

Present: Councillor Ric Metcalfe (*in the Chair*),
Councillor Donald Nannestad, Councillor Rosanne Kirk,
Councillor Neil Murray, Councillor Fay Smith and
Councillor Peter West

Apologies for Absence: None.

65. Confirmation of Minutes - 25 September 2017

RESOLVED that the minutes of the meeting held on 25 September 2017 be confirmed.

66. Declarations of Interest

Councillor Donald Nannestad declared a Disclosable Pecuniary Interest in minute number 67 as the report made reference to allotments and he currently leased an allotment from the City Council. A dispensation had been granted to all members who had a Disclosable Pecuniary Interest for any license to occupy land in the area of the authority for a month or longer and the nature of the business specifically related to the consideration of the Council's Medium Term Financial Strategy as a whole. Councillor Nannestad therefore remained in the meeting during consideration of the item.

67. Setting the 2018/19 Budget and Medium Term Financial Strategy 2018/19 – 2022/23

Purpose of Report

To inform the Executive of the likely challenges ahead in preparing for the 2018/19 and future years budget, to set out the parameters within which the Council would prepare these budgets and to confirm the Council's approach to development of the budget and Medium Term Financial Strategy.

Decision

The Executive:

- (a) Noted the significant financial challenges that the Council faced.
- (b) Noted the projected budget parameters for 2018/19 and future years and noted the planning assumptions as set out in Appendix A to the report.
- (c) Noted the budget, strategic and service planning preparation programme as set out in Appendix B to the report.

Alternative Options Considered and Rejected

None.

Reason for Decision

The report set out an update on the current economic climate, together with an overview of public sector and local government finance since the Autumn Statement in 2016. Included in the report was information relating to the Chancellor's 2017 Budget announced in March 2017, specifically in relation to the following topics:

- business rates appeals;
- 100% business rates retention;
- Lincolnshire pilot for 100% business rates retention;
- general fund implications;
- capital programme implications;
- housing revenue account implications.

The preparation of the budget and Medium Term Financial Strategy was based on assumptions for a number of key variables such as business rates, government grants, council tax levels, inflation rates and interest rates. These assumptions were revised on a continual basis in light of the most recent intelligence available. It was noted, therefore, that these would be subject to change as the development of the budget progressed. The changes to some of these assumptions created both unavoidable budget pressures as well as the opportunity to realise savings. At this stage, the impact on the general fund was outlined in the table at paragraph 5.6 of the report and in more detail at Appendix A to the report.

In respect of savings targets, the Towards Financial Sustainability Programme was and continued to be the vital element in ensuring that the Council maintained a sustainable financial position and delivered the required reductions in the net budget. The Programme had been re-aligned into three key strands to achieve savings which were:

- commercialisation – optimisation of usage and commercial returns of the City's property and land portfolio;
- asset rationalisation – generation of new income streams and commercial trading opportunities;
- shared services/savings – ensure the provision of professional, high performing services.

Progress, as at September 2017, in delivering the target savings from the Towards Financial Sustainability Programme was set out in the table at paragraph 5.12 of the report. It was noted that the delivery of the current strategy and programme would leave the Council in a reasonable position to achieve the current savings targets for 2017/18. It was still necessary, however, to retain the overall emphasis on delivering the savings targets in order to achieve the current or potential stretched targets.

Further information was set out in the report regarding the housing revenue account, the capital strategy and consultation undertaken as part of the authority's council tax setting process.

68. Equality, Diversity and Human Rights Policy Review

Purpose of Report

To consider the Council's Equality, Diversity and Human Rights Policy for approval.

Decision

That the proposed changes to the Equality, Diversity and Human Rights Policy be approved and that the next review be undertaken in September 2019.

Alternative Options Considered and Rejected

None.

Reason for Decision

A light touch review of the Equality, Diversity and Human Rights Policy was undertaken in 2014 to check the document remained fit for purpose and accurately reflected responsibilities within the Council. A further review took place in 2016 and the current review ensured that the document aligned with the Council's Vision 2020 and updated responsibilities in line with recent changes in the Council.

The Equality and Diversity Group had considered and supported the proposed amendments to the Policy at the September meeting of the group.

69. Lincoln City Profile 2016/17

Purpose of Report

To provide the Executive with an opportunity to consider the Lincoln City Profile for 2016/17, which was the updated version of the previous years' profile encompassing a breadth of information and focussing on key demographic and socioeconomic characteristics of, and challenges to, the city of Lincoln.

Decision

The Executive noted the findings of the Lincoln City Profile 2016/17 and approved it for publication, subject to the correction of typographical errors.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Lincoln City Profile acted as an evidence base behind the continued development and implementation of the City of Lincoln Council's Vision 2020 strategic priorities. A copy of the profile document was appended to the report.

The Leader of the Council said that this document demonstrated the authority sought to ensure that its policies and strategies were evidence based. It also made clear that the Council's current strategic priorities as part of its Vision 2020

were well-founded. He added that the document included matters which did not necessarily fall under the responsibility of the City Council, but assisted with the authority's community leadership role by influencing other strategic partners to address some of the issues highlighted.

It was suggested that the document should be sent to key strategic partners in order that it was publicised as widely as possible. The Chief Executive agreed to co-ordinate this.

The Leader of the Council, on behalf of the Executive, extended his thanks to the Council's Policy Team for the excellent piece of work.

70. Developers - Charges for bins

Purpose of Report

To consider an option under which the Council could seek cost recovery by implementing a charge for the cost of wheeled bin provision to new developments.

Decision

That the Executive:

- (a) Adopts the proposal to charge developers for wheeled bin provision, as set out in paragraph 5 of the report and outlined below.
- (b) That Community Services be included as a standard consultee for waste management issues within the Council's planning processes.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Council currently provided waste services by way of a tailored service and considered the needs of the property and practicalities of collection before deciding the type of receptacle for the waste. When a new property was built or redeveloped the Council should have input into what waste system was appropriate in order that it could provide suitable waste disposal facilities. A burden was being placed on the Council's existing bin purchase budget, which routinely overspent, and this proposal sought to address this by introducing a charge to developers of new or redeveloped properties where a new waste bin system was required.

The proposal included recovery of the cost of the bins and, additionally, small charges to cover delivery and administration so that the full costs of the provision were genuinely covered. Based on the existing cost burdens on the service, the following was proposed as a reasonable table of charges, regardless of whether they were black or brown bins:

- 140 litre - £22 per bin;
- 240 litre - £26 per bin;
- communal 660/1100 litre - £149 per bin.

It was proposed that delivery would be charged at £10 per bin, with administration being added at 10% of the total charge.

A brief assessment of charging by some other authorities was appended to the report.

71. Review of the Housing Appeal Panel Procedures

Purpose of Report

To consider proposed changes to the Housing Appeals Panel procedure.

Decision

That the proposed changes to the Housing Appeals Panel procedure be supported and recommended to Council for approval.

Alternative Options Considered and Rejected

None.

Reason for Decision

Recently it had become apparent that a number of procedural changes needed to be addressed within the Housing Appeals Panel procedure both to update them in view of the legal framework but also to provide a clear understanding of roles for members and officers.

The key changes proposed to be made to the Housing Appeals Panel procedure included the following:

- a reflection of legislative changes to:
 - review decisions to seek possession of dwelling-houses on absolute grounds for anti-social behaviour as required by Section 85A of the Housing Act 1985;
 - review decisions to seek possession of dwelling-houses following a Demoted Tenancy under Section 85A of the Housing Act 1985.
- a general update to the procedure's wording to better reflect the Housing Appeals Panel's remit;
- amendments to further formalise how the Housing Appeals Panel meetings would be conducted;
- the creation of Section 13 which set out a clear role for the Chair and allowed the Panel to take more of an active role within proceedings;
- standardisation of Housing Officer recommendations and Housing Appeals Panel decisions, whilst still allowing the Panel to exercise its discretion.

The revised procedure document was appended to the report.

72. Community Infrastructure Levy (CIL)

Purpose of Report

To advise the Executive on the current programme in respect of progressing Community Infrastructure Levy adoption by the City of Lincoln Council.

Decision

The Executive recommended:

- (a) That the Council approves the modifications as set out in the City of Lincoln Council Community Infrastructure Levy Examination Report to the Draft Charging Schedule, as set out in Appendix 1 to the report.
- (b) That the Council incorporates those modifications into the City of Lincoln Council's Community Infrastructure Levy Charging Schedule.
- (c) That the Council adopts the amended City of Lincoln Council Community Infrastructure Levy Charging Schedule, as set out in Appendix 2 to the report.
- (d) That the Council approves the supporting policies, as set out in Appendix 3 to the report.
- (e) That the Council implements the Community Infrastructure Levy Charging Schedule on a date as soon as practicable on or after 1 January 2018.
- (f) That the Council incorporates this additional function within its Constitution.

Alternative Options Considered and Rejected

An option to not adopt the Community Infrastructure Levy had been considered through the Central Lincolnshire Strategic Group. A recommendation to not proceed with this option was agreed on the basis that it would significantly weaken the ability to support the infrastructure needs resulting from the planned growth in Central Lincolnshire, particularly in respect of delivery of the Eastern Bypass and Secondary School provision.

Reason for Decision

Following the examination hearing into the City of Lincoln Council's Community Infrastructure Levy Draft Charging Schedule, which took place on 3 March 2017, the examiner produced a report on 24 May 2017 which concluded that, subject to the recommended modifications, the Council's draft Community Infrastructure Levy Charging Schedule would provide an appropriate basis for the collection of the Levy in the area.

Five modifications had been recommended for inclusion in the Draft Charging Schedule, as follows:

- provision of additional inset maps at a larger scale showing the location of the sustainable urban extensions;
- amendment of the rate for new residential development in Zone 1 to £25 per square metre;
- amendment of the rate for new residential development in Zone 2 to £20 per square metre;
- amendment of the description of Zone 2 to read 'Developments at Western Growth Corridor and North East Quadrant sustainable urban extensions';
- addition of a column for apartments and deleting the text 'Applicable to whole district' from the header'.

In addition, the recommended revised Community Infrastructure charging rates for residential development were as follows:

- Zone 1: Lincoln Strategy Area - £25 per square metre
Zone 2: SUE's (WGC & NEQ) - £20 per square metre

The recommended revised charging rates for convenience retail was £40 per square metre.

Subject to these modifications, it was noted that the Council would be able to demonstrate that it had sufficient, appropriate evidence to support the Schedule. The Schedule would strike an appropriate balance between the desirability of funding necessary infrastructure whilst ensuring that it did not put at risk the viability of development in the area, as set out in the Central Lincolnshire Local Plan.

The Council was seeking to implement the Charging Schedule alongside North Kesteven District Council and West Lindsey District Council in January 2018.

The Council's Policy Scrutiny Committee and Planning Committee had considered this report at their meetings on 10 October 2017 and 11 October 2017, respectively. The draft minutes of those meetings were appended to the report.

The Leader of the Council emphasised that this was an important funding source to support the necessary infrastructure associated with new development.

73. 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.

These items were considered in private as they were likely to disclose exempt information, as defined in Schedule 12A of the Local Government Act 1972. No representations had been received in relation to the proposal to consider these items in private.

74. Write-Outs/Irrecoverable Non Domestic Rates/Sundry Debts and Overpayment of Housing Benefit

Purpose of Report

To seek Executive approval to write out debts deemed irrecoverable in relation to non-domestic rates, sundry debts and overpayment of housing benefit.

Decision

That the write outs as set out in Appendices A, B and C to the report be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

Debts that were deemed to be irrecoverable were written out in accordance with the Council's write out policy. Authority was required from the Executive where the total outstanding amount on any individual account was over £5,000.

Appendices A, B and C included details of debts deemed as irrecoverable in respect of non-domestic rates, sundry debts and housing benefit.

It was noted that extensive work was undertaken, with every opportunity to recover debt explored, prior to reaching this stage of the process. Reference was made to instances of repeat offending both in terms of individuals and establishments and whether any further civil action could be undertaken. It was agreed that this issue would be considered further by the team, but that the cost of pursuing further action compared to the outstanding debt must also be taken into account.

75. Property Re-Structure

Purpose of Report

To seek Executive approval for a re-structure of the Council's Property Services team.

Decision

That the proposed re-structure of the Council's Property Services team be approved.

Alternative Options Considered and Rejected

As part of the consultation process an alternative option had been identified which did not include a specific post as part of the re-structure. This was deemed as not being financially beneficial.

Reason for Decision

The primary objective of the Property Services review was to identify means by which the Towards Financial Sustainability Programme savings target of £43,040 could be met. The review also brought the current structure up to date to meet the needs of the service and increased workload as a number of posts had changed significantly over the last few years, with honorariums being in place to reflect that. Specifically, increased workloads had occurred in the following areas:

- property rationalisation;
- new build housing;
- managed workspace and business support;
- health and safety - managing the responsible officer network and general building compliance.

The current structure was outlined in Appendix A to the report, with the revised structure set out in Appendix B. It was noted that the proposed re-structure did not comprise of any redundancies.

76. Lincoln Transport Hub

Purpose of Report

To provide information on the operating parameters and associated operating budgets for both the Lincoln Central Bus Station and the Lincoln Central Multi-Storey Car Park.

Decision

That the report be noted and the forecast budget be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The model used was based on previous decisions to operate the facilities under the principles of operating as an Ensuring Council, the approach adopted by the Council as its overriding ethos last year. It took into account the known or quoted costs, or best estimates based on informed advice, for both the Multi-Storey Car Park and Central Bus Station.

In respect of the Central Bus Station, a 'departure charge' for bus companies was still subject to negotiation. This was a charge levied against each bus departing from the bus station. Other considerations impacting the operating parameters and operating budgets included:

- opening hours;
- toilet availability;
- staffing;
- staffed reception and information desk;
- electricity, repairs, maintenance and running expenses.

The provision of the new Multi-Storey Car Park added considerably to the availability of parking in Lincoln. The car park would be open on a 24/7 basis which required staff support accordingly.

An overview of the estimated net operating costs on a year by year basis until 2021/22 was set out at paragraph 7.1.1 of the report. It was noted, however, that this represented a worst case scenario and the final operating costs would be influenced by the rate of the departure charge, which had not yet been agreed.

77. Update to the New Building Housing Strategy

Purpose of Report

To provide the Executive with a general progress update on the New Build Housing Strategy, including a buy back option of new affordable housing.

Decision

That the recommendations set out in paragraphs 8.1, 8.2 and 8.3 of the report be approved.

Alternative Options Considered and Rejected

Alternative options were considered in relation to two specific sites. Further details of these were outlined in paragraph 7.1 of the report.

Reason for Decision

Details relating to specific sites and a methodology for purchasing completed properties were included in the report.

Paragraph 3.5 of the report set out the criteria that the structure of the buy-back option between both parties must satisfy.

The Leader of the Council, on behalf of the Executive, extended his congratulations to the Director of Housing and his team in respect of this work.

78. Sale of Property

Purpose of Report

To approve the sale of a property.

Decision

That the sale of the property referred to in the report on the open market be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

It was considered that, with vacant possession, the Council would receive the full market value of the property.

79. Western Growth Corridor

Purpose of Report

To update the Executive on the delivery of the Western Growth Corridor and seek approval to increase the budget for the project.

Decision

That the recommendation contained within the report be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

The progress of the Western Growth Corridor project had been reported to an all member workshop on 11 May 2017 and included key items listed at paragraph 2.2 of the report.

Over the summer a number of very significant issues had emerged which culminated in the need to change the Council's approach to the project and delay the submission of the planning application. They had also exposed the Council to increased costs and risks. The report therefore provided an update of the following aspects of the Western Growth Corridor project:

- significant issues in relation to:
 - the landowner agreements;
 - transport assessments.
- consequential impacts on:
 - finance and funding;
 - the planning application;
 - delivery timescales and the project plan;
 - overall risks.

The Leader of the Council acknowledged the current circumstances of the project, but was of the view that the required additional investment should be made in order that the scheme could progress. The Western Growth Corridor represented a significant contribution to the growth of housing and jobs in the city and he queried whether any further support from the Government would be available.

The Director of Major Developments reported that a bid into the Homes and Communities Agency Accelerated Construction programme had progressed to a further phase of the assessment process. It was unclear at this stage, if granted, whether the funding would be in the form of a grant or loan but the bid had been submitted on the basis of funding for infrastructure.