

**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.

**119. Confirmation of Minutes - 22 January 2018**

RESOLVED that the minutes of the meeting held on 22 January 2018 be confirmed.

**120. Declarations of Interest**

Councillor Ric Metcalfe declared a Disclosable Pecuniary Interest with regard to the agenda items in relation to the application by the Brayford Trust for landlord consent for the erection of a restaurant. Reason: Councillor Metcalfe was Chair of the Brayford Trust. He therefore left the meeting room during consideration of this item.

Councillor Neil Murray declared a Disclosable Pecuniary Interest with regard to the agenda items in relation to the application by the Brayford Trust for landlord consent for the erection of a restaurant. Reason: Councillor Murray was a member of the Brayford Trust Board. He therefore left the meeting room during consideration of this item.

Councillor Donald Nannestad declared a Disclosable Pecuniary Interest with regard to the agenda item titled 'The Medium Term Financial Strategy 2018 - 2023'. Reason: Councillor Nannestad leased an allotment from the 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.

**121. Application by the Brayford Trust for Landlord Consent for the Erection of a Restaurant**

Purpose of Report

To seek Executive approval to refuse an application by the Brayford Trust for Landlord's consent to sublet a part of the Brayford Pool for the erection of a restaurant, known as The Platform.

**Decision**

- (1) That the application by the Brayford Trust under the lease to develop and sub-let that part of the Brayford for the Platform development be refused.
- (2) That the granting of a loan to the Trust be approved, with the terms delegated to the Council's Chief Finance Officer to be linked with an agreed dredging programme.

## Alternative Options Considered and Rejected

None.

### Reason for Decision

The Brayford Trust had made an application to the Council as landlord of the Brayford Pool to give consent to sublet part of the Brayford Pool for the erection of a two storey building as a restaurant. This was further to planning permission being granted via the Secretary of State who had overturned the Planning Committee's original decision to refuse the application.

Initial views of the Strategic Property Services Manager on the Trust's application to the Council as landlord was that the Council would wish to keep the open appearance of Brayford Pool in line with the recently adopted public realm strategy and in accordance with the lease terms to the Brayford Trust.

The Council also wanted to ensure that any permitted sub-lettings continued to be on a rental basis, rather than a premium or peppercorn arrangement, so as to guarantee that an income stream was available should management of the Pool return to the Council in the future. Any proposal by the Brayford Trust to convert the rental income into a premium payment would result in a reduction of the value of the Council's interest and was therefore unacceptable to the authority.

The Brayford Trust was both a company and charity and received no external funding, therefore needing to raise funds itself in order to carry out the obligations under the lease. The lease set out a number of obligations for the Trust which included:

- to manage the Pool in accordance with the Trust's charitable objectives;
- to keep the Pool open and available for recreational use by the public;
- to provide moorings;
- to keep the Pool in good condition;
- to keep the Pool free for rubbish and litter and free from weeds;
- to maintain, and where necessary, to shore up and pile the natural banks;
- to use reasonable endeavours to ensure a sufficient depth of water for navigation by dredging the Pool.

The Trust had advised that the urgent priority in the short term was the implementation of phase three of the moorings development. Silt and weeds had accumulated faster than anticipated with the result that there was insufficient depth of water in parts of the moorings, such that some vacant moorings could not be re-let. Other works also requiring urgent attention were continued silting and the deterioration of the South Bank.

The Council's Chief Finance Officer had undertaken a financial assessment of the Trust's finances, which indicated that the Trust would have sufficient resources to be able to finance a loan from the Council to fund phase three of the moorings development.

Members acknowledged the significant work that the Brayford Trust had done in relation to the maintenance of the Brayford Pool over the years and hoped that the Council's offer would be acceptable to the Trust.

## **122. Exclusion of 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.

## **123. Appendix A - Application by the Brayford Trust for Landlord Consent for the Erection of a Restaurant**

Consideration was given to Appendix A of the report in relation to minute number 121 above.

## **124. Financial Performance - Quarterly Monitoring**

### Purpose of Report

To present to the Executive the third quarter's performance up to 31 December 2017 on the Council's general fund, housing revenue account, housing repairs service, capital programmes and to provide a review of key budget risk assessments.

### **Decision**

That the Executive:

- (1) Notes the progress on the financial performance for the period 1 April 2017 to 31 December 2017 and the 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 appendices B, D and F.
- (3) Approves the proposed contribution of £50,000 to the Revenues and Benefits Shared Service reserve as detailed in paragraph 3.6 of the report.
- (4) Approves the proposed contribution of £100,000 to the Invest to Save reserve for Marketing Services across the authority as detailed in paragraph 3.7.
- (5) Approves the changes to the General Investment Programme as detailed in paragraph 7.5 of the report and the Housing Investment Programme as detailed in paragraph 7.10 of the report.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The forecast financial position of the Council for 2017/18 as at the third quarter up to 31 December 2017 was set out in paragraph 2.1 of the report. Further updates were noted as follows:

### *General fund revenue account*

The general fund was currently projecting a forecast underspend of £457,856 as set out in the general fund summary attached to the report at Appendix A. This forecast variance was the result of a number of forecast year-end variations in income and expenditure against the approved budget. Full details of main variances were outlined in Appendix B to the report, with key variances summarised as follows:

- interest payable – reduced expenditure of £79,650;
- Christmas market – increased expenditure of £79,880;
- City Hall Car Park – increased expenditure of £110,830;
- Lincoln properties – increased income of £56,000;
- City Hall – reduced expenditure of £132,440;
- New Homes Bonus contingency – reduced expenditure of £102,640.

It was noted that the Corporate Management Team would undertake a review of all carry forward requests following confirmation of the final outturn, alongside a review of the resources available to support delivery of the Council's Vision 2020 programme, which would be presented to the Executive in June 2018. In addition to these carry forward requests, there had been significant New Burdens grant funding received in the Revenues and Benefits Shared Service during the year. Many of these were to cover work already being undertaken by the Shared Service. It was therefore proposed to transfer £50,000 to the Revenues and Benefits Shared Service reserve to cover anticipated future reductions to the Department for Works and Pensions administration grant the authority received.

With an increasing focus on the commercialisation agenda, it was proposed that a further £100,000 be transferred into the Invest to Save reserve for Directorates to bid against for monies to assist in marketing services in order to protect and grow the Council's key income generating areas.

A summary of key fees and charges income was set out in paragraph 3.4 of the report in relation to car parks, development management and building regulations, outlining current progress and the forecast variance for the first quarter of the financial year.

It was noted that the forecast outturn for the general fund would be £182,746 if all carry forwards and both earmarked reserve requests were to be agreed.

### *Towards Financial Sustainability Programme*

The savings target included in the Medium Term Financial Strategy for 2017/18 was £3,500,000. Progress against this target, based on quarter three performance, showed that secured and confident projections totalled £3,530,390. This resulted in a current forecast over achievement of the target in 2017/18 of £30,390. Existing projects were being accelerated so that new projects could be developed.

### *Housing revenue account*

The housing revenue account was currently projecting an in-year underspend of £211,970, which would increase general balances to £1,235,030 at the end of 2017/18. The assessed prudent minimum balance for the housing revenue

account was currently £1,000,000. The components of the underspend were detailed in Appendix D to the report, with key variances noted as follows:

- vacancy savings – reduced expenditure of £76,000;
- Housing Repairs Service – trading surplus of £101,070.

#### *General investment programme*

Movements in the general investment programme since the last quarter were summarised in paragraph 7.2 of the report, which had increased overall planned expenditure in 2017/18 to £31,418,986. The following changes, which were over the approved limit for the Chief Finance Officer to approve under delegated powers, were proposed to the Executive:

- CCTV – additional budget of £85,000 allocated to the scheme in 2017/18, funded through £75,000 reallocation of capital contingency and £10,000 from the Invest to Save reserve;
- allotments – additional budget of £250,000 allocated to the scheme in 2018/19 funded through capital receipts;
- Disabled Facilities Grants – additional funding of £66,612 allocated in 2017/18 from the Department for Communities and Local Government and £525,126 of Better Care Funding reallocated to revenue.

The table at paragraph 7.6 provided a summary of the projected outturn position for the general investment programme.

#### *Housing investment programme*

The last quarterly report approved a housing investment programme for 2017/18 of £24,340,053. Movements in the programme had since decreased overall planning expenditure in 2017/18 to £15,205,221 and a summary of the changes was outlined in the table at paragraph 7.9 of the report.

The projected position was set out in paragraph 7.12 of the report and the following points were noted:

- the budget included £5.26 million for the 2017/18 New Build Programme. Works had commenced on the Monks Road development and 12 properties at Blankney Crescent were due to be handed over during February 2018;
- the budget included £2.51 million for land acquisitions. £1.75 million was budgeted for the potential purchase of land off Queen Elizabeth Road. Ermine School was purchased during the second quarter for £769,000 and re-sold for £700,000.

## **125. Strategic Risk Register - Quarterly Review**

### Purpose of Report

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

### **Decision**

That the report be noted.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

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

A number of further control actions that had been progressed or completed, together with key movements, were set out in the report and related to the following:

- engaging with strategic partners and stakeholders to deliver against the Vision 2020. An annual report had been drafted with a focus on achievements towards Vision 2020 and had been shared with stakeholders. A range of conferences would be held over the year to support the Vision and further work would be undertaken to align Executive Portfolios with the Vision 2020 priorities;
- to deliver a sustainable Medium Term Financial Strategy. The assessment of changes in business rates continued and would form part of the Medium Term Financial Strategy 2018-23 which would be subject to consultation and scrutiny in February 2018;
- to ensure compliance with statutory duties and appropriate governance arrangements were in place. The Council's Information Technology Business Continuity Plan and Information Technology Data Register Plan had been endorsed by the Council's Corporate Management Team. All critical service business continuity plans had been revised in light of new arrangements and rollout of face-to-face training on the implications of the General Data Protection Regulations had commenced in January 2018. Information management policies would be updated to reflect the new Regulations by 18 May.

## **126. Strategic Plan Progress - Quarterly Review**

### Purpose of Report

To provide the Executive with a progress report on the Council's strategic projects against their milestones for the third quarter of 2017/18.

### **Decision**

That the report be noted.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

20 strategic projects were being monitored, 18 of which were currently on track in terms of their physical and financial milestones and risk profiles. 8 of these projects had been completed and were currently awaiting a Post Implementation Review for submission and sign-off.

There were no projects off track in terms of physical progress, financial position and risk analysis.

Two projects were currently off track in either one or two of the areas of monitoring and beyond just missing Post Implementation Reviews. These were noted as follows:

- CCTV upgrade – works schedule, staff training and contracts milestones had missed deadlines but work was drawing to an end;
- compulsory acquisition of 13 Albany Terrace – 5 milestones had been missed, primarily relating to the legal aspects.

Strategic projects that had completed their defined actions and were awaiting the completion of a Post Implementation Review were noted as follows:

- car park safety – Broadgate car park improvements;
- new build scheme – Birchwood Bungalows (20 new build affordable units);
- phase 2 proposed alterations – City Hall improvements;
- replacement of the CMS depot master – updated software;
- St Botolph's Court – modernisation project at sheltered housing complex;
- new surface car parks – purchase of two new surface car parks in the city.

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

- Data Register and back up;
- Bereavement Services – improvements to facilities.

The report set out mega project updates in respect of the Western Growth Corridor and the Transport Hub, consisting of the Multi-Storey Car Park and the Bus Station.

Updates were also provided on the Section 106 Group, which was responsible for the monitoring of the Council's Section 106 Agreements, together with annual ongoing projects including:

- disabled facilities grants;
- delivering decent homes in the private sector;
- the housing revenue account business plan.

## **127. Quarterly Operational Performance Report**

### Purpose of Report

To provide the Executive with a summary of the operational performance position for quarter three of the financial year 2017/18.

### **Decision**

That the report be noted and that relevant Portfolio Holders be requested to ensure that management has a local focus on those highlighted areas showing deteriorating performance.

## Alternative Options Considered and Rejected

None.

## Reason for Decision

It was reported that there had been some exceptional performance results during quarter three, which were summarised as follows:

- the number of users logged into the self-service system 'MyInfo' this quarter had increased to 6,409 from 5,256 last year;
- the in-year collection rate for Lincoln council tax was just above its target of 79.76% at 79.77%;
- the in-year collection rate for Lincoln business rates was above its target of 84.82% at 86.43%;
- the number of outstanding customer changes in the revenues team was at its lowest ever level of just 80;
- the average time to process new housing benefit claims was above target at 23.73 days;
- the average time to process housing benefit change of circumstances was above target at 7.93 days;
- the percentage of quality checks made where benefit entitlement was correct had remained above the target of 90%, at 91%;
- the number of service requests for Public Protection and Anti-Social Behaviour had reduced from 612, from 895 in quarter three last year;
- the satisfaction of how Anti-Social Behaviour complaints were handled had improved to 89% and was above target;
- the percentage of premises compliant with food health and safety inspections had risen since quarter two and was above its target of 97% at 98.1%;
- the number of live planning applications still incomplete had decreased from 120 in quarter two, to just 97 at the end of quarter three;
- the percentage of both major and non-major planning applications determined within government targets had increased again and were both significantly above their respective targets;
- current tenant arrears stood at 2.22%, a drop from 2.59% last quarter and now within target;
- the percentage of reactive repairs completed within target time had increased to 96.98%, higher than the target of 95%.

Some areas where services had not performed as well as expected during the quarter were noted as follows:

- the number of face to face enquiries in customer services had increased by 1,411 to 10,388 compared to the last quarter;
- the average time for food health and safety inspections to achieving compliance had deteriorated from 9.9 days in quarter two to 13.25 days this quarter;
- the percentage of food health and safety official controls that should have been completed was just below its lower target of 85%, at 84.50%;
- the number of homelessness applications progressed within the housing team increased from 164 at quarter three last year to 183 at quarter three this year.



Specific reference was made to the overall year to date sickness data which, as at the end of December 2017, was 9.84 days per full time equivalent, excluding apprentices. This was 1.57 days more per full time equivalent compared to the same point last year. The Chief Executive reported that, despite this having an impact on the organisation, work was taking place to deliver a whole programme of positive interventions in relation to health and wellbeing to assist the authority and its employees.

Members noted the following other achievements during quarter three of the 2017/18 financial year:

- Lincoln's new multi-story car park had won its first accolade – the prestigious Park Mark Award for safe car parking, putting it in the top 25% of the safest car parks in the United Kingdom;
- at the last meeting of the Carholme Community Forum, representatives from a range of local groups and organisations heard reports of a significant reduction in night time noise in the West End of Lincoln. Night time noise, both within individual houses and on the streets as revellers walked into the city centre or returned home, had been the major concern of local people for a number of years. The City of Lincoln Council had been key in initially bringing together the right partners to address this issue and had in the past run campaigns such as the 'Shush' campaign and more lately 'Proud to be Lincoln';
- recent changes to the Council's Animal Policy had led to the City of Lincoln Council being awarded a Bronze in the Animal Activity Licensing Footprint run by the RSPCA.

Councillor Ric Metcalfe, Leader of the Council, made reference to the excellent performance of the Shared Revenues and Benefits Service. He reported that the Chair of the Shared Revenues and Benefits Joint Committee at its meeting on 20 February 2018 had agreed to email all members of staff in the Shared Service to commend their efforts on behalf of the Committee.

Councillor Pete West, Portfolio Holder for Housing, made reference to the excellent work that had taken place to improve the performance associated with tenant arrears, stating that the very ambitious target set at the beginning of the year should be met by the end of the year.

## **128. Living Wage Increase November 2017**

### Purpose of Report

To recommend to the Executive a proposed increase to the living wage announced by the Living Wage Foundation in November 2017.

### **Decision**

That the Executive approves the implementation of the latest living wage uplift during April 2018.

### Alternative Options Considered and Rejected

None.

## Reason for Decision

The Council became an accredited member of the Living Wage Foundation in October 2013. Since then the Council had implemented the annual living wage increases as an uplift in salary for affected staff. In November 2017 it was announced that the living wage would increase from £8.45 an hour to £8.75 an hour, representing a 3.43% increase.

It was noted that the aim of implementing the living wage was to ensure that no employees were paid below the living wage hourly rate. The table set out at paragraph 4.1 of the report set out the current national pay scales, the uplift applied to implement the living wage in 2017 and the uplift required to implement the living wage in 2018.

## **129. Council Tax 2018 - 2019**

### Purpose of Report

To provide the Executive with an opportunity to review the City Council's council tax requirement, together with the requirements of the County Council and Police and Crime Commissioner and consider making a formal recommendation to Council for the overall levels of Council Tax for 2018/19.

### **Decision**

That the Executive:

- (1) Recommends to Council that the council tax base for 2018/19, as calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, be 23,943.
- (2) Recommends to Council that the amounts set out in paragraph 6.1 of the report be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The net general fund budget requirement, as set out in the Medium Term Financial Strategy, totalled £14,276,460 which included a contribution to balances of £288,360.

For 2018/19 it was proposed that a council tax increase of 2.95% be applied.

The council tax requirement for 2018/19 was noted as being £6,393,490.

It was reported that, by reference to Band D level, the 2018/19 council tax would rise by £7.65 to £267.03 per annum, with the ranges of council tax for each band set out in paragraph 2.4 of the report. In addition, the requirements of the County Council and Police and Crime Commissioner were outlined in paragraph 3.1 of the report.

### **130. The Medium Term Financial Strategy 2018 - 2023**

#### Purpose of Report

To consider the Medium Term Financial Strategy for the period 2018-23 and the budget for 2018/19, for referral to Council.

#### **Decision**

That the Executive:

- (1) Notes the Chief Finance Officer's statement on the robustness of the budget and the adequacy of reserves as detailed in paragraphs 4.17 to 4.19 and 5.11 to 5.13 of the report.
- (2) Recommends to Council the Medium Term Financial Strategy 2018-23 and the Capital Strategy 2018-23, to include the following specific elements:
  - a Council Tax increase of 2.95% for 2018/19;
  - a housing rent decrease of 1% for 2018/19;
  - the Council being a member of the Lincolnshire Business Rates pilot for 100% business rates retention in 2018/19;
  - the general fund revenue forecast 2018/19-2022/23 as set out in Appendix 1 to the report and the main basis on which the budget had been calculated;
  - the general investment programme 2018/19-2022/23 as set out in Appendix 2 to the report and the main basis on which the programme had been calculated;
  - the housing revenue account forecast 2018/19-2022/23 as set out in Appendix 3 to the report and the main basis on which the budget had been calculated;
  - the housing investment programme 2018/19-2022/23 as set out in Appendix 4 of the report and the main basis on which the programme had been calculated.

#### Alternative Options Considered and Rejected

None.

#### Reasons for Decision

The Council approved the Medium Term Financial Strategy 2017-2022 in March 2017, based upon the financial context in which the Council was operating in at that time and upon a number of key assumptions which were volatile and subject to significant change. Based upon these assumptions the Medium Term Financial Strategy highlighted a requirement to deliver a challenging savings target of £4 million by 2018/19.

The context in which the new Strategy was set reflected the changing economic environment arising as a result of the outcome of the EU Referendum and the subsequent impacts this had on Government policy and its fiscal strategy. The Council's Medium Term Financial Strategy had now been updated to reflect these latest developments in the financial and policy context in which the Council operated, along with further changes in resources, cost pressures and

efficiencies. Based on this, the requirement to deliver a savings target had been increased by £250,000 from 2020/21 to £4.25 million per annum thereafter.

It was reported that the Council had already made considerable progress towards its target savings and had delivered a track record of strong financial discipline. Planning ahead, securing savings in advance, re-investing in more efficient ways of working and adopting a more commercial approach whilst making careful use of reserves to meet funding gaps was an approach that had served the authority well. This successful planning had enabled the protection of core services for the people of Lincoln, while at the same time allowing for resources to be redirected in support of its strategic priorities and Vision 2020. It was therefore proposed that the Medium Term Financial Strategy must continue with the managed, comprehensive approach that had served it well in the past in order to deliver a budget and forward projection that was sustainable over the medium to longer term.

Prior to submission of the Medium Term Financial Strategy 2018-2023 to Council on 27 February 2018, the budget and council tax proposal had been subject to public consultation and member scrutiny. No responses had been received to the public consultation. The Council's Budget Review Group considered the proposed Medium Term Financial Strategy and budget at its meeting on 7 February 2018. The minutes of that meeting were appended to the report.

The report provided key considerations in relation to the following aspects of the Medium Term Financial Strategy and budget:

- the general fund;
- the Local Government Finance Settlement;
- council tax;
- spending plans;
- the Towards Financial Sustainability Programme;
- robustness and adequacy of the budget and reserves (general fund);
- the housing revenue account;
- repairs and maintenance;
- financing and capital programme;
- housing rents;
- robustness and adequacy of the budget and reserves (housing revenue account);
- the general investment programme;
- the housing investment programme;
- consultation and scrutiny.

It was noted that the cremation fees, as set out in Appendix 8 of the report, should reflect an amount of £720 for both residents and non-residents of the city. In addition, fees and charges relating to the Christmas Market were to be removed from the Medium Term Financial Strategy at this stage and would be the subject of a separate report in due course together with coach parking, stall holder and park and ride fees.

## **131. Prudential Indicators 2017-18 - 2020-21 and Treasury Management Strategy 2018-19**

### Purpose of Report

To review and recommend to Council for approval the adoption of the 15 statutory prudential indicators and eight local indicators for the period 2017/18 to 2020/21, together with the 2018-23 Treasury Management Strategy alongside the Medium Term Financial Strategy 2018-23.

### **Decision**

That the Executive:

- (1) Recommends for approval by the Council the prudential indicators detailed in paragraph 4.1 and Appendix 1 of the report.
- (2) Recommends for approval by the Council the Treasury Management Strategy, including the treasury management prudential indicators and the Investment Strategy, as set out in paragraph 4.3 and Appendix 3 of the report.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The table set out at paragraph 2.1 of the report summarised the key prudential indicators which had been incorporated into the 2018/19 Treasury Management Strategy. It was reported that the projected capital expenditure would determine the capital financing or borrowing requirement, which would in turn determine the actual level of external borrowing taken and cash balances available for investment.

The report outlined the operation of the Council's prudential indicators, its treasury function and its likely activities for the forthcoming year. It also incorporated four key Council reporting requirements, as follows:

- prudential and treasury indicators – the reporting of the statutory prudential indicators together with local indicators, in accordance with the requirements of the CIPFA Prudential Code for Capital Finance in Local Authorities and the CIPFA Treasury Management Code of Practice;
- Minimum Revenue Provision Statement – the reporting of the Minimum Revenue Provision Policy which set out how the Council would pay for capital assets through revenue each year;
- Treasury Management Strategy – which set out how the Council's treasury management activity would support capital decisions, the day-to-day treasury management and the limitations on activity through treasury prudential indicators. The key indicator was the authorised limit, the maximum amount of debt the Council could afford in the short term, but which would not be sustainable in the longer term;
- Investment Strategy – this was included within the Treasury Management Strategy and set out the criteria for choosing investment counterparties and limiting exposure to the risk of loss.

### **132. Lincoln Social Responsibility Charter**

#### Purpose of Report

To seek Executive approval for the proposed Lincoln Social Responsibility Charter.

#### **Decision**

That the Lincoln Social Responsibility Charter be approved.

#### Alternative Options Considered and Rejected

None.

#### Reason for Decision

The Council was looking at a new approach towards recognising and encouraging good employers in the city through corporate social responsibility. Further to consultation with the Reducing Inequalities Theme Group, the Living Wage Forum and the Leader of the Council, it was agreed that this new approach should be to develop a Social Responsibility Charter for Lincoln.

The aim of the proposed charter was to encourage organisations in Lincoln to undertake activities that benefitted both their employees and also the local community in which they were located.

A copy of the proposed Social Responsibility Charter for Lincoln was appended to the report and the report provided further information regarding the sign-up process, what organisations would receive upon sign-up, timescales for implementation, the process for setup and launch of the Charter and its ongoing costs. Examples were also provided of socially responsible activities which could benefit employees and the local community.

This item was considered by the Policy Scrutiny Committee at its meeting on 16 January 2018. An extract from the minutes of that meeting was appended to the report.

### **133. Council House and Garage Rents 2018/19**

#### Purpose of Report

To seek approval of the revised rents for council housing accommodation and council garages in 2018/19.

#### **Decision**

That the Executive:

- (1) Recommends to Council approval of the basis of rent calculation for changes to individual council house rents, as set out in paragraph 6 of the report, which represents a decrease in the average 52 week net rent in 2018/19 of 1% for housing rents, in accordance with Government policy.

- (2) Recommends to Council approval of the 3% increase in council garage rents for 2018/19 in accordance with the proposal set out in paragraph 6.1 of the report.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Welfare Reform and Work Act 2016 determined that all social and affordable rents be reduced by 1% year on year between 2016 to the 2019/20 financial year. For the City of Lincoln Council this would result in a further reduction of an average weekly net rent, over 52 weeks, from £69.13 in 2017/18 to £68.44 per week for 2018/19 which equated to an average loss of income per property of £0.69 per week over 52 weeks.

**134. Request to Add a New Post onto the Council's Establishment - Data Protection Officer**

Purpose of Report

To seek approval for a permanent Data Protection Officer post to be added onto the Council's establishment as part of the Business Development and Information Technology team.

**Decision**

That a permanent Data Protection Officer post be added to the Council's establishment.

Alternative Options Considered and Rejected

None.

Reason for Decision

A Data Protection Officer post was required for councils in the General Data Protection Regulations, which would replace the Data Protection Act 1998 in May 2018. By having this post permanently on the establishment would ensure that the Council was compliant with the General Data Protection Regulations in this respect and the authority would be able to demonstrate that it took data privacy seriously for individuals. It would also make it less likely that the authority would breach the legal framework, thereby avoiding significant fines and reputational damage.

It was reported that the additional post would be funded from within the existing service budgets.

## **135. Human Resources Policy Updates**

### Purpose of Report

To request that the Executive approve the proposed revisions to the Disciplinary Policy, Code of Conduct Policy and Dignity at Work Policy.

### **Decision**

That the proposed changes to the Disciplinary Policy, Code of Conduct Policy and Dignity at Work Policy be approved, subject to section 12.5 of the Disciplinary Policy being amended to reflect that there should only be provisions to award a lower sanction and a presiding officer should not be able to award a higher sanction in respect of appeals against sanctions.

### Alternative Options Considered and Rejected

None.

### Reasons for Decision

The Council's Human Resources team was required to continually review and streamline the Council's policies and procedures as and when required. The Council's Disciplinary Policy, Code of Conduct Policy and Dignity at Work Policy had recently been reviewed and a number of changes were proposed to ensure that they were clear, fit for purpose and legally compliant.

The areas of each Policy where changes were proposed were specified in the report at paragraphs 4.1, 4.2 and 4.3.

Informal joint Human Resources and Trade Union meetings and the City of Lincoln Council and Employee Joint Consultative Committee had been used to seek the views of Trade Unions on the proposed changes. Comments from the meeting of the Joint Consultative Committee were set out at paragraphs 6.4 and 6.5 of the report.

With regard to the Disciplinary Policy, Trade Unions had challenged the following proposed changes:

- sections 11.9 and 11.10 of the proposed policy related to oral warnings, which they felt should remain on an employee's record for three months as opposed to six months;
- section 12.5 and appeals against sanctions. Trade Unions were of the opinion that there should only be provisions to award a lower sanction and a presiding officer should not be able to award a higher sanction, which Trade Unions felt could be perceived as a threat and therefore discourage people to proceed with an appeal.

Discussion ensued on both of these points and the Executive supported the proposal to retain an oral warning on an employee's record for a period of six months rather than three months. Members concurred with the Trade Unions in respect of appeals against sanctions and agreed that the Disciplinary Policy should only include provisions to award a lower sanction rather than provide presiding officers with an option to award a higher sanction, which they felt would act as a disincentive to staff in going through with an appeal.



## **136. Proposals for the Review of the Existing Public Space Protection Order**

### Purpose of Report

To seek the views of the Executive on proposals regarding the review of the existing Public Space Protection Order in the city centre area of Lincoln.

### **Decision**

That the proposal to renew the Public Space Protection Order in its current form be approved.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

In April 2015 the Executive approved the implementation of a Public Space Protection Order covering the city centre of Lincoln and prohibiting within the designated area the possession and consumption of alcohol and the consumption of, so called, 'legal highs' within the defined area.

It was a requirement of the Public Space Protection Order that this be reviewed after three years. As part of the review the Council had sought the views of both the public and relevant partner agencies by way of a public consultation undertaken between 2 January 2018 and 30 January 2018. In addition, data held by both the City of Lincoln Council and Lincolnshire Police had been collated and considered alongside the outcome of the public consultation.

Increased reports in the city centre of begging and vagrancy had been picked up by the Police analyst and although this had not featured in the responses received to the consultation, the Council knew anecdotally that this was an issue of concern to the public and businesses in the city which had become particularly prevalent over the past year. Significant consideration had been given to the inclusion of begging and vagrancy in the Public Space Protection Order, but it was proposed that they should not be added for the following reasons:

- the Council and its partners had a well mapped enforcement plan in place already;
- begging was a criminal offence and could be dealt with more appropriately in that way;
- any inclusion in a Public Space Protection Order could potentially portray a message that begging outside of that area was acceptable;
- all local authorities across the United Kingdom that had gone down this route had faced considerable public reaction around human rights.

This report had been considered by the Council's Policy Scrutiny Committee at its meeting on 20 February 2018 and an extract of the minutes from that meeting were circulated to members.

### **137. Proposed Amendments to the Lincoln Tenants' Panel Constitution**

#### Purpose of Report

To seek approval to implement proposed amendments to the Lincoln Tenants' Panel Constitution.

#### **Decision**

That the amendments to the Lincoln Tenants' Panel Constitution be approved.

#### Alternative Options Considered and Rejected

None.

#### Reason for Decision

The report set out proposed amendments to the Lincoln Tenants' Panel Constitution, as put forward and considered at meetings of the Panel held on 6 September 2017, 3 January 2018 and 17 January 2018, which included:

- revisions to the Code of Conduct contained within the Lincoln Tenants' Panel Constitution;
- revisions to the Communications Protocol in respect of breaches;
- creation of an additional seat on the Panel for a member of the Next Gen Group;
- clarification that decisions could not be made outside of meetings, except for urgent decisions on expenditure under £300;
- several other minor changes.

A copy of the amended Constitution was appended to the report.

### **138. Tenant Involvement Strategy 2018 - 2021**

#### Purpose of Report

To seek approval to implement the new Tenant Involvement Strategy 2018-2021.

#### **Decision**

That the new Tenant Involvement Strategy 2018-2021 be approved.

#### Alternative Options Considered and Rejected

None.

#### Reason for Decision

The Council's previous Tenant Involvement Strategy covered the period 2014-2017 and finished at the end of December 2017. A new Strategy for 2018-2021 had therefore been developed and was appended to the report.

The Strategy had been developed jointly with the Lincoln Tenants' Panel and residents had also been consulted on a number of occasions. Four objectives had been identified as part of the Strategy and were noted as follows:

- ensure accountability;
- strengthen involvement;
- help to develop thriving communities;
- communicate key messages and increase digital engagement.

### **139. Regulation 7 Direction on Lettings Boards**

#### Purpose of Report

To provide the Executive with an opportunity to decide whether to apply to the Secretary of State to request removal of deemed consent for lettings boards, with a view to implementing a ban on lettings boards in certain areas of Lincoln.

#### **Decision**

That the Executive approves an application to the Secretary of State for a Regulation 7 Direction to remove deemed consent for the display of lettings boards in the Monks Road area, West End area, Sincil Bank area, Union Road and Waterloo Street, with a view to implementing a ban on lettings boards in these areas.

#### Alternative Options Considered and Rejected

None.

#### Reason for Decision

The Council's Corporate Management Team gave approval to commence the process of applying to the Secretary of State for a Direction under Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 2007. This would remove deemed consent for lettings boards usually given under Class 3(A) of the regulations and would mean that express advertisement consent would be required for lettings boards in the specific areas covered by the Regulation 7.

Monks Road, the West End, Sincil Bank, Union Road and Waterloo Street had all been identified through enforcement complaints from residents, elected members and the Council's officers. Surveys of the proposed areas took place in March 2017, September 2017 and January 2018 which identified the number and type of boards being displayed, and by whom.

Consultation on the proposed Regulation 7 direction took place between 16 October 2017 and 30 November 2017. A total of 134 responses had been received from stakeholders with the results set out in section 4 of the report. It was noted that 61.19% of stakeholders outlined that they considered this issue to be a very serious problem in the respective areas.

## **140. Resident Parking Scheme - Proposal for Operational Policy Adjustments**

### Purpose of Report

To provide feedback to the Executive on the outcomes of the Resident Parking Scheme consultation, supporting the reduction of permits per household from three to two.

### **Decision**

That the Executive approves the reduction in the maximum number of permits available per household from two to three and agree to implement this on a phased basis from 1 April 2018 and thereafter as permits become due for renewal.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The development and implementation of Resident Parking Schemes in Lincoln had been well established over many years and was now in place in over 19 zones, covering a significant part of the city. Although no residents would wish to pay for on-street parking, it was generally acknowledged that in order to defend residents' ability to find a place to park near their homes then an authorisation scheme had to be operated which did incur a cost.

The current scheme allowed for a single household to apply for up to three passes but other than this there were no restrictions on the overall passes issued for a given scheme or area. It was often the case therefore that there were more passes issued than spaces available.

In recent months the Council, through elected members, had started to receive complaints that schemes were becoming overpopulated in their areas and as a consequence were not providing the parking opportunities for local residents as intended.

On 1 October 2016 the City of Lincoln Council commenced a full consultation with all permit holders. This ran until 31 October 2016 and consisted of a questionnaire sent to 4,480 households, with 404 responses received. 73% supported a Resident Parking Scheme consisting of up to two passes per household.

It was agreed that mitigation within Resident Parking Schemes to reduce the maximum number of passes from three to two per household would support local communities and reduce current pressures and tensions caused by overpopulation of existing schemes.

## 141. Keadby Close Play Area

### Purpose of Report

To consider an offer that had the potential to secure external funding for a play area at Keadby Close through a partnership agreement.

### **Decision**

That the proposal for the play area at Keadby Close to be adopted by Hartsholme Cricket Club be approved, in principle, and the Director of Communities and Environment be authorised to agree suitable terms of lease.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The Council had received an informal approach from Hartsholme Cricket Club to consider whether it would be prepared to allow the club to 'adopt' the adjacent play area at Keadby Close.

The Cricket Club had a new strategy for development including much wider engagement with the local community and it believed that taking on the existing poorly equipped play area, and investing in it so as to make it an asset to visitors to the site, would both help the community and aid the club's strategy.

The Club had requested to lease the site, at no cost, in return for which it would invest in the site, take on its maintenance commitments and maintain public open access.

Due to wider financial pressures on the City Council, it had not been possible to increase the budget for maintaining play areas beyond inflation for some time. However, safety demands had continued to escalate considerably and as a result the costs had increased without additional budget provision to cover these costs. It had been necessary to prioritise spend accordingly and the effect of this was that some of the Council's play areas were now equipped with a reduced amount of equipment and in some cases without any equipment at all, awaiting opportunities for investment.

The play area at Keadby Close was an example of this, where any available funding had been directed to the larger and much more heavily used nearby site in Hartsholme Country Park. Whilst the site in the Country Park had therefore been protected, Keadby Close had gradually become less equipped, to the extent that it currently had just one item of equipment left which was a static climbing frame.

On the basis that the Cricket Club would invest in the site, take on the maintenance commitments and maintain public open access whilst meeting full requirements of safety standards, the Portfolio Holder for Recreational Services and Health had been prepared to allow this offer to progress within the Council for further considered views.

#### **142. 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.

#### **143. Proposed Agreement with Lincoln Castle Academy**

##### Purpose of Report

To provide the Executive with an update on negotiations in respect of Lincoln Castle Academy following the removal of the Tripartite Agreement.

##### **Decision**

That the recommendations set out in the report be supported.

##### Alternative Options Considered and Rejected

None.

##### Reason for Decision

The final proposed agreement, as set out in the report, offered a significant compromise from the City Council's perspective by way of seeking to reach an agreement with Lincoln Castle Academy following the removal of the Tripartite Agreement.