

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

**Apologies for Absence:** None.

**22. Confirmation of Minutes - 2 July 2018**

RESOLVED that the minutes of the meeting held on 2 July 2018 be confirmed.

**23. Declarations of Interest**

No declarations of interest were received.

**24. Statement of Accounts 2017/18**

Purpose of Report

To present the Statement of Accounts for the financial year ended 31 March 2018, together with a short summary of the key issues reflected in the statutory financial statements.

**Decision**

That the report be noted and referred to Full Council for approval.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Statement of Accounts for 2017/18 provided a comprehensive picture of the Council's financial circumstances and were compiled to demonstrate probity and stewardship of public funds.

The Council was statutorily required to publish its Statement of Accounts for 2017/18 with an audit opinion and certificate by no later than 31 July 2018. It was noted that the Statement of Accounts for 2017/18 had been subject to external audit.

The Council had to make the Statement of Accounts available for public inspection for 30 working days. Following notification from the external auditors this ran from 1 June 2018 to 12 July 2018 and the external auditor was available to answer questions during this period. No questions had been received.

The Council was also required to provide a documented annual review of the effectiveness of its governance arrangements, which sat alongside the Statement of Accounts. The overall level of assurance provided for 2017/18 was high and in line with the Council's Code of Corporate Governance. There was one defined significant issue carried over from the previous year that had not yet reached

completely acceptable levels of performance, with related to Information Management. This would remain a focus in 2018/19 and would be regularly reported by management to the Audit Committee.

A summary of the accounts for 2017-18, together with the draft Statement of Accounts for the year ended 31 March 2018 were appended to the report. An additional disclosure had been requested in the Statement of Accounts as reflected in a supplement in relation to financial liabilities.

The Audit Committee had considered the Statement of Accounts at its meeting on 19 July 2018 where it was reported that the accounts were in a clean bill of health and were set to receive, subject to final outstanding audit work, an unqualified audit opinion. An amount of £80,000 was required as an adjustment but would not be made to the 2017/18 accounts and would be rolled over to the following year. This would be included in the letter of representation to the Council's external auditors.

Councillor Ric Metcalfe congratulated the Chief Finance Officer and her team on an excellent statement.

## **25. Human Resources Policies**

### Purpose of Report

To seek approval of the Council's Substance Misuse Policy, Transgender Policy and updates to the Grievance Policy.

### **Decision**

That the Council's Substance Misuse Policy, Transgender Policy and updates to the Grievance Policy be approved.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

#### *Substance Misuse Policy*

There was a new policy which ensured that the Council recognised that substance misuse related problems were an area of health and social concern and to ensure that the Council provided adequate support to employees with such problems.

The policy also outlined the procedures and process which would be followed should an employee's conduct or capability cause work related issues brought on by consumption of alcohol or any illicit substance.

A copy of the policy was appended to the report.

#### *Transgender Policy*

This was a new policy to demonstrate that the Council was committed to ensuring that transgender employees were treated with dignity and respect and were not disadvantaged in the workplace.

The policy set out the steps the Council took to welcome and support transgender employees and prevent discrimination.

A copy of the policy was appended to the report.

### *Grievance Policy*

Sections 5.8 to 5.10 had been added to the policy to outline the procedure for when an employee's health prevented them from participating in the grievance procedure.

Section 6.2 had been reworded to read 'The informal meeting should only consist of the manager and the employee, however if the matters involve another employee they may also be invited to attend'.

A copy of the updated policy was appended to the report.

Councillor Metcalfe said that a lot of good work was taking place in reviewing Human Resources policies such as these and welcomed this report. Members agreed that the introduction of a Transgender Policy in particular was a positive move forward for the authority.

Councillor Donald Nannestad asked how these policies would be circulated to members of staff so that they were all aware of their implications. All staff would have access to these policies and it was noted that the Human Resources Team was in the process of planning training for managers in order that knowledge of these policies could be highlighted and cascaded to all members of staff.

Councillor Jackie Kirk, in relation to the Transgender Policy, asked whether there had been any developments in respect of single sex toilets. Single sex toilets were already available by way of existing disabled facilities in the building but the Council's Facilities Management Team was aware of the need for more designated single sex facilities, which it was in the process of looking into.

## **26. Information Management Policies**

### Purpose of Report

To seek approval of the Information Management Policies required in accordance with the EU General Data Protection Regulation and the Data Protection Act 2018.

### **Decision**

That the policies appended to the report in respect of Information Management be approved.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

Data protection was critical to the Council to ensure that the data which was received, processed, retained and shared was protected in accordance with the legal framework, as set out by the Data Protection Act 2018 and the EU General Data Protection Regulation.

The Council needed to have policies in place to enable the Council to be compliant with the new legal framework and the Information Governance Team needed to rollout the policies in order to increase awareness of this legal framework to officers and elected members.

The following policies and documents had therefore been developed and were appended to the report for consideration:

- the General Data Protection Regulation and Data Protection Policy;
- the General Data Protection and Data Protection Policy Summary Sheet;
- Information Governance Policy;
- Legal Responsibilities Policy;
- Information Sharing Policy;
- Data Quality Policy;
- Data Protection Breach Management Policy;
- Freedom of Information Policy and Environmental Information Regulations Policy;
- Records Management Policy;
- Retention and Disposal Policy.

These policies had been considered by the Council's Audit Committee on 19 July 2018 where it was resolved that the policies be forwarded to the Executive for approval.

Councillor Ric Metcalfe emphasised the importance of these policies from the perspective of protecting people's personal information as well as protecting the reputation of the authority. It was noted that the Council's NetConsent system would be used to provide a summary of the various policy documents to all members of staff which would not only highlight the key points but also highlight the fact that the policies had been implemented.

Councillor Metcalfe put on record his thanks to Becky Scott, Legal and Democratic Services Manager, and Sally Brooks, Data Protection Officer, for the significant amount of work they had undertaken in developing these policies.

## **27. Regulation of Investigatory Powers Act 2000 Update**

### Purpose of Report

To update the Executive on use of powers under the Regulation of Investigatory Powers Act 2000 as required by guidance issued by the Office of Supervision of Surveillance.

### **Decision**

That the report be noted.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

Directed surveillance was essentially covert surveillance in places other than residential premises or private vehicles. Local authorities could not conduct 'intrusive' surveillance under the Regulation of Investigatory Powers framework. A covert human intelligence source included undercover officers, public informants and people who made test purchases. The framework allowed authorities to undertake such surveillance if permitted by the Chief Executive, who was the Council's Authorised Officer, and judicial approval was sought and obtained. The authority had policies in place to cover this process.

The Council had still not applied for, nor obtained any authorisations from the Magistrate's Court for surveillance since 2009. This was mainly due to the fact that the Council's investigations were mostly pre-planning and overt.

## **28. Business Rates Growth Policy**

### Purpose of Report

To seek approval of a City of Lincoln Business Rates Growth Policy, which aimed to provide a time limited rate relief discount to new and extended business premises within the city in the interest of building the Business Rates base, supporting economic growth and job creation.

### **Decision**

That the Executive:

- (1) Supports the proposal for a different level of discount being available depending on whether or not a business is located, or is to be located, within a Strategic Employment Site as identified within the Central Lincolnshire Local Plan.
- (2) Delegates changes to scheme parameters to the Chief Finance Officer, providing these do not fundamentally alter the principles behind this policy and continue to link into aspirations relating to the Council's Strategic Plan.
- (3) Approves the proposed Business Rates Growth Policy.

### Alternative Options Considered

None.

### Reason for Decision

Provisions under Section 69 of the Localism Act 2011 allowed all authorities to grant discretionary relief in any circumstances where the Council felt fit having regard to the effect on the Council Tax payers of its area. It was proposed that, in line with the Act, the Council adopted a policy for the discounting of Business Rates where economic benefit to the city could be evidenced.

A draft Business Rates Growth Policy, outlining further details of the proposed relief, including eligibility criteria, was included in the appendices to the report. The draft policy aimed to provide a time-limited rate relief discount to new and extended business premises within the city, in the interest of building the business rate base, supporting economic growth and job creation. Eligibility and aspects of the scheme were noted as follows:

- the ratepayer must be able to evidence that new employment floor space would be provided, and by association additional rateable value, either through new development or extension by the end of the discounted period;
- the ratepayer must be able to demonstrate that their business was of value to the city with reference to employment, economy and/or growth sector as set out in local evidence as outlined in Appendix B;
- the ratepayer must not be entitled to mandatory rate relief or relief as a non-profit making organisation or as a sports club or similar;
- discretionary rate relief would not ordinarily be granted on unoccupied premises. Consideration for this relief may, however, be given for businesses within identified priority employment areas;
- the ratepayer must demonstrate that assistance would only be required for a maximum period of three years and that their business/operation was financially viable in the medium and long term.

In order for a growth business to qualify for a discount they must apply to the Council's Major Developments Directorate. Applications would be scored by an Officer Board which would aim to meet at least quarterly, with applications judged on their merits on a case-by-case basis. Details relating to the scoring criteria were set out in paragraph 4.6 of the report.

Any award made as a local growth discount would fall as a loss on the Council's business rates collection fund. Normally 40% of the loss was allocated to the Council, however, for 2018/19 the loss would be 60% due to Lincoln being part of the pilot for 100% Business Rates retention. A factor open to the Council to ensure financial control was to place a cap on the total amount that could be awarded in any given year. It was therefore proposed that a cap of £150,000 per annum be put in place should the scheme be approved. This would equate to a loss in Business Rates of £90,000 to the Council as a consequence of 60% retention of Business Rates, compared to £60,000 in the previous year when the retention rate was 40%.

It was reported that this proposal had been considered by the Council's Policy Scrutiny Committee on 19 June 2018 where a number of comments were made which had been incorporated into this final proposal.

Councillor Metcalfe made the point that the Council had always had statutory and discretionary rate relief schemes and asked what this particular proposal was adding. It was reported that the Council's other rate relief schemes focussed, primarily, on organisations such as charities and not the business sector. This proposed policy was aimed at encouraging new businesses into the city or encouraging existing businesses within the city to grow, the aim of which was to grow the business rate base for future years.

## **29. Review of Fraud Sanction Policy**

### Purpose of Report

To seek approval of a small number of amendments to the already adopted Fraud Sanction Policy in respect of the shared Revenues and Benefits Service between the City of Lincoln Council and North Kesteven District Council.

### **Decision**

That the Executive:

- (1) Approves the proposed amendments to the Fraud Sanction Policy.
- (2) Agrees that 'minor amendments' to the Fraud Sanction Policy, such as changes in job titles or legislative changes, be delegated to officers.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

The purpose of the Fraud Sanction Policy was to assist the Councils in the shared Revenues and Benefits Service in preventing and detecting fraud in a consistent, effective, efficient and equitable manner.

A copy of the amended Fraud Sanction Policy was appended to the report, with proposed amendments detailed in paragraph 3.1 of the report.

The Council's Policy Scrutiny Committee had considered this report at its meeting on 19 June 2018 where it resolved that the amendments to the Fraud Sanctions Policy be supported.

## **30. Extension of Houses in Multiple Occupation Licensing**

### Purpose

To outline the increase in workload caused by statutory legislative changes extending the mandatory licensing of Houses in Multiple Occupation from 1 October 2018 and to appraise the options for resourcing this additional work demand.

### **Decision**

That the Executive:

- (1) Approves option one as set out in the report, that the purchase of Rocktime Verso software proceeds and that a management of change for one additional establishment Housing Standards and Enforcement Officer is commenced.

- (2) That £25,000 be allocated within the General Investment Programme, funded from the Invest to Save Reserve, for the purchase of the new Verso system and that the ongoing revenue savings are used to replenish the reserve before being contributed to the Towards Financial Sustainability Programme.

#### Alternative Options Considered and Rejected

None.

#### Reason for Decision

The Council had a mandatory duty to identify and license larger Houses in Multiple Occupation. The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 extended this duty to one and two storey Houses of Multiple Occupation from 1 October 2018. Combining intelligence of the existing licensable Houses in Multiple Occupation and the stock modelling from the British Research Establishment, it had been estimated that the total licensable properties would rise from 318 to over 900. This increase in work demands could not be accommodated within the existing housing team establishment structure.

It was proposed that, in order to manage the increase in the inspection and formal enforcement of the additional 600 properties, that a full time equivalent Housing Standards and Enforcement Officer be added to the establishment, the cost of which would be fully paid for by the additional licensing income.

At present the current administrative Houses in Multiple Occupation licensing process was time consuming and vulnerable to human error. The preferred option to address this was to purchase bespoke IT software as an invest to save initiative. The software offered an online portal for landlords to manage their licensing applications and would automate administrative processes and streamline the workload for the Council's officers, assisting with the identification of higher risk and unlicensed premises as well as maximise income.

Councillor Metcalfe understood how significant the private rented sector had become in the city and the importance of trying to maintain and improve standards. He was therefore supportive of the proposal.

Councillor Murray reiterated this point and felt that the proposal would have a positive impact for tenants in the city.

Councillor Nannestad, noting that additional licence fees should cover the additional resource implications, said that costs would need to be monitored with the situation reviewed in due course should volume be greater than anticipated.

Councillor Jackie Kirk suggested that the City of Lincoln Council's licence fees were relatively low in comparison to other local authorities, so there may be an opportunity in the future to increase the licence fee.



## **31. City Centre Intervention**

### Purpose of Report

To seek approval for the allocation of a maximum of £61,000 for a twelve month period for the purposes of commissioning a City Centre Intervention Team to build on the co-location of the Public Protection and Anti-Social Behaviour Team and City Centre Policing Team within City Hall.

### **Decision**

That the Executive approves the creation of a multi-agency team and the allocation from the Business Rates retention pilot 2018/19 monies of:

- (1) a maximum of £45,000 for an additional outreach worker for a period of twelve months;
- (2) a maximum of £5,000 as a contribution to the administrative support and general worker for the project, in partnership with Lincoln BIG;
- (3) a maximum of £11,000 for the research project delivered by Development Plus which will form the evidence base for a longer term intervention through the City Centre Strategy Group.

### Alternative Options Considered and Rejected

None.

### Reason for Decision

Evidence indicated that incidents of anti-social behaviour related to addiction to drugs and/or alcohol were increasing in the city centre area. A city-wide Strategy Group had defined a framework for intervention designed to offer support to those in need, with the objectives of the Strategy Group and the strands of activity detailed in Appendix A of the report.

The intervention framework consisted of the following three key strands of action:

- managing the demand for services;
- opening up the supply of support services;
- effective outreach and enforcement.

This report focussed on the third strand of effective outreach and enforcement with the primary objective being to encourage vulnerable clients into support, but acknowledging that intervention may be necessary for those who rejected support and continued to aggressively present in the city centre. All enforcement would be appropriate to the situation and would focus on behaviour that demonstrated criminality and harm to the community. It was emphasised that this was not a project about tackling rough sleepers, although there was some cross over in the cohort. The project was about tackling those individuals who were aggressively presenting in the city centre or causing intimidation by their behaviour.

To maximise impact, a multi-disciplinary team was required to address the multiple issues likely to be encountered as part of outreach and enforcement

work within the city centre Public Space Protection Order area. The proposed concept was to locate the team in City Hall, drawn from a range of agencies including:

- the Public Protection and Anti-Social Behaviour Team;
- the City Centre Policing Team;
- an Addiction Outreach Worker;
- a General Support Outreach Worker;
- a Befriending Service;
- administrative support.

There was also an aspiration for this team to include a Mental Health Worker, with it acknowledged that the team would grow as the project progressed. It was highlighted that, at this stage, the multi-disciplinary team would be working on the basis of a pilot for twelve months.

Councillor Ric Metcalfe was pleased that this Council had provided leadership in dealing with this issue and that progress was being made with partners committing to become involved. It was clear that there was a need for effective specialist support for people out on the streets to address the issue and open up access to services. This situation presented a very challenging and complex set of problems which were not unique to Lincoln and he was keen to put this team in place in order that it could do its upmost to actively deal with the issue. This was a hugely important piece of work with this starting point being significant, which he felt could be built on with further participation from partners.

Councillor Neil Murray was impressed with the amount of work that had been undertaken to date and hoped it would have an impact.

Councillor Donald Nannestad highlighted that the people requiring intervention were highly likely to be suffering from very complex mental health issues and substance misuse. He therefore asked whether adequate resources would be in place from a mental health practitioner perspective to deal with the additional clients this project may place into the system and whether the Council should be lobbying those services to ensure that they could cope. It was noted that discussions with the Lincolnshire Partnership Foundation Trust were currently taking place. A suggested approach was to allocate a Mental Health Worker to work with these people on a case-by-case basis in order that they received timely one-to-one support. This was being explored and discussions on that basis were continuing.

Councillor Jackie Kirk requested further information in respect of the allocation of just under £377,000 via the Rough Sleeping Grant. It was reported that this needed to be spent before the end of March 2019 and that the Council had been invited to bid for further funding for 2019/20. In relation to instances of aggressive begging and drug/alcohol fuelled anti-social behaviour, a large number of people committing those offences were not necessarily rough sleepers. This funding would be used to deal solely with the issue of rough sleepers in the city, working with a range of partners. Organisations such as hospitals and the prison were also involved in this project to ensure that people were not being discharged into a homelessness situation.

Councillor Metcalfe thanked Simon Walters, Strategic Director of Communities and Environment, for the significant amount of work he had undertaken on this project.

**32. Protocol for Transition from Children's Services to Adult Related Support and (Semi) Independent Living**

Purpose of Report

To provide the Executive with an update on the Council's Corporate Parenting responsibilities and to request signing and adoption of the protocol for transition from Children's Services to Adult Housing Related Support and (Semi) Independent Living.

**Decision**

That the signing and adoption of the protocol for transition from Children's Services to Adult Housing Related Support and (Semi) Independent Living be approved.

Alternation Options Considered and Rejected

None.

Reason for Decision

Local authorities were subject to new legislation, namely the Children and Social Work Act 2017 and the Homelessness Reduction Act 2017, which placed a new 'Corporate Parenting' duty on the authority. The City of Lincoln Council had been working in partnership to develop a protocol which set out how partners would work together to deliver the requirements of the legislation and to make the transition from care leaver or looked after child into independent living as seamlessly as possible.

A protocol for transition from Children's Services to Adult Housing Related Support and (Semi) Independent Living had been jointly developed and agreed between Lincolnshire Children's Services, Adult Care and Community Wellbeing, District Councils and the Department for Work and Pensions. The purpose of the document was to define the arrangements that needed to be in place within the local authority in relation to when a young person soon to turn, or already, 18 years of age, or 21 years of age if a care leaver, was receiving support within the Children's Services commissioned Youth Housing contract. It also related to the Single Gateway Protocol developed by Children's Services and District Councils covering 16-17 year olds presenting as, or deemed to be at risk of, being homeless.

The County Council had 'corporate parenting' responsibilities for around 180-200 children and young people at any one time and the City Council had received assurances from County Council officers that the City Council was likely to receive only a handful of applications from care leavers on an annual basis. The City Council had also advised the County Council that it would use its best endeavours to provide suitable housing for these young people but that, given the high demand for single persons housing within the city, it would need to utilise the private sector where appropriate. Given the assurance from the County Council's officers it was proposed that the City Council would offer a local connection to any Lincolnshire care leaver wishing to join the Housing Register. This would be kept under review.

Councillor Metcalfe was pleased to see such a protocol put in place, acknowledging that young people leaving care were very vulnerable.

**33. 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.

This item was considered in private as it was 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 this item in private.

**34. Proposed Sale of Land**

Purpose of Report

To consider options for the sale of approximately 0.5 acres of disused land.

**Decision**

That the recommendation contained within the report be approved.

Alternative Options Considered and Rejected

Alternative options considered were outlined in the report.

Reason for Decision

That the sale of the site, as set out in the report, be approved.