

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

Apologies for Absence: Councillor Rosanne Kirk

44. Confirmation of Minutes - 29 August 2018

RESOLVED that the minutes of the meeting held on 29 August 2018 be confirmed.

45. Declarations of Interest

No declarations of interest were received.

46. Western Growth Corridor - Taking the Development Forward

Purpose of Report

To update the Executive on the progress of the Western Growth Corridor development from the perspective of its landownership and developer role and to seek a decision to proceed with taking the development forward.

Decision

That the Executive:

- (1) Approves to continue to develop the Western Growth Corridor sustainable urban extension planning application in line with the updated vision and objectives.
- (2) Authorises officers to negotiate a Delivery Agreement with the adjacent landowner (Lindum) on the terms outlined in the report.
- (3) Agrees the principle of accepting the Homes England funding offer under the Local Authority Accelerated Construction Programme.
- (4) Delegates to the Section 151 Officer and the Major Development Director authority to agree the detail of the grant from Homes England and in consultation with the Leader enter into the Funding Agreement for the first phase of infrastructure opening up costs.
- (5) Agrees that officers progress the work required to deliver the associated outputs and conditions of the Homes England Funding Agreement including the appropriation of the necessary land from Housing Revenue Account to General Fund that would result in a further report back to the Executive.
- (6) Agrees the targeted timetable of actions set out in the report, including the public consultation.

- (7) Agrees that officers continue to develop a delivery model for the Council's landholding for consideration at a future meeting of the Executive.

Alternation Options Considered and Rejected

Other options explored were set out in paragraph 13.1 of the report.

Key risks associated with the proposal were set out at paragraph 13.2 of the report, which included reference to a risk register which had been in place and had evolved throughout the development of the scheme.

Reason for Decision

Work on progressing delivery of the Western Growth Corridor development had been held up for over a year whilst resolution was sought on the following issues:

- the Scarborough family landownership was structured to enable them to enter into the necessary agreements to bring forward the wider development and to then deliver development on their landholding;
- undertaking of further detailed transport work to reflect the new county highways model with further analysis to identify the optimum highways access strategy for the development that also gave the best benefits to the existing residents and businesses in the adjacent communities and the wider city area;
- the outcome of the Accelerated Construction funding bid.

Updates on these aspects of the scheme were set out in paragraphs 2.2 to 2.9 of the report, together with a revised project plan set out in paragraph 2.10 which included key milestones and a targeted timeline, with completion of the phase one infrastructure targeted for Winter 2020/21.

Consideration was also being given as to how the Council brought forward development on its landholding should consent be granted. Options included the setting up of a wholly owned development company, entering into a joint venture with a development partner and the Council itself undertaking a mix of development options. The latter involved the Council developing a model whereby it would retain control of the land and implement a mix of options including developing some itself for Council housing and investment purposes as well as selling parcels of land for a range of housing and employment development. This model would also include preparing a range of detailed development briefs and proposals for areas such as the Leisure Village and the open and recreational space linking in with Hartsholme Country Park.

Officers had reviewed the Council's vision and objectives for the Western Growth Corridor to identify any changes needed to reflect the updated Local Plan policy position and to verify their continued appropriateness. The report outlined the vision and objectives originally adopted by the Council in December 2013 which then formed the basis, where appropriate, for the development of the Central Lincolnshire Local Plan policy in relation to the Western Growth Corridor. This included a range of very detailed work on housing need, economic considerations, strategic transport modelling and a whole raft of place shaping policy considerations over the lifetime of the plan 2012 to 2036. As part of the Local Plan preparation process the Council approved a specific Western Growth Corridor topic paper which, alongside the other evidence, formed the basis for the extensive consultation and a public examination by the Planning Inspectorate.

This process led to the adoption in April 2017 of specific policies on Western Growth Corridor, as set out in paragraphs 5.5 and 5.6 of the report.

The Local Plan set out a very clear vision for Western Growth Corridor alongside policy requirements that reflected the Council's own vision and objectives for the site, with one main exception being the vehicular link between the site and the A46 as set out in the vision. It was therefore recommended that the Council used policies LP28 and LP30 and the previously adopted objectives from December 2013 to shape the landowner development of the site and the principles within the Delivery Agreement.

In terms of the Delivery Agreement, it was recommended that the key principles broadly remained the same as those previously adopted by the Council and would therefore contain the following sections:

- parties;
- purpose;
- development;
- planning;
- infrastructure;
- infrastructure costs;
- infrastructure works;
- grant monies;
- security;
- assignment;
- development;
- transport;
- fetter of discretion;
- general terms in relation to aspects such as matters of confidentiality, dispute resolution, service of notices, means of communication via representatives.

Significant work had been done since 2013 and particularly in the last two years to bring forward a planning application for the Western Growth Corridor. This included the public consultation which ran from 28 June to 15 November 2017. Both the public and statutory consultation identified a key concern around highways and the access strategy for the site, further to which two further pieces of transport modelling work had been undertaken incorporating a re-run of the access options through the updated Lincolnshire County Council highways model that became available for use in November 2017 and further detailed junction modelling and movement analysis in 2018. It was noted that the majority of this work was complete.

Extensive work on the planning application was completed last year and a review of this work had informed the updating of some of the survey work and the completion of other elements, all of which was carried out over the summer. Once the final conclusions of the access and transport work had been confirmed a further round of public consultation could be held, which would include workshop events on flood issues and transport and movement that was targeted for November 2018. The outline planning application was targeted for submission, subject to an agreement in principle on the access strategy for the site with the Highways Authority, at the end of January 2019.

The report provided information relating to the Homes England Local Authority Accelerated Construction Programme at paragraphs 8.1 to 8.6 and it was noted that an offer had been received by Homes England for the first phase of funding. This was would be used for infrastructure, particularly a roundabout to replace the current signalised junction at Skellingthorpe Road and Birchwood Avenue to open up the first phase of development consisting of approximately 155 new homes. Officers had been reviewing the offer letter received by Homes England and the conditions contained within it and had met with them on a couple of occasions to ensure clarity over a couple of points. The key deliverables they would be expecting in allocating this funding were noted as follows:

- accelerated housing;
- use modern methods of construction;
- encourage use of local small and medium businesses in the development to support the local economy.

Councillor Ric Metcalfe was pleased to see a re-statement of the Council's objectives in respect of the Western Growth Corridor scheme, with a commitment to creating jobs, housing and infrastructure. He emphasised that this development would be an important contribution to achievement of the Central Lincolnshire Local Plan and represented the largest urban extension included in the Local Plan. Councillor Metcalfe welcomed the fact that there was essentially a new development partner associated with the scheme, that there would now be some assistance with infrastructure costs with the potential for subsequent infrastructure funding and that progress had been made in respect of flood mitigation. He acknowledged, however, that there were still some challenges to face, highlighting that it was vitally important to get the traffic impact right for example. Councillor Metcalfe was pleased with the amount of progress that had been made which he said would set the Council up well with submission of a planning application in the New Year.

Councillor Nannestad asked whether officers were confident of the timescales as set out in paragraph 10 of the report being met in relation to phase one, in view of the fact that the money had to be spent by March 2021.

The Strategic Director of Major Developments, reported that work had been undertaken on the outline planning application for the overall development, however, this had encompassed detailed work on aspects of the first phase which included the Skellingthorpe junction and Tritton Road railway bridge. This meant that the procurement process for this phase of the development could commence as early as January 2019 with the works taking in the region of five months to complete. She was therefore confident that this would be delivered on time if the timescales set out in the report were adhered to.

Councillor Murray was very pleased to see this report, adding that the update on the scheme's objectives would be welcome news regarding additional jobs and housing for the people of Lincoln.

47. Expansion of Residents' Parking Schemes

Purpose of Report

To report to the Executive the options relating to the expansion of Residents' Parking Schemes in Lincoln.

Decision

That the Executive:

- (1) Supports the proposal to commence formal consultations to introduce extensions to the Residents' Parking Scheme for the streets identified in Appendices A and B.
- (2) Supports the proposal to commence formal consultations to introduce extensions to the Residents' Parking Scheme for the Bailgate between Newport Arch and Westgate.
- (3) Supports the proposal to commence formal consultations to introduce extensions to the Residents' Parking Scheme for the streets identified in Appendices C and D.
- (4) That officers review parking demands in the parts of St Catherine's and Newark Road marked blue on Appendix C and also the sections of Monks Road beyond the existing Residents' Parking Scheme area, upon consultation of the proposals above.
- (5) That, in consultation with the Portfolio Holder for Economic Growth, additional streets identified for inclusion as part of proposed Residents' Parking Schemes since the publication of the report be included as part of the above formal consultations as appropriate.

Alternative Options Considered and Rejected

None.

Reason for Decision

The development and implementation of Residents' Parking Schemes in Lincoln had been well established over many years and was now in place in 19 zones covering a significant part of the city. It was generally acknowledged that in order to defend residents' ability to find a place to park near their homes, then an authorisation scheme needed to be operated.

Paragraph 3.2 of the report outlined the process and responsibilities for extending or introducing new Residents' Parking Schemes. The City Council was responsible for all costs associated with the initial survey work, public consultations, drafting and advertising the Traffic Regulation Order and the corresponding signs and road markings. If supported and agreed, the City Council would administer the permits for residents and retain the permit income in mitigation of costs incurred, which should be no more than the cost of introducing the scheme in accordance with the Road Traffic Act 1984. Once installed, enforcement of on-street contraventions within the Residents' Parking Scheme was the responsibility of Lincolnshire County Council, with the County Council retaining all income from any Penalty Charge Notices issued to offset the costs of enforcement.

Residents' Parking Schemes were known to have a number of benefits, not just in helping those residents who lived in a given area. Studies had shown that up to 30% of circulating traffic which was looking for a free parking space was removed

from an area after the introduction of parking controls. Further key benefits were set out in paragraph 3.3 of the report.

The expansion of Residents' Parking Schemes was currently an identified priority within the joint City Council and County Council Parking Strategy for Lincoln, taking into account the expected increase in housing growth within the Lincoln catchment area which would significantly impact car transport seeking to reach Lincoln's city centre.

Over the last few years public comment had led officers to the view that there was now significant opinion in support of an expansion of Residents' Parking Schemes in some areas of Lincoln. In working up proposals, based upon consideration by the Policy Scrutiny Committee on 16 August 2016 and further feedback from ward members, a phased approach was proposed as identified in paragraphs 6 to 8 of the report, with those specific streets potentially impacted identified in the appendices to the report. Further phases had been identified in paragraph 5.2 of the report.

It was noted that, since the publication of the report, other streets had been identified by members of the public for consideration as Residents' Parking Schemes. An assurance was given that these would be included as part of the proposed formal consultation process. At least 50% of respondents to the formal consultation process for any proposed Residents' Parking Scheme must be in favour of the scheme for it to be able to progress.

Implementation was forecast based on 1 January 2019 for phase one, 1 July 2019 for phase two and 1 November 2019 for phase three.

Councillor Donald Nannestad indicated that residents of West Bight and Chapel Lane would wish to be included as part of any proposals for the expansion or introduction of Residents' Parking Schemes in that area. The Strategic Director of Communities and Environment confirmed that these streets would be considered alongside other streets that had been identified since the publication of the report.

Councillor Fay Smith recalled the previous consultation undertaken in the Sincil Bank area of the city and confusion that occurred regarding the requirement of at least 50% of respondents in order for a scheme to progress. She reiterated that it was 50% of those people who responded to the consultation that needed to vote in favour of the scheme for it to progress rather than 50% of the people consulted upon. She said that lots of people in the area who did not own cars did not respond to the consultation last time as they did not think it was relevant to them. Her view was that the introduction of a Residents' Parking Scheme to that part of the city would significantly reduce the number of cars parking there and make it appear much less crowded.

Councillor Neil Murray reflected on the Sincil Bank area of the city, which he said had become a free car park for commuters and shoppers with most cars parking on those streets not belonging to the people who lived there. The introduction of a Residents' Parking Scheme in this area of the city would assist the significant regeneration work taking place there.

Councillor Jackie Kirk was of the view that the introduction or expansion of Residents' Parking Schemes in Lincoln would make a vast improvement to certain areas of the city. Councillor Kirk made reference to the number of businesses on Lincoln high street in the south of the city and that people did not

solely work in the centre of the city. She asked what provision businesses would be provided with by way of car parking should a scheme be introduced and whether they would be consulted upon as part of the formal consultation process. The Strategic Director confirmed that businesses would be part of the formal consultation process and that a business would receive two Residents' Parking passes should such a scheme be introduced in their locality. He added that the introduction of Residents' Parking Schemes provided opportunities for the Council and the Lincoln Business Improvement Group to work together regarding commuter travel plans in the city centre.

It was noted that the phased approach and timescales set out in the report were subject to resources, both from the City Council's perspective but also that of Lincolnshire County Council.

48. City of Lincoln Council Annual Report

Purpose of Report

To provide the Executive with an opportunity to consider the City of Lincoln Council Annual Report 2017/18.

Decision

That the Executive supports adoption and publication of the City of Lincoln Council Annual Report 2017/18 and refers it to Council for approval.

Alternation Options Considered and Rejected

None.

Reason for Decision

The Annual Report 2017/18 was a backward looking document which highlighted the City Council's key activities and outcomes over the past year. It also considered what preparations had taken place for new projects and what the authority had done to put it on a strong footing for the future.

The Chief Executive reported that the last year had been a very significant one for the City of Lincoln Council as it saw delivery of phase one of Vision 2020, emphasising the following highlights from the year:

- completion of the £30 million Lincoln Transport Hub;
- completion of the £4 million project to restore Boultham Park;
- completion of the £1.5 million project to renovate Birchwood Leisure Centre;
- installation of a network of CCTV cameras;
- implementation of the rogue landlords project;
- implementation of the Trusted Landlords Scheme;
- implementation of the Empty Homes Strategy;
- development of new council houses in the city.

The report also included a summary of the annual accounts and a summary of the annual governance statement.

The Chief Executive said that the report demonstrated an incredible year for the Council, with the above successes having been completed alongside ongoing delivery of the Council's services which she was very proud of.

The Performance Scrutiny Committee had considered the content of the Annual Report at its meeting on 23 August 2018, a copy of which was appended to the report. A number of formatting and typographical errors would be amended prior to final publication of the document.

Councillor Metcalfe agreed that the Council's achievements during 2017/18 had been remarkable and had been delivered with very constrained resources.

49. Review of Mandatory Houses in Multiple Occupancy Licensing Scheme

Purpose of Report

To review the Council's scheme for the Mandatory Licensing of Houses in Multiple Occupancy.

Decision

That the proposed City of Lincoln scheme for mandatory licensing of Houses in Multiple Occupancy be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

New legislation would come into force on 1 October 2018 extending the criteria for the types of Houses in Multiple Occupancy that needed a licence and imposed minimum room sizes and new mandatory conditions to be applied to all licences. The adoption of amenity and space standards for the city clarified the Council's expectations for the standard of shared housing in Lincoln, helping landlords to know what they need to provide and supporting officers to respond to the challenge.

It was estimated that the number of Houses in Multiple Occupation requiring a licence as a result of the new requirements would increase from 300 to 900 properties.

The revised Mandatory Licensing of Houses in Multiple Occupation scheme was set out in Appendix A of the report and incorporated the following key changes:

- a number of definitions within the licence had changed, which were clarified in appendices attached to the scheme;
- a new Houses in Multiple Occupation online portal was in the process of being configured which would enable applications for licences to be submitted electronically. The scheme had therefore been amended to reflect this;
- the licence fee had been updated to reflect changes to the Trusted Landlord Scheme;

- in terms of renewals, legislation prescribed and restricted what documents the Council could require applicants to submit for an application to be valid. The revised scheme specified these requirements;
- the revised scheme defined 'appropriate people' to hold a licence, in that they needed to prove that they had the necessary financial resources and had authority to act in respect of any property associated with the application;
- a number of amendments to Appendix 10 in relation to satisfactory management arrangements. This outlined what the Council expected of landlords, with high-profile prosecutions having already been executed regarding landlords, ensuring that the Council continued to be robust through its processes and ensuring that they were complied with. Evidence could also be collated electronically as part of the online portal to assist with this;
- adopted standards had been incorporated into the scheme to reflect new minimum requirements, but this also included guidance from a discretionary perspective in addition to those that were mandatory. Lincoln had a large number of Houses in Multiple Occupancy so it was important to push standards, with these revisions set out in Appendices 11 and 12 relevant to all Houses in Multiple Occupancy in the city, which were consistent with neighbouring areas;
- further clarity was provided in relation to fire safety and fire doors in particular;
- further clarity was provided in respect of conditions associated with smoke alarms and carbon monoxide alarms;
- further clarity was provided regarding the requirement of landlords to ensure compliance with the Council's waste disposal scheme, particularly in relation to bins being left on streets after they had been emptied which was consistently the subject of a number of complaints;
- in terms of inspections, the same procedure under the Trusted Landlord Scheme would be followed. Where a landlord had already been accredited they would be passported without the need for an initial inspection, although they would still be inspected during the length of the licence. The system used to process applications had a risk assessment element associated with it which would indicate where inspections were required dependent on what was included as part of an application. Taking into account the estimated 900 properties that needed to be inspected upon being granted licences, this would assist in prioritising those initial inspections;
- the inclusion of provision in Appendix 16 of the scheme to limit the length of a licence between one and three years for those landlords where problems had been experienced previously.

The proposed new scheme not only implemented the legislative changes but also made best use of the Council's discretionary powers to set good standards of amenities and room sizes and use licence conditions to uphold good property management practices. This reflected the Council's Vision 2020 priorities to improve the standard of private sector housing in the city and tackle rogue landlords.

This report had been considered by the Council's Policy Scrutiny Committee where a question was raised as to the PAT testing of portable electronic appliances, which was not included as part of this proposal. Officers had investigated this matter and the PAT testing would only be undertaken on devices that the landlord themselves provided for tenants, whereas in reality the majority

of portable appliances used would be those that the tenant provided for themselves. Therefore, regular testing of the mains fixed wiring and the RCD device in each property was more important. In view of this it was agreed that PAT testing of portable electrical appliances would not be a necessary condition as part of granting a licence.

The original proposal presented to the Policy Scrutiny Committee included reference to variation fees, but it was agreed that this element of the licensing scheme had been removed so that no variation fees applied.

Councillor Neil Murray welcomed the improvement of standards in respect of Houses of Multiple Occupation, particularly in view of the large number of people in the city who lived in them.

It was agreed that typographical errors in some of the appendices would be amended prior to publication of the final licensing scheme.

50. Modern Slavery Statement and Charter

Purpose of Report

To inform the Executive of the Council's roles and responsibilities relating to modern slavery.

Decision

That the Modern Slavery Statement and Charter Against Modern Slavery be adopted.

Alternative Options Considered and Rejected

None.

Reason for Decision

Modern slavery was a broad term which could include any of the following:

- forced labour;
- debt bondage or bonded labour;
- human trafficking;
- descent-based slavery;
- child slavery;
- forced and early marriages.

The City Council had a role in stopping modern slavery by:

- ensuring staff had a clear understanding of modern day slavery and knew how to recognise and report signs;
- communicating and promoting materials highlighting modern day slavery as an issue within Lincolnshire;
- ensuring the Council's procurement procedures were in line with the Modern Day Slavery Charter.

The Council's proposed Modern Slavery Statement was as set out in Appendix A of the report, with the Charter Against Modern Slavery attached at Appendix B of the report which included ten commitments for local authorities to attain. It was reported that the City of Lincoln Council was already very close to complying with all ten commitments.

It was noted that the Corporate Plan reference in the Modern Slavery Statement would be amended to reflect the most up to date version.

51. Introduction of 'The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018'.

Purpose of Report

To inform the Executive of legislative changes to the licensing of animal activities and to seek approval for the implementation of the new Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

Decision

That the proposal contained within the report be supported and referred to the Council for approval.

Alternative Options Considered and Rejected

None.

Reason for Decision

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 would come into force on 1 October 2018 and act as the primary legislation for the licensing of the following animal activities:

- animal boarding (catteries and kennels);
- home boarding of dogs;
- dog day care;
- dog breeding;
- riding establishments;
- sales of animals (formerly pet shops);
- performing animals (formerly a registration administered by Lincolnshire County Council).

All animal activities would be subject to the same regime which would bring them all into alignment with conditions nationally set for each defined activity, as contained within the Regulations.

A star rating system allowed customers to see how businesses performed against the Regulation standards which, as a condition of the licence, would have to be on display alongside the licence at the premises. A scoring matrix would be in force to ensure consistency for the star rating system and there would be provision of an internal appeal process.

Inspections of premises would be carried out by the City Council's Animals Warden and a vet check would also be conditional to the granting of a licence.

Fees and charges would be locally set based upon full cost recovery as set out in the Regulations. Proposed fees and charges for the City of Lincoln were set out in paragraph 4.4 of the report, subject to the performing animals licence being set at £220 rather than £250 due to their being no risk assessment necessary as part of the granting of that particular licence.

It was noted that the Council could opt to offer a reduction in fees for registered charities in respect of catteries, kennels and performing animals. This issue had been considered by the Council's Licensing Committee which had recommended a 10% reduction in fees for such charities.

Details relating to the proposed delegation of authority to the Assistant Director for Communities and Environment, the Public Protection and Anti-Social Behaviour and Licensing Service Manager, Licensing Officers, the Animal Warden and the Licensing Committee were outlined in paragraphs 5.1 to 5.3 of the report.

52. 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.

53. Management Restructure

Purpose of Report

To request approval for a proposed management restructure.

Decision

That the recommendation contained within the report be approved.

Alternation Options Considered and Rejected

Alternative options considered were contained within the report.

Reason for Decision

To ensure that the Council's structure was fit for purpose and that the authority built resilience against changing demands.

The proposal involved changes to services with some directorate transfers and involved adding four additional posts to the establishment.

There were no redundancies as part of this restructure.

The City of Lincoln Council Employee Joint Consultation Committee had considered and supported this proposal at its meeting on 4 September 2018.