures are adopted and timely referrals are made where appropriate.

The Council's Housing Solutions Team, in line with the Homelessness Reduction Act 2017, will be notified of all cases where the tenant may be threatened with homelessness.

Where a tenant is considered vulnerable the council will work closely with them to avoid possession action where possible, and each case will be referred to the Eviction Prevention Panel (EPP) before any eviction order is sought. The panel will generally consist of (but not exclusively) a manager from the Tenancy Services Team, a manager from the Benefits Team, and a manager from the Housing Solutions Team. Legal advice will be taken if needed.

Our primary aim is to recover the debt rather than taking possession action, and evictions are to be considered a failure rather than a success. However, it is recognised that there will be instances where possession action or evictions are unavoidable.

Where possession action is unavoidable, and recovery action becomes necessary, each case should be carefully considered and any specific details, such as affordability, disability, etc, considered.

The council will ensure that it fully complies with the Pre-Action Protocol for Possession Claims by Social Landlords before processing any court applications, including:

“2.6 Possession proceedings for rent arrears should not be started against a tenant who can demonstrate that –

(a) the local authority or DWP have been provided with all the evidence required to process a housing benefit or universal credit (housing element) claim;

(b) there is a reasonable expectation of eligibility for housing benefit or universal credit (housing element); and

(c) they have paid other sums due that are not covered by housing benefit or universal credit (housing element).”

All possession action must be proportionate to the debt owed to prevent tenants from being unnecessarily drawn further into debt with the addition of court costs.

The council will ensure that all tenants with an entitlement to housing benefit (HB) make prompt claims, and where necessary will help complete an application. Staff will then monitor each case regularly to ensure there are no delays within the claim where they could otherwise be avoided.

Tenants needing to make a claim for Universal Credit (UC) will be directed towards the Department for Work and Pensions website (DWP) to make their online claim. Where a tenant is identified as being vulnerable and unable to get alternative assistance to make a claim, an Officer will help and will notify the DWP 'vulnerable work coaches' of the case.

Where appropriate, and in cases of under occupation, staff will assist tenants to make a Discretionary Housing Payment (DHP) claim to cover the shortfall in HB or Universal Credit (UC). It is recognised that this is a short-term solution and may not be approved in all cases



so alternatives such as moving to smaller accommodation should be discussed with the tenant at the outset.

Staff will closely monitor UC claimants to ensure they are paying the rent on time and will offer guidance and assistance to the most vulnerable and those facing financial hardship.

Where appropriate staff will apply for an Alternative Payment Arrangement (APA) through the Landlord Portal for any tenant who is unable to manage their money or budget appropriately. These will be monitored, and tenants will be removed from the service when, or if, it is felt they can take responsibility for paying the rent themselves.

All staff are trained in basic advice and can offer advice and assistance to any tenants falling into arrears, making arrangements with them to pay off the debt rather than seeking possession action where it is appropriate to do so.

Where tenants require more specialist debt advice, they will be formally referred to the local Citizens Advice Bureau (CAB) or other specialist debt advisory services.

Tenants requiring additional support will be referred to the most appropriate agency for their needs.

Under the Data Protection Act 2018, tenants will need to consent to any support before a referral is made to an outside agency.

Any information relating to individuals will be dealt with sensitively and only information that is 'necessary and relevant' to taking possession action will be used.

Procedure

The council have a set of comprehensive procedures and flowcharts for income management (including overpayment of rent) and rent arrears recovery to support the policy, covering the process from early intervention to eviction. The procedures are reviewed on a regular basis to ensure they remain current and relevant.

The procedures provide detailed guidance for staff when dealing with rent arrears cases and comply with the Pre-Action Protocol for Possession Claims by Social Landlords.

In line with our procedures all possession claims are entered onto the Possession Claims Online (PCOL) website by staff after approval from the relevant Manager.

Eviction requests are subject to rigorous checks, and a checklist completed, before approval is sought from the EPP.

Where Tenants want to challenge a decision to evict them, they have a right of appeal to the Housing Appeals Panel (HAP), whose decision will be final.

Service Standards

The council has developed a procedure to encourage early intervention and help for tenants to avoid accruing debt and has adopted formal referral processes to ensure tenants are being sign posted to the most appropriate agency for their needs.

Staff are well trained and can offer basic advice and appropriate sign posting to any tenant in arrears that is seeking assistance.

Where a tenant requires specialist debt advice a referral will be made to the most appropriate agency.



Staff will be proactive in their approach and will contact tenants at all stages in the rent arrears recovery process.

Staff will liaise with other departments where necessary and take a holistic approach to ensure that the tenant receives a seamless service.

Recovery of all debts owed to the council will continue to be a high priority, and every effort will be made to recover the debt before any legal action is taken.

Any debts left at the end of a tenancy, following eviction, will be subject to the Former Tenant Arrears Procedures, and any items left in the property will be dealt with under the Disposal of Possessions Procedures.

Any recharges as a result of damage to the property at the end of the tenancy will be dealt with under the Rechargeable Repairs Policy.

Related Policies

- Fair Collection and Debt Recovery Policy
- Allocations Policy
- Tenancy Policy
- Rechargeable Repairs Policy

SUBJECT: NEIGHBOURHOOD MANAGEMENT POLICY (HOUSING TENANTS AND LAND)

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: MARIANNE UPTON, TENANCY SERVICES MANAGER

1. Purpose of Report

- 1.1 To present a new Neighbourhood Management Policy to Members.

2. Lincoln Tenants Panel Consultation

LTP have been consulted about this report and have made the following comments:

- The Panel have agreed with the policy in principle and understand that it is an overall umbrella for other policies and procedures.
- They would like further work to be done with them on a separate policy looking at handling noise issues and communal living.
- The approach in the policy needs to be linked to work being done on ASB procedures. It needs to align with this process and the Allocations process.
- The Panel are happy to work with officers on the policies and procedures that feed directly into this policy, such as grounds maintenance, untidy gardens and communal areas.

3. Background

- 3.1 This policy meets the requirements of the Social Housing Regulator, specifically the Consumer Standards: Neighbourhood and Community, Safety and Quality, and Transparency, Influence and Accountability (including the Tenant Satisfaction Measures).
- 3.2 Included in these Standards are required outcomes that neighbourhoods and communal areas associated with homes are clean and safe. This reinforces our aims to ensure that neighbourhoods are attractive, clean and safe places to live, work and socialise in.
- 3.3 It was a recommendation of the Housing Ombudsman's "Spotlight on noise complaints – time to be heard" report that social housing landlords should have a neighbourhood management policy distinct from their Anti-Social Behaviour (ASB) policy, and procedures in place for triaging neighbourhood management issues through early intervention and creating an environment that is attractive, clean and safe.

4. Scope

- 4.1 This policy only applies to c.7,800 properties which are owned and managed by City of Lincoln Council and the areas Housing are responsible for throughout the city.
- 4.2 This is an 'umbrella' Policy that signposts a number of specific delivery policies that determine how we provide services.

5. Strategic Priorities

5.1 Let's reduce all kinds of inequality

The policy aims to deliver a fair and consistent approach to managing the neighbourhoods our homes are in.

5.2 Let's deliver quality housing

This policy brings together the work covered by our strategies and policies relating to Property Development, Property Maintenance, Tenancy Management, Communal Areas and Grounds Maintenance to outline a holistic approach to deliver quality housing.

5.3 Let's enhance our remarkable place

There are wider impacts to the communities in Lincoln if our neighbourhoods are well-managed.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

The policy is an "umbrella" policy for the work that is already carried out through other policies and is included within the HRA Business Plan, so there are no financial implications.

6.2 Legal Implications including Procurement Rules

This policy does not change any of the other policies in place, so has no legal or financial implications.

6.3 Equality, Diversity and Human Rights

This policy aims for a fair and consistent approach to managing our homes and neighbourhoods and commits to work with all stakeholders on any schemes, including tenant and resident engagement.

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

7. Human Resources

N/A.

7.1 Land, Property and Accommodation

N/A.

7.2 Significant Community Impact &/or Environmental Impact

Please see the Council's [Environmental Policy \(sharepoint.com\)](#) for further guidance

7.3 Corporate Health and Safety implications

N/A.

8. Risk Implications

8.1 (i) Options Explored

There are no risks identified for this new policy.

8.2 (ii) Key Risks Associated with the Preferred Approach

N/A.

9. Recommendation

9.1 That the contents of this policy are approved.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

1

List of Background Papers:

Neighbourhood Management Policy

Lead Officer:

Marianne Upton, Tenancy Services Manager
Email address: marianne.upton@lincoln.gov.uk

City of Lincoln Council

Neighbourhood Management Policy



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Purpose

This Policy sets out our approach to developing and maintaining attractive, clean and safe neighbourhoods.

This is an 'umbrella' Policy that signposts a number of specific delivery policies that determine how we provide services. It recognises the linkages and inter-relationships that exist across a range of service areas that influence how popular and ultimately lettable homes are within our neighbourhoods. This is the key not only to satisfied tenants but also underpins the sustainability of the council as a provider of social housing

This policy meets the requirements of the Social Housing Regulator, specifically the Consumer Standards: Neighbourhood and Community, Safety and Quality, and Transparency, Influence and Accountability (including the Tenant Satisfaction Measures).

Included in these Standards are required outcomes that neighbourhoods and communal areas associated with homes are clean and safe. This reinforces our aims to ensure that neighbourhoods are attractive, clean and safe places to live, work and socialise in.

There is an expectation that we will consult with tenants in developing a programme for maintaining and improving the neighbourhoods associated with our properties/their homes. We will work in partnership with our tenants, residents and other relevant stakeholders to do this.

We acknowledge that as the major social landlord in Lincoln we must play a lead role in developing and ensuring attractive, clean and safe neighbourhoods.

Delivering an effective Neighbourhoods Management Policy will involve not only sound day to day operational practice to ensure timely interventions but also more strategic oversight to inform good investment planning that, where possible, addresses underlying issues to enhance the appearance and sustainability of neighbourhoods.

Objectives

- To ensure that all stakeholders have a clear understanding of our approach to developing and maintaining attractive, clean and safe neighbourhoods; this includes tenants, residents, staff members and partner organisations.
- To ensure that we plan and target resources effectively and in a consistent way, while considering our diverse customer base and their needs so that neighbourhoods are popular and sustainable places to live.
- To ensure that we always seek to deliver effective and efficient services which offer real value for money.
- To ensure we adopt a partnership approach, encouraging collaboration and maximising the resources available.
- To ensure we closely monitor the quality of our services and that we quickly and fairly deal with complaints.
- To ensure that we actively benchmark ourselves against other providers both locally and nationally and report our performance both accurately and regularly.

Scope

This policy applies to c.7,800 properties which are owned and managed by City of Lincoln Council and the areas Housing are responsible for throughout the city.

Approach



We will encourage and support our tenants and other residents in the community where appropriate to develop a joint approach to maintaining and improving the neighbourhoods associated with our properties/tenants' homes to ensure that neighbourhoods are attractive, clean and safe and where tenants, residents and visitors feel pride in their immediate surroundings and have a sense of ownership.

Through the work of our Housing Teams, Lincoln Tenants Panel and Resident Involvement Team we will encourage tenants, Members, residents and partner organisations to jointly inspect neighbourhoods, deliver priorities important to this group with work carried out to a high standard, to the satisfaction of the majority and which offers value for money.

We will encourage tenants and residents to be responsible citizens who are considerate of their neighbours.

We will provide clear information to tenants about our statutory and contractual obligations whilst clearly explaining their own responsibilities.

We will provide a variety of ways for tenants to contact us to report issues or enquire about progress, including an out of hours service for emergency issues.

We will operate in a proactive and responsive manner, drawing on good practice and working in partnership, to get the most cost-effective service outcomes for our tenants.

We will let homes promptly and to a high standard and monitor void property performance to identify at an early stage any adverse trends.

When designing new homes or making changes to existing ones; we will take into account crime prevention, safety measures, energy efficiency, noise reduction measures and the way public space can be used to enhance the environment and quality of life. We will have regard to the standardisation of components wherever possible in order to simplify servicing and repairing arrangements and provide better value for money.

In addition to responding appropriately to day-to-day works that arise, we will maintain the elements of our properties/tenants' homes that we are responsible for through programmed works, and this includes maintaining communal areas and keeping them in a good condition. There will be timely redecoration, repair and where appropriate improvement to communal buildings, fencing, garage areas, paths and drying areas to maintain an attractive overall appearance and to help reduce the need for costly responsive repairs.

We will have in place grounds maintenance and other relevant contracts for communal areas to ensure that open spaces, borders and shrub bed areas are looked after according to the plant species and are weed and litter free. Grassed areas are cut as appropriate during the different seasons, hard landscaped areas are free of debris, bin areas are tidy, and windows are cleaned.

We will have in place appropriate arrangements for the timely removal of large items of refuse, caravans and abandoned cars.

We will, where leaseholders are sub-letting their homes, send any information on matters relevant to the property or the neighbourhood to the occupant as well as the leaseholder to ensure that all parties are informed.

We will ensure that all required health and safety inspections and checks are carried out on a programmed basis.



We will work with tenants, residents or partner organisations to put in place parking improvements and control measures.

Roles and responsibilities

Tenants, and their visitors

These can all play a part in sustaining the objectives of this Policy by:

- Complying with the obligations of tenancy agreements
- Being involved and engaged in decision making through the established channels
- Responding to satisfaction survey requests
- Identifying – formally or informally – opportunities for improvement within communities

Staff, Contractors, LTP and Members

- To deploy resources effectively and efficiently and on a value for money basis
- To ensure a high level of responsiveness in responding to service issues such as environmental decline, breaches of tenancy and in particular antisocial behaviour
- To work effectively within a partnership setting – being 'eyes and ears' within communities
- To serve as ambassadors for the wider housing service
- To identify opportunities for improvement and innovation
- To engage customers as part of a listening organisation

Other residents/the wider community

- All members of the community have an obligation to live their life in accordance with the law and enable 'peaceful enjoyment' of tenancies
- To alert the council to issues affecting our neighbourhoods that impact on quality of life and physical appearance
- To participate in consultation when appropriate opportunities arise

Publicity

We will consider publicity in all cases where activity has had a positive impact.

The benefits of publicity include:

- a) Motivating tenants and other residents to get involved
- b) Promoting confidence in our services
- c) Highlighting our successes to a wider audience

Related Documents

- Housing Strategy
- Tenancy Strategy
- Tenancy Policy
- Allocations Policy
- HRA Business Plan
- Repairs and Maintenance Policy
- Communal Areas Policy
- Anti-Social Behaviour Policy

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EXECUTIVE**9 DECEMBER 2024**

SUBJECT:	REVOCATION OF LINCOLN'S AIR QUALITY MANAGEMENT AREA
DIRECTORATE:	COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR:	SIMON COLBURN ASSISTANT DIRECTOR, (HEALTH AND ENVIRONMENT)

1. Purpose of Report

- 1.1 To seek approval from Executive to commence consultation on the revocation of the Council's existing Air Quality Management Areas; and
- 1.2 To request that Executive grants delegated power to the Portfolio Holder for Remarkable Place, in consultation with the Assistant Director (Health and Environment), to authorise making a subsequent revocation order relating to the existing Air Quality Management Area, subject to any consultation responses.

2. Executive Summary

- 2.1 The City of Lincoln Council currently has one Air Quality Management Area (AQMA), which was declared by the Council due to historical non-compliance with the national air quality objective for nitrogen dioxide, a road traffic related pollutant.
- 2.2 The Council's air quality monitoring data for the last 5 years confirms that there has been a significant improvement in air quality throughout the city. As a result, the Council's latest Annual Status Report on air quality to Defra recommends that the AQMA for nitrogen dioxide be revoked, in accordance with national guidance. The proposal to revoke the AQMA is also supported by Defra.
- 2.3 Before revoking an AQMA, the Council is obliged to consult with a number of statutory consultees. The Council may also consult with other relevant stakeholders. This report is seeking the approval of Executive to commence this consultation process.

3. Background

- 3.1 The Environment Act 1995 places a duty on the Council to regularly review air quality within the city against several national air quality objectives. The objectives are human health-based standards, seeking to protect the most vulnerable in society, i.e. the very young, the elderly and those with pre-existing conditions. Historically, areas closest to the city's busiest roads have been found to have pollution levels above the national objectives for nitrogen dioxide (NO₂).
- 3.2 Where exceedances of the objectives are found to be likely, the 1995 Act requires the local authority to declare one or more Air Quality Management Areas covering, as a minimum, all those areas where the objectives are likely to be breached.

- 3.3 The Council originally declared an Air Quality Management Area for NO₂ in 2001. This AQMA was subsequently amended in 2014 and again in 2018. A map showing the existing NO₂ AQMA can be seen in Figure 1 of Appendix 1.
- 3.4 Since the last amendment to the AQMA in 2018, the Council's monitoring network has shown that there has continued to be significant improvement in NO₂ levels, with compliance with the national air quality objectives being seen at all monitoring locations from 2019 onwards.
- 3.5 In terms of what has led to the improvement, it is likely to be due to a combination of actions at a local, regional and national level. Local measures are presented in the City Council's Annual Status Reports, with the latest 2024 Report recently being submitted to Defra for approval. These measures, along with improvements to the vehicle fleet through natural renewal and technological improvements to vehicles, industrial processes and commercial/domestic heating systems, will have had a beneficial impact. In particular, the opening of the Lincoln Eastern Bypass appears to have had significant beneficial impact along Canwick Road and Broadgate. The development of the Transport Hub and the introduction of the East-West Link Road are also likely to have made positive contributions to improvements in air quality.

4. Details

- 4.1 The Council's Annual Status Report (ASR) on Local Air Quality 2024 confirms that all areas within the AQMA have been complying with the national objective for NO₂ since 2019.
- 4.2 Defra's guidance document on local air quality, Local Air Quality Management Technical Guidance (TG22), advises that:

"The revocation of an AQMA should be considered following three consecutive years of compliance with the relevant objective as evidenced through monitoring. Where NO₂ monitoring is completed using diffusion tubes, to account for the inherent uncertainty associated with the monitoring method, it is recommended that revocation of an AQMA should be considered following three consecutive years of annual mean NO₂ concentrations being lower than 36µg/m³ (i.e. within 10% of the annual mean NO₂ objective). There should not be any declared AQMAs for which compliance with the relevant objective has been achieved for a consecutive five-year period."

There has been no monitored exceedance of the NO₂ objective in the AQMA since 2018, when the last exceedance was measured on Broadgate, and there has been no measured annual mean concentration within 10% of the NO₂ objective since 2019.

- 4.3 The advice on revocation was re-iterated in Defra's appraisal of our ASR 2024, adding:

"Keeping AQMAs in place longer than required risks diluting their meaning and impacting public trust in LAQM."

- 4.4 Before any significant amendments or revocations of AQMA's can be made, the Council has to consult with statutory consultees. The consultation may be widened to include other non-statutory consultees who may hold information that could affect the decision to revoke an AQMA.
- 4.5 As a minimum, it is proposed that the following organisations would be consulted:
- Environment Agency
 - Defra
 - LCC Highways
 - West Lindsey DC and North Kesteven DC
 - LCC Public Health
 - Central Lincolnshire Local Plan Team
 - Bus Operators
 - Internal Planning and Major Developments teams
- 4.6 There is no statutory consultation period defined within the legislation and, as such, it is proposed that the consultation will last for four weeks.
- 4.7 The consultation questions will seek to establish the following:
- a) Are there any proposed developments that are likely to make a significant contribution to NO₂ levels within central Lincoln over the next five years, due to additional road traffic or industrial emissions? If yes, what are they and is any data available to be able to quantify those impacts?
 - b) Do you object to the NO₂ AQMA being revoked? If yes, please provide your reasons?
- 4.8 There is no intention to consult the general public at this stage as the decision to revoke an AQMA is a technical procedural matter, which is unlikely to have any significant direct impact on local residents. (The general public will be consulted on any new local air quality strategy, which the Council will be required to develop following the revocation of the AQMA.)
- 4.9 Whilst the Assistant Director (Health and Environment) is authorised under the Constitution to implement duties under the Environment Act 1995, it is felt appropriate that authority for making any subsequent revocation orders in relation to the Air Quality Management Areas are delegated to the portfolio holder in consultation with the Assistant Director (Health and Environment), subject to any consultation responses.
- 4.10 Following revocation, the Council will be obliged to put in place a local air quality strategy to ensure air quality remains a high-profile issue and to enable a quick response should there be any deterioration in air quality at any location within the city. The development of a local air quality strategy will require a robust consultation process and shall be subject to separate committee reports and approvals. Defra will also be formally notified.

5. Strategic Priorities

5.1 Let's enhance our remarkable place

The revocation of the Council's remaining Air Quality Management Area provides a clear statement that the city's air quality has significantly improved since the introduction of the local air quality management regime. Compliance with the national air quality objectives means that residents and visitors to the city are able to benefit from breathing cleaner air and be less likely to suffer from associated adverse health impacts.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

The proposal to consult on and to revoke the existing AQMA should not have any direct cost implications.

6.2 Legal Implications including Procurement Rules

If, after consultation, the Council decides to amend or revoke either of the existing AQMA's, it would need to issue appropriate Orders under Part IV of the Environment Act 1995.

6.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

The proposal to consult on and to revoke the existing AQMA should not have any implications for equality, diversity or human rights.

7. Risk Implications

7.1 (i) Options Explored

None – this is a statutory process.

7.2 (ii) Key Risks Associated with the Preferred Approach

There should be no significant risks associated with consulting on proposals to revoke the AQMA as the process is primarily seeking information to establish whether it is appropriate to proceed with the revocation.

With regards to any resulting revocation of the AQMA, a key risk would be that air pollution deteriorates at some point in the future and a new AQMA has to be introduced. The Council will continue to monitor air quality across the city to identify any causes for concern in terms of future air quality trends. We will also be developing a local air quality strategy to ensure air quality remains a high-profile issue and to enable a quick response should there be any deterioration in air quality at any location within the city.

These measures will reduce the likelihood that a future reintroduction of an AQMA will occur.

8. Recommendation

- 8.1 That Executive approves the commencement of consultation on the revocation of the Council's existing Air Quality Management Area; and
- 8.2 Executive grants delegated power to the Portfolio Holder for Remarkable Place, in consultation with the Assistant Director (Health and Environment), to authorise making subsequent amendment or revocation orders in relation to the existing Air Quality Management Areas, subject to any consultation responses.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

One (Appendix 1 – AQMA Maps)

List of Background Papers:

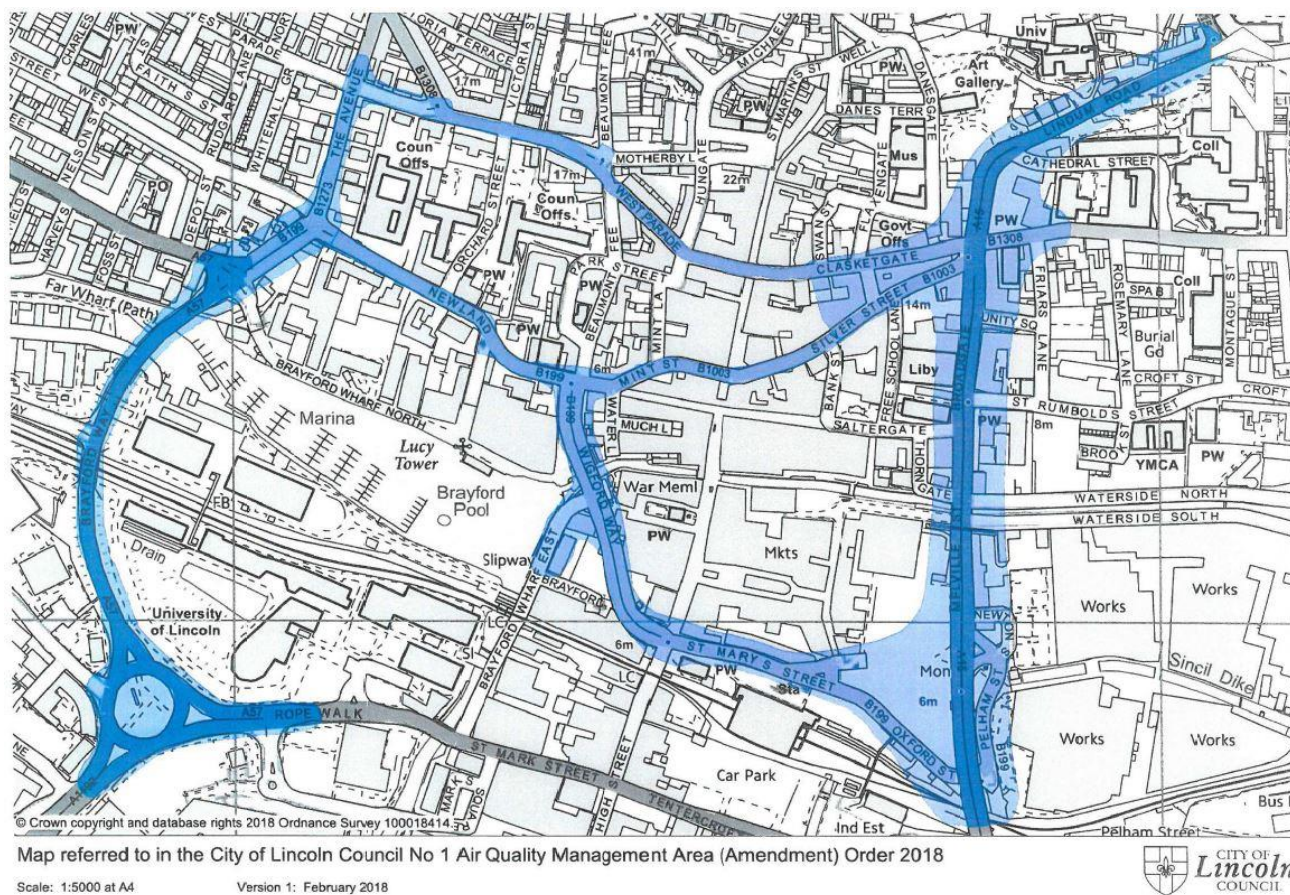
None

Lead Officer:

Ian Wicks, Pollution Control Officer
Email: ian.wicks@lincoln.gov.uk

Appendix 1 – AQMA Maps

Figure 1 - Existing NO2 AQMA



SUBJECT:	EXCLUSION OF THE PRESS AND 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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