

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.

80. Confirmation of Minutes - 30 October 2017

RESOLVED that the minutes of the meeting held on 30 October 2017 be confirmed.

81. Declarations of Interest

No declarations of interest were received.

82. Procurement Policies

Purpose of Report

To update the Executive on proposed changes to the Council's internal procurement policies following an internal review of the current provision.

Decision

That the proposed procurement policies be recommended to Council for approval and inclusion within the Council's Constitution.

Alternative Options Considered and Rejected

None.

Reason for Decision

Further to the decision to withdraw from the shared service arrangement under Procurement Lincolnshire, there was a need to ensure that the Council had a robust procurement service in place. A comprehensive review had therefore been undertaken to ensure that the service and its underpinning policies and strategies met the needs of both the Council and those who the Council wished to do business with.

The following policies and strategies were therefore developed which, alongside the Council's Contract Procedure Rules, would enable all parties to have a clear and transparent understanding of what was required of them:

- Procurement Protocol;
- Delivering Social Value Through Procurement;
- How To Do Business With City of Lincoln Council;
- Local Purchasing Strategy.

Each of these documents was appended to the report.

It was agreed that, subject to formal adoption by the Council, a publicity campaign should be undertaken via the Council's Communications Team in order that they were promoted as much as possible.

83. Financial Performance - Quarterly Monitoring Quarter 2

Purpose of Report

To present to the Executive the second quarter's performance, up to 30 September 2017, on the Council's general fund, housing revenue account, housing repairs service and capital programmes.

Decision

That the Executive:

- (1) Notes the progress on the financial performance for the period 1 April 2017 to 30 September 2017 and projected outturns for 2017/18.
- (2) Notes the underlying impact of the pressures and underspends identified in paragraphs 3.2, 4.3 and 5.2 of the report and associated appendices.
- (3) Approves, in principle, the carry forward request of £8,000 for the 'Charter Project' at the Guildhall.
- (4) Approves the changes to the general investment programme, as detailed in paragraph 7.5 of the report.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Council's Financial Procedure Rules require members to receive, on a quarterly basis, a report prepared jointly by the Chief Finance Officer and Corporate Management Team commenting on financial performance to date.

In terms of the general account, the general fund summary was currently projecting a forecast underspend of £141,404. This variance was the result of a number of forecast year-end variations in income and expenditure against the approved budget, summarised as follows:

- Towards Financial Sustainability Programme – savings target underachievement of £58,300;
- Interest payable – reduced expenditure of £74,390;
- Bus station – increased expenditure of £40,000;
- City Hall car park – increased expenditure of £110,830;
- Lincoln properties – increased income of £49,820;
- City Hall – reduced expenditure of £92,320.

As the forecast outturn for the general fund was showing a forecast underspend of £141,404, subject to outturn, a carry forward request of £8,000 was considered for the 'Charter Project' at the Guildhall. This amount was proposed to be spent

on restoring the historic charters at the Guildhall to enable them to be displayed to the public. It was noted that this work would cross into 2018/19 and therefore, if not complete by the end of the financial year, this money would be required in 2018/19. The forecast outturn for the general fund would therefore be £133,404.

The housing revenue account was currently projecting an in-year underspend of £50,051 which would increase general balances to £1,073,150 at the end of 2017/18. The assessed prudent minimum balance for the housing revenue account was currently £1 million. The components of this underspend were summarised as follows:

- Vacancy savings – reduced expenditure of £123,000;
- Reduced requirement for in year DRF of £200,000;
- Rents – reduced income of £213,000;
- Repairs – amendment of accounting policies on capital spend £838,000;
- Depreciation – revaluation of housing stock of £1,211,000.

For 2017/18 the Council's housing repairs service net revenue budget was set at zero, reflecting its full cost recovery nature. The service was forecasting a breakeven position in 2017/18 at quarter two. It was noted, however, that this prediction had been made on the basis that the billing process for the second quarter had not yet fully concluded.

Further information relating to earmarked reserves, the capital programme and the housing investment programme was set out in the report.

Work was currently taking place to establish, through an evidence-based model, how much the City Council had contributed to the local economy.

84. Strategic Risk Register - Quarterly Review

Purpose of Report

To provide the Executive with an update report on the revised Strategic Risk Register as at the end of the second quarter of 2017/18.

Decision

That the Strategic Risk Register as at the end of the second quarter of 2017/18 be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

An update on the Strategic Risk Register was last presented to members in August 2017 and contained seven strategic risks. Since then, the Risk Register had been reviewed and updated.

A number of further control actions had been progressed or completed, with key movements for each Strategic Risk highlighted as part of the report.

Strategic Risk 3 had been increased slightly from 'Amber: possible/major' to 'Amber: probable/major'. Control actions continued to be implemented and risks managed accordingly.

A revised copy of the Strategic Risk Register was appended to the report.

85. Strategic Plan Progress - Q2 2017-18

Purpose of Report

To provide the Executive with a progress report on strategic projects monitored by the Strategic Plan Implementation Team against its milestones for the second quarter of 2017/18.

Decision

That progress in delivery of strategic projects be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Strategic Plan Implementation Team was currently monitoring 19 strategic projects. 10 projects were currently on target in terms of their physical and financial and risk profiles. Of these, 6 projects had been completed and were currently awaiting a post implementation review.

None of the projects were off target in accordance with the three designated areas of monitoring, which were noted as being physical progress, financial position and risk analysis. The following two projects were currently off target in one or two of these areas:

- CCTV upgrade – works schedule, staff training and contracts milestones had missed deadlines but work on this project was drawing to an end;
- Compulsory acquisition – 12 Albany Terrace had missed 5 milestones primarily relating to legal aspects.

Three new projects had been recommended for approval in the second quarter, noted as follows:

- Crematorium car park lighting improvements;
- Allotment capital improvements;
- Purchase of new surface car parks.

The following six projects had completed their defined actions and were now awaiting completion of a Post Implementation Review:

- Car park safety – Broadgate car park improvements;
- New build scheme – Birchwood bungalows (20 new-build affordable units);
- Phase 2 proposed alternations – City Hall improvements;
- Replacement of DMS depot master – updated software for the Servitor project.

The following projects had submitted an initial Post Implementation Review, but additional data was requested so these would be finalised in the next quarter:

- Data recovery and back up;
- Bereavement services – improvements to facilities.

Updates on 'mega projects', including the Western Growth Corridor and the Transport Hub, were set out in the report. Progress reports on disabled facilities grants, delivering decent homes in the private sector and the housing revenue account business plan were also outlined in the report as ongoing annual projects.

Discussion ensued on the disabled facilities grant and it was noted that officers were in the process of putting a scheme together, in consultation with public health, to ring fence a proposed amount of £200,000 for the installation of central heating in homes where the owner or occupier was very vulnerable. This would need to go through the relevant decision making processes of the City Council and County Council and it was hoped the scheme would be available in mid-January.

86. Q2 2017-2018 Operational Performance Report

Purpose of Report

To present the Executive with a summary of the operational performance position for quarter 2 of the financial year 2017/18 from July 2017 to September 2017.

Decision

That the Executive:

- (1) Notes the achievements, issues and future concerns highlighted in the report for this quarter.
- (2) Agrees that relevant Portfolio Holders ensure that management has a local focus on those highlighted areas showing deteriorating performance.

Alternative Options Considered and Rejected

None.

Reason for Decision

Regular monitoring of the Council's operational performance was a key component of the Local Performance Management Framework.

The report provided an update on four corporate measures noted as:

- sickness;
- corporate complaints, including ombudsman rulings;
- employee fulltime equivalent headcount, vacancies and turnover;
- staff appraisals completed.

In terms of performance, the following exceptional areas of performance were noted:

- business rates in year collections were at 61.13%, 1.05% higher than the previous year;
- the time taken to process new benefit claims remained above target at 23.24 days;
- the average time to process housing benefit claim changes of circumstances continued to out-perform its 9 day target at 7.62 days;
- the number of housing benefit and council tax support customers awaiting assessment had reduced from 1021 at quarter 2 last year to 810 at quarter 2 this year;
- there were now just over 63,000 individuals on the electoral register, above the target of 62,500;
- the end-to-end time to determine a planning application had dropped from 63.49 days last quarter to 54.32 days this quarter;
- both major and non-major planning applications were being determined within the government's 2-year rolling target;
- the number of people requesting Public Protection and Anti-Social Behaviour services had dropped from 1049 at quarter 2 last year to 818 at quarter 2 this year;
- satisfaction with service at Yarborough Leisure Centre had risen to 88% from 79%.

Areas of underperformance were noted as follows:

- the volume of face-to-face enquiries in customer services remained high, at 12,123;
- the average time taken to answer a call to customer services had risen to 62 seconds from 41 seconds at quarter 2 last year;
- the level of outstanding revenues customer changes had more than doubled to 624 from 289 in quarter 2 last year;
- the percentage of food health and safety visits completed to schedule had dropped from 90.1% last quarter to 81.1% in quarter 2;
- satisfaction with the way that Public Protection and Anti-Social Behaviour complaints were handled was down from 88% to 68% in quarter 2;
- satisfaction with the cleanliness of public highways had declined from 84.3% to 73% in quarter 2;
- the percentage of households approaching the Council considering themselves homeless, where advice intervention resolved the situation had declined further below target to 30.87%;
- the average time taken for re-lets did not meet the lower target of 28 days despite improving at 29.95 days. It was noted that September and October had met target, so there should be an improvement in performance at quarter 3.

The overall year to date sickness data as at 30 September 2017 was 6.34 days per full time equivalent, excluding apprentices. This was 1.24 days more per full time equivalent compared to the same point last year. The Council's Corporate Management Team had instigated a new project on the High Performing Services Programme to look at the causes and possible actions needed.

All performance measures by individual directorate groupings, with annual and quarterly measures, were set out in Appendix A of the report.

87. Treasury Management and Prudential Code Update Report

Purpose of Report

To provide the Executive with an update on the Council's treasury management activity and the actual prudential indicators for the period 1 April 2017 to 30 September 2017 in accordance with the requirements of the Prudential Code.

Decision

That the Executive:

- (1) Notes the Prudential and Local Indicators and actual performance against the Treasury Management Strategy 2017/18 for the half-year ended 30 September 2017.
- (2) Supports the change to the Minimum Revenue Provision Policy and recommends this to Council for approval.

Alternative Options Considered and Rejected

None.

Reason for Decision

It was noted that the Council held £20.4 million of investments at 30 September 2017, with its investment profile outlined in Appendix A to the report.

As of 30 September 2017 the Council held £75.354 million of external borrowing, of which 100% was fixed rate loans. For the six months ended 30 September 2017, the Council achieved an average rate of 4.15% on its external borrowing, which was slightly lower than the budgeted rate set in the Medium Term Financial Strategy.

Further information relating to Prudential Indicators, particularly in respect of capital expenditure, financing of the capital programme, the capital financing requirement and external debt and limits to borrowing activity were set out in paragraphs 4.1 to 4.6 of the report.

The report also provided information on the Treasury Management Strategy 2017/18 to 2019/20 in relation to an economic update, borrowing activity, the Investment Strategy 2017/18 to 2019/20 and risk benchmarking as outlined in paragraphs 5.1 to 5.4.2 of the report.

88. Amendment of Lincoln's Air Quality Management Areas

Purpose of Report

To seek approval to commence consultation on the revision and revocation of the Council's existing Air Quality Management Areas.

Decision

That the Executive:

- (1) Approves the commencement of consultation on the revision and revocation of the Council's existing Air Quality Management Areas.
- (2) Grants delegated power to the Portfolio Holder for Environmental Services and Public Protection, in consultation with the Assistant Director of Health and Environment, to authorise any subsequent amendment or revocation orders in relation to the existing Air Quality Management Areas, subject to any consultation responses.

Alternative Options Considered and Rejected

None.

Reasons for Decision

The City of Lincoln Council currently had two Air Quality Management Areas which had been declared by the Council due to historical non-compliance with the national air quality objectives for two road traffic related pollutants, namely nitrogen dioxide and particulate matter smaller than 10 microns.

The Council's latest detailed air quality assessment, undertaken in March 2017, confirmed that there had been a significant air quality improvement in many areas of the city. As a result, the report concluded that the Air Quality Management Area for nitrogen dioxide could be reduced in size and the Management Area for particulate matter smaller than 10 microns revoked due to these improvements.

Prior to amending or revoking Air Quality Management Areas, the Council is obliged to consult with a number of statutory consultees.

The proposed amended boundary for the nitrogen dioxide Air Quality Management Area, to include only those areas that were likely to exceed or be within 10% of the national air quality objectives for this pollutant, was illustrated in figure 2 of Appendix 2 of the report.

It was agreed that this was a good news story for the city and should be publicised. Members were informed that the consultation, although for statutory consultees, would be uploaded onto the Council's website for anyone to respond to. Publicity via the Council's Communications Team would take place upon publication of the consultation.

89. Housing Assistance Policy Amendment - Emergency Housing Grant Scheme

Purpose of Report

To propose an amendment to the Housing Assistance Policy, suspended in March 2015, to temporarily reintroduce the minor works grant scheme.

Decision

That the Executive:

- (1) Adopts the proposed amendment to the Housing Assistance Policy set out in Appendix 1 of the report and that housing assistance be made available under the terms of the amendment and under no other part of the policy.
- (2) Agrees that the term of the policy amendment be extended to 31 March 2018 and then from 1 October to 31 March annually thereafter, subject to funds in future years, and that any grant applications approved in the time up to and including that date be paid on completion of the works.

Alternative Options Considered and Rejected

Alternative options considered and rejected were noted as follows:

- to lift the suspension of the policy. The current policy was adopted in 2007 and no longer fully reflected the Council's corporate priorities. The staffing resources currently available to the Council would prevent the effective delivery of the assistance;
- to lift the suspension of part of the policy. The current policy made generous provision for grant aid and required a high officer input to deliver the service. To make the Decent Homes Grant universally available could expose the Council to a high financial burden. The staffing resources currently available to the Council would prevent the effective delivery of the assistance;
- to make no financial provision for assistance. To make no provision and have a policy of 'no assistance' could expose the Council to a challenge of not having considered and fulfilled its statutory duty.

Reason for Decision

All local authorities were granted the power to provide 'housing assistance'. The City of Lincoln Council had a Housing Assistance Policy but this was suspended in March 2015.

The Policy Scrutiny Committee at its meeting on 26 March 2015 considered an appraisal of the Housing Assistance Programme since its adoption in 2007 and expressed the desire that some form of assistance should continue to be made available. In October 2015 and October 2016 members agreed to fund emergency works through use of an amended Minor Works Grant, until the end of the relevant financial year only. Four applications were approved in each of 2015/16 and 2016/17. It was proposed that a similar arrangement was made for this financial year and on a yearly basis by means of an amendment to the existing policy. This would mean that the City Council had not placed itself in a position of having a universal answer of 'no' to applications for assistance. The proposal sought to limit officer involvement with the proposed works and to allow applications to be determined swiftly, with the Council's role being strictly that of a funder and homeowners themselves being responsible for management of the works.

90. **Brownfield Land Register**

Purpose of Report

To provide the Executive with an overview of the new requirements of the Town and Country Planning (Brownfield Land Register) Regulations 2017 and set out how the Council's Planning Team would implement the Brownfield Land Register.

The report also advised the Executive that the Council be recommended to amend the Constitution to include decision making associated with its forthcoming Brownfield Land Register.

Decision

That the Executive:

- (1) Notes the report on the new requirements of the Town and Country Planning (Brownfield Land Register) Regulations 2017.
- (2) Notes how the Council's Planning Team will implement the Brownfield Land Register.
- (3) Recommends that the Council amends the Constitution to include decision making associated with its forthcoming Brownfield Land Register.

Alternative Options Considered and Rejected

To not prepare a Brownfield Land Register would put the Council in breach of the legal requirements contained within the 2017 Brownfield Land Register Regulations.

Reasons for Decision

The Town and Country Planning (Brownfield Land Register) Regulations 2017 came into force which introduced a requirement on Local Planning Authorities to publish and maintain a Brownfield Land Register. Brownfield land referred to land which had previously been developed and was or had been occupied by a permanent structure.

There was a legal requirement for all Local Authorities to comply with the deadline for publication of the register by 31 December 2017 and the Department for Communities and Local Government had published a prescribed format that all Local Authorities must use to publish their data.

Part 1 of the Brownfield Land Register included details of all sites within the Council's area which were categorised as previously developed land irrespective of planning status and which met the following criteria:

- the land must be at least 0.25ha and have capacity to accommodate at least five dwellings;
- the land must be 'suitable' for residential development;
- the land must be 'available' for residential development;
- housing development on the land must be 'achievable'.

The terms 'suitable', 'available' and 'achievable' were defined in Regulation 4 of the Brownfield Land Register Regulations.

Implementation of Part 1 of the Brownfield Land Register would be carried out by the Principal Planning Officer with support from the Departmental Management Team Leader and Planning Manager. This would comprise of a review of sites that had previously been identified through the Strategic Housing and Economic Land Availability Assessment which formed part of the evidence base in support of the recently adopted Central Lincolnshire Local Plan. A review of other suitable sites had also been undertaken which met the Brownfield Plan definition criteria.

Part 2 of the Brownfield Land Register was effectively a subset of Part 1, which allowed Local Planning Authorities to select sites that they considered to be appropriate to grant permission in principle for housing-led development. This was an additional tool that the Government had created and the Council had to carefully consider whether it was beneficial to use it, and if so where. At this stage it was considered that no sites should be put into Part 2 of the City of Lincoln Council's register. This was due to the focus being on preparing for Part 1 of the register in order to meet the legal deadline. Further consideration would be given to Part 2 of the register as part of the annual review of the Brownfield Land Register in 2018.

91. 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.

92. Write-outs - Irrecoverable Non Domestic Rates

Purpose of Report

To seek approval from the Executive to write out debts deemed as being irrecoverable.

Decision

That the Executive approves the write outs as set out in Appendix A of the report.

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.

Appendix A included details of debts deemed as irrecoverable.

93. Human Resources and Payroll Restructure

Purpose of Report

To request that the Executive approved a proposed restructure of the Human Resources and Payroll Team.

Decision

That the proposed restructure of the Human Resources and Payroll Team, as set out in the report, be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

A review had been undertaken to explore the current Human Resources and Payroll Team structure in order to consider options for building resilience in the team.

Details regarding the proposed structure, compared to the current structure, were detailed within the report.

It was noted that there were no staff at risk of redundancy as a result of the proposal, which had been supported by the City of Lincoln Council and Employee Joint Consultative Committee at its meeting on 10 October 2017.