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NORTH EAST LINCOLNSHIRE COUNCIL
MINUTES OF THE MEETING HELD ON

15th December, 2022

Present:

Councillor Beasant (in the Chair)
Councillors Abel, Aisthorpe, Astbury, Batson, Boyd, Brookes, Cairns, Callison, Cracknell, Croft, Dawkins, Farren, Freeston, Furneaux, Harness, Hasthorpe, Holland, Hudson, Jackson, Lindley, Mickleburgh, Parkinson, Patrick, Pettigrew, Reynolds, Shepherd, Shreeve, Silvester, Smith, Westcott, Wheatley and Wilson.

Officers in Attendance:

- Rob Walsh (Chief Executive)
- Sharon Wroot (Executive Director Economy, Environment and Resources)
- Simon Jones (Assistant Director Law and Governance - Monitoring Officer)
- Michelle Lalor (Head of Communications and Customer)
- Paul Windley (Democratic and Scrutiny Team Manager)
- Paul Wisken (Civic and Mayoral Officer)

The proceedings were opened with prayers by the Civic and Mayoral Officer.

NEL.44 MAYOR'S ANNOUNCEMENTS

The Mayor welcomed everyone in attendance to this meeting.

NEL.45 APOLOGIES FOR ABSENCE

Apologies for absence from this meeting were received from Councillors Brasted, Goodwin, Green, McLean, Robinson, Sandford, Shutt, K. Swinburn and S. Swinburn.

NEL.46 MINUTES

The minutes of the meeting of North East Lincolnshire Council held on 29th September 2022 were approved as a correct record.

NEL.47 DECLARATIONS OF INTEREST

There were no declarations of interest in relation to any items on the agenda for this meeting.

NEL.48 QUESTION TIME

There were six questions submitted by members of the public for this meeting, in accordance with the Council's procedures.

The first question was submitted by Mr Henderson to the Leader of the Council. As Mr Henderson was unable to attend the meeting, the Mayor put the question on his behalf, as set out below:

"The population of Grimsby is dwindling, per the recent census, and levels of pay are not increasing. Meanwhile interest and inflation rates continue to rise. Further, we have thousands of empty local properties and planning permission has been granted for houses that have not been built – presumably because we don't need them. Fewer of us live in Grimsby, with less money in our pockets to support moving house. Yet the relentless march to build more houses goes on. I believe that the council's desire to include building on the Freshney Valley, in the new Local Plan, will come at a cost to Grimsby rather than generating revenues. This is because only marginal increases in council tax revenues will quickly be exceeded by the cost of providing new amenities to such a huge development. If the Leader disagrees with that statement, could he share the council's revenue model which proves further development makes economic sense for the people of Grimsby?"

Councillor Jackson responded that the aim of this administration was to make Grimsby a more attractive and vibrant place to live and encourage some of the many who currently commute to jobs in North East Lincolnshire to actually live and spend their income in the borough. This was the basis of our ambitious local plan, the transformation schemes in Grimsby town centre and the building of new, quality housing. The demand for housing was not driven by changes in total population alone, it was driven by market forces related to household formation, changing employment prospects, migration and trends in the housing market.

The council was required by central Government to set out a Local Plan that looked forward at least 15 years (30 years in the context of large urban extensions). Throughout such a period there would inevitably be changes to interest and inflation rates which would have a bearing on demand. The council had just commenced its review of the Local Plan, attracting significantly more

interest and feedback than previous engagement in 2018. This valuable interaction with residents, businesses and stakeholders and exchange of information, alongside other evidence-based intelligence would ultimately determine what the Local Plan needed to look like. The formal decision, to approve the Local Plan would be made by the full Council, just as it was in 2018.

With regard to housing sites that had not yet commenced, this was normal in a healthy housing market. Housing developers would normally have a progression of sites to ensure the delivery of future homes. The fact that developers had progressed sites through to gaining planning consent was a sign of strength in the housing market and a sign that they perceived future demand. Why would developers incur the cost of going through the planning process and building properties if there was no demand? Officers also met local and national developers through the Housing Developers Forum, ensuring any blocks preventing housing delivery, on behalf of the council, were eased or removed. Whilst efforts were taken to address empty homes via the Council's Empty Homes Strategy, there would inevitably be a proportion of empty properties that remained vacant due to particular circumstances, which fell outside of the council's control. However, the council worked closely with numerous local housing charities and private investors, seeking innovative solutions to reduce empty homes, and continued to charge additional council tax to the owners of long-term empty homes.

Councillor Jackson confirmed council tax more than covered the marginal costs of providing additional services for housing developments and the cost of providing new amenities for new developments came from a range of sources, including Section 106 agreements with developers, various external grants and private sector contributions. The council's Financial Strategy was closely aligned to the council's overall Economic Strategy, as well as the Local Plan. More people living within North East Lincolnshire meant more spending in local shops and with local businesses, creating more support jobs in the local economy rather than wealth being taken out of the area and spent elsewhere. Experience up and down the country clearly showed that housebuilding does boost the local economy.

The council remained fully committed to developing brownfield sites by securing external grants and facilitating housing development in urban areas through asset disposals, which were all subject to a business case planning process which incorporated detailed financial modelling.

The second question was from Ms Downes for the Leader of the Council. Ms Downes attended the meeting and put the question as set out below.

“During a recent planning meeting item concerning proposed housing at Torbay Drive, between Scartho and Waltham, the Leader, along with other councillors made an excellent case as to why the application should be refused. It was stated that as from March 2023, the annual imposed housing target on North East Lincolnshire Council would significantly reduce; down from the council so called ‘aspirational figure’ to the government requirement figure of 208 houses per

annum. This in turn would lead to a greatly reduced 5-year housing land supply requirement, and on that basis, if an appeal by the Torbay Drive developers against a planning refusal was not submitted by March, the chance of appeal success would be unlikely. Would the Council Leader now agree with many Conservative MPs who have seen sense that having mandatory housing targets set by Government, which councils then increase under the guise of Aspiration, is extremely unpopular and leads to developers imposing housing where it is neither wanted nor required?"

Councillor Jackson responded that the requirement to adopt the standard methodology figure, in our case 208 homes per annum, when a local plan tips over five years old in order to determine the five-year housing land supply assessment, was a requirement of the National Planning Policy Framework. The Planning Practice Guidance states "The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates". In other words, councils still have a duty to deliver housing to meet local housing needs. The indication for North East Lincolnshire, based on current build-out rates, was a clear demand for more than 208 additional homes per year. In the last financial year there were over 600 new completions. The actual figure would be determined, taking into account all relevant factors, during the current review of the Local Plan. Councillor Jackson noted that this administration was unashamedly aspirational. We want to make North East Lincolnshire a more attractive and vibrant place to live and encourage some of the many who currently commute to jobs in the borough to actually live and spend their income here. This was the basis of our ambitious local plan, the various employment and regeneration schemes and the building of new, quality housing. The alternative was managed decline.

The next question was from Ms Downes for the Leader of the Council, as set out below.

"With regard to the recent Local Plan Review scoping consultation, over 450 comments from interested parties have been made. This is a massive increase from previous consultation results and is, in our opinion, due to the fact that there is a lot of ill feeling at the rampant housebuilding being pushed by North East Lincolnshire Council across the Borough to enable them to maximise council tax receipts and the New Homes Bonus in order to try and to balance the perilous books. The council's finances have undoubtedly been made worse by extortionate levels of borrowing for projects such as the Café at the Crem (over £400k borrowed) and Freshney Place (over £15million borrowed) with little or no public consultation. The public have had enough, and the levels of response demonstrate this. It has been stated that the scoping consultation was 'informal' but it has not been made clear as to how that consultation will help create the draft local plan. Can the Leader give full assurance that the comments submitted

do form part of a genuine consultation and will be fully taken into account when drafting the local plan at the next stage in order to maintain credibility and public trust in the process? This includes assessing the type and location of housing that the Borough actually requires, not the housing that makes maximum profit for developers.”

Councillor Jackson responded that the volume of housebuilding in the area was driven by the current Local Plan which was unanimously agreed by this Council in March 2018 after extensive public consultation and an examination in public by the Planning Inspectorate. The Local Plan was legally binding. It was unashamedly ambitious and aspirational. It aimed to drive employment growth and make North East Lincolnshire a more attractive and vibrant place to live, aims shared by most local people. It would encourage some of the many who currently commute to jobs in the borough to actually live and spend their income here. It included employment and regeneration schemes and the building of new, quality housing. The alternative was managed decline. Some people may be content to allow that to happen, but this administration, in common with most local people, want to see the area improve and move forward, with more opportunities for everyone, especially our young people. All capital projects undertaken by the council were subject to individual, robust business cases to ensure that they “wash their face”. In other words, that the income generated from them at least covered the borrowing costs, both repayments and interest charges and, ideally brought additional revenue into the council’s coffers. This was certainly the case with both of the projects quoted in the question. The purchase of Freshney Place was a brave decision and an example of this council demonstrating its place leadership role. Whilst it was undoubtedly controversial at the time, most people were now recognising that it was the only way to ensure the delivery of Grimsby town centre’s ambitious regeneration plans.

Turning to the Local Plan review process, it was both encouraging and welcome that so many people had engaged. The scoping and issues stage was considered an informal stage, with legislation allowing greater freedom in how this engagement was undertaken. The council would fully consider the responses. The local plan process was setting a framework for development across the whole borough. In so doing it must be consistent with national planning policy and the approaches taken must be supported by evidence. All consultation responses were logged and considered as part of the process, but the views expressed must be balanced against the need to deliver jobs, homes and supporting infrastructure to meet future needs.

Councillor Jackson commented that the council’s finances were undoubtedly challenging, in common with most local authorities up and down the country. However, they had nothing to do with determining the housing requirement and would not feature in the evidence presented to determine what was appropriate for North East Lincolnshire in terms of a suitable and appropriate Local Plan. That was not to say that there weren’t welcome revenue benefits from additional housing in terms of council tax receipts and New Homes Bonus. However, the main financial benefits from the delivery of an ambitious Local Plan was a thriving

local economy with more, better paid jobs, with more local people in work and spending more money locally.

The next question was from Mr Bonner for the Portfolio Holder for Environment and Transport. Mr Bonner attended the meeting and put the question as set out below.

“As we improve and regenerate our area, we need to place accessibility at the heart of our plans. Life is already hard enough for disabled people and their families and we should not make it any harder for them than it needs to be. Transport for All recently discussed issues with changes to streets and 81% of disabled people polled were concerned the ‘new normal’ would be inaccessible for them. Barriers such as lack of dropped kerbs, inconsistent tactile paving, uneven or steep pavements, potholes and tree roots, overgrown hedges, inconsiderate vehicle parking, street clutter and bollards, make the streets difficult and sometimes impossible to traverse. Furniture for al fresco dining has complicated matters further. There are currently 14.1 million (1 in 5 people) people with a disability in the UK with a combined total spending power of households including at least one disabled person estimated at £274 billion a year, but disabled people still face barriers when accessing community facilities using footways. Disabled people cannot be forgotten as we reopen society and. If we do not take them seriously, we risk excluding many of them from our high streets and precincts and driving them towards out of town and online shopping at a time when their viability is uncertain. I am here to ask what steps North East Lincolnshire Council are taking to improve pedestrian access for disabled people and whether you will adopt the principles of Transport for All’s ‘Equal Pavements Pledge’ and ensure our streets are accessible to everyone?”

In the absence of the Portfolio Holder for Environment and Transport, Councillor Jackson responded that the council was very serious about improving disabled pedestrian access to enable independent living. There were several proactive steps being taken to improve disabled pedestrian access across the borough. The Local Transport Plan (LTP) considered accessibility, including disabled access, to enable disadvantaged groups or people living in disadvantaged areas to connect with employment, health, social and leisure opportunities. The council used robust data sources and modelling techniques to identify where potential transport accessibility problems were likely and where transport accessibility issues were identified, we seek to review the issues and develop action plans to deliver solutions. As far as possible, the development of these solutions included collaborative working with local operators and service providers. These organisations and partnerships often had knowledge about specific client groups and ways to meet their needs and were able to identify appropriate solutions. The LTP funded and delivered an annual prioritised programme of tactile crossing improvements, as a result of public requests, and also ensured that signalised crossing points were improved to Equality Act compliance. 33% of bus stops in North East Lincolnshire had raised kerbs to allow ease of access for elderly and disabled. In 2022/23 a further £75,000 was being spent on raised kerb bus stop improvements to further increase provision. The Council had 20 car parks

recognised in the Disabled Parking Accreditation awards scheme. The DPA certificate was awarded to those car parks with high quality parking facilities, which met disabled people's needs. Information was available on the council's website detailing the car parks which had attained Disabled Parking Accreditation. In the 2019 North East Lincolnshire Bus Passenger Satisfaction Surveys, 91% of people who identified as disabled were either fairly or very satisfied with their overall journey experience. In comparison, in 2019 the average overall for England was 87%. Councillor Jackson concluded his response by noting that he had asked officers to take another look at Transport For All's "Equal Pavements Pledge" to see what further actions could be practicable.

The next question was again from Mr Bonner for the Portfolio Holder for Environment and Transport, as set out below.

"At the July meeting of the Council, I asked a question about the proliferation of shopping trollies near one of the supermarkets close to where I live. In reply, Councillor Swinburn reminded me of the council's use of the Trolleywise app to report abandoned shopping trolleys, which he claimed is the most time and cost-effective approach. I normally take a short walk in the area of the Freshney Valley two or three times each week and in the four-month period from August to September I have reported 61 trollies in the countryside and adjacent streets. I am sure there are also others that are either reported by others or go unreported. In addition, there was a period when the app was not working for approximately three weeks when I was unable to report any at all. I am certain this situation is repeated at other locations, as can be seen from regular reports in the local press of trollies being collected by volunteers. These trollies can be misused resulting in damage to cars and property and can also contribute to fly-tipping in public spaces and alleyways, the cost being borne by residents. The evidence shows that while the current approach adopted by the council may be time and cost-effective it fails to address the problem. Has Cllr Swinburn any information about what action the council intends to take to resolve this problem, including any planned action under the Clean Neighbourhoods and Environment Act 2005 and the Anti-Social Behaviour, Crime and Policing Act 2014?"

In the absence of the Portfolio Holder for Environment and Transport, Councillor Jackson responded that if people didn't steal and dump trolleys, we wouldn't have to waste time and resources on solving this problem. It added to the costs for supermarkets, impacting on the prices they charge, and it added to the council tax we levy. He felt it was yet another example of the "anything goes" culture that was all too prevalent in certain sections of our local community, and he took the opportunity to publicly condemn it. Councillor Jackson noted that abandoned shopping trolleys were a national problem and legal responsibility for retrieval rests with the owner of the trolley. Trolleywise was funded by supermarkets to collect abandoned trolleys, to fulfil their legal obligations. The council's fly tipping collection resources were already stretched, and it was therefore our preference to allow the companies responsible for tackling this problem the opportunity to resolve the situation. When we received reports of shopping trolleys on the highway or Council land, they were collected within five days and kept in our

depot until Trolleywise could collect them. If trolleys were abandoned on private land or in the part of the River Freshney which was not managed by the council, the responsibility sat with the supermarket or the landowner to remove. In these cases, Trolleywise was left to resolve the situation and charge back the supermarket accordingly for the retrieval, which sometimes took longer. The council recognised its powers under the Clean Neighbourhoods and Environment Act 2005 to collect abandoned trolleys and recharge companies. However, having shared best practice with other local authorities, it was understood that the administration process for this was burdensome, it was rarely cost neutral to the Local Authority and delivered limited benefits compared to the national Trolleywise operation. Taking legal action against supermarkets for abandoned trolleys was also not recommended unless we had first given them an opportunity to rectify the problem, which again would involve a report to Trolleywise. There was a publicity campaign last year, which had a positive impact on the number of trolleys abandoned. Councillor Jackson took the opportunity to once again highlight to supermarkets the issue being experienced with abandoned trolleys and he recommended to them that all trolleys were fitted with automatic locking devices.

The final question was submitted by Mr Fisher to the Portfolio Holder for Safer and Stronger Communities. Mr Fisher was in attendance but asked the Mayor to put the question on his behalf, as set out below:

“Can the Portfolio Holder explain why he and North East Lincolnshire Council continue to claim they have PSPO "made" and "placed" within requirement of law, when they do not?”

Councillor Shepherd responded that local authorities were granted powers to introduce Public Space Protection Orders (PSPO) in 2014 through section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. PSPOs replaced previous legislation and introduced wider discretionary powers to deal with nuisances or problems which harm the local community's quality of life. The local authority can make a PSPO when 2 conditions are met:

1st condition - activities carried on in a public place in the LA's area have had a detrimental effect on the quality of life of those in the area OR it is likely that activities will be carried on in a public place in the LA's area and will have such an effect.

2nd condition - the effect/likely effect of the activities is/likely to be of a persistent or continuing in nature; is/likely to be unreasonable; and justifies the restrictions imposed by the notice.

They are designed for small geographical areas. A local authority must carry out the necessary consultation, publicity and notification. The law requires the order to be published in writing and the designated area must display appropriate signs of the requirements and the restrictions contained within the PSPO. PSPO's usually last for 3 years. They must be reviewed within that 3-year period. They

can be amended, discharged, extended or varied. They are enforced by a police officer, a police community support officer (PCSO) or other authorised person (eg. local authority appointed wardens). Breaching on order is a criminal offence, which can result in a Fixed Penalty Notice (FPN) of £100 or prosecution. If prosecuted, an individual can be fined up to a maximum of £1,000. There are a number of PSPO's in North East Lincolnshire in relation to anti-social behaviour, alcohol control and dog control. They are published on the Council's website. Councillor Shepherd was assured that the PSPOs in North East Lincolnshire had been made within the requirement of law.

On this occasion, Mr Fisher was allowed a follow up question and asked, via the Mayor, 'why does the portfolio holder continue to say that North East Lincolnshire Council have PSPOs within the requirement of law as his understanding? The drink PSPO online is 2014. The dog fouling PSPO is a variation and extinct. The new alleged anti-social behaviour PSPO is not online as required by law.'

Councillor Shepherd responded that he would provide a written response.

NEL.49 THE LEADER'S STATEMENT

The Council received a statement from the Leader of the Council.

The Leader updated Council on the budget setting process for next year. This was likely to be a challenging budget round and most other local authorities up and down the country were in a similar situation. The Council would have to consider how best to manage increasingly complex demand, shape and deliver critical front line services, and work with our partners, across all sectors, to take the Borough forward. The major area of financial challenge for the council was children's social services. Two days ago, Ofsted published its most recent monitoring report and there was no doubt that the service was still far from where it needed to be. There was a continued shortage of social workers nationally, leading to an overreliance on agency staff. However, in recent months, the council had recruited 47 new social workers, 33 of whom came from overseas and were trained to Social Work England standard. Along with our 14-home grown Social Work Academy graduates, this had heavily swung the balance in favour of permanent staff. This was a major priority, both in terms of continuity of care for our families and children, and for financial reasons. There was also excessive 'demand in the system' from children and families being referred to us. The council was looking carefully at the reasons why some of those young people and their families were in the system and what different approach could and should be used to ensure better outcomes for them. Our new interim Director of Children's Services was introducing much needed new ideas and fresh ways of working. A partnership arrangement was also being established with a neighbouring "outstanding" children's services council to help us with our improvement journey. Councillor Jackson was determined that our children's services would become "outstanding" like our two Greater Lincolnshire neighbours, but it would be a long and challenging journey.

The Leader was pleased to report that regeneration initiatives in Grimsby town centre were, at last, picking up pace. The ambition to deliver transformational town centre regeneration was dependant on an effective working relationship with Homes England and officers had been engaging with Homes England officials to bring forward a road map to unlock key town centre sites and deliver modern brownfield residential development. Garth Lane and the Alexandra Dock area were part of our immediate focus. The engagement with Homes England continues and should lead to the development of a business case aimed at securing the release of further funding to kickstart site preparation and development over time.

The Leader updated Council on the announcement of Arts Council England funding to drive up the profile of arts and culture that had seen, for the first time, North East Lincolnshire hosts an organisation, the Culture House, designated as a National Portfolio Organisation. This was a hugely important statement of confidence in an area, sending a signal that culture, creativity and the arts were integral to our regeneration and growth.

The Leader reported that officers were fully engaged with registered housing providers operating in our Borough, following the recent tragic events in Rochdale, seeking assurance regarding issues such as the treatment of damp and mould and the related repair and maintenance regimes. Officers were also reviewing housing enforcement approaches to ensure that, where matters of concern are identified in the private rented sector, landlords were aware of and meeting their obligations.

The Leader provided a snapshot of the positive feedback provided following the visit by officials from the Department for Health and Social Care to learn and understand more about our integrated health and social care arrangements.

The Humber Freeport was a significant economic opportunity for the sub-region and North East Lincolnshire, with the creation of a substantial number of skilled jobs over the coming years, especially in the green sector. The final business case had now been submitted to the Government and, subject to its approval, next steps would include the formation of the stand-alone Freeport company and the progression of the tax sites.

The Fisheries Minister had recently visited North East Lincolnshire to announce government support for two important investments in the seafood sector. He had also visited the Border Control Post that had recently opened at the Seafood Village on the Port of Grimsby to enable the inspection and certification of imported fish and fish products.

The Leader commented on the importance of securing a devolution deal for Greater Lincolnshire, a matter to be further considered by the Council at this meeting.

The Leader was pleased to report positive news about two awards recently received by the area. Firstly, the Novartis Ings site had received the “2022 Humber Nature Partnership Award” at the Humber Nature Partnership’s annual conference. The aim of this site was to provide a haven for wildlife ahead of future potential development in the area. Along with our other site, the nearby Cress Marsh, the council was protecting the natural environment, mitigating the impact of climate change and reducing barriers for new businesses investing in our area. Secondly, this council had won the Federation of Small Business “All Round Small Business Friendly” local authority national award. This was a joint approach to support small and medium enterprises and had been praised for its collegiate, holistic approach, that had been transformational and created an environment conducive to long-term success for local businesses.

The Leader provided an update on the Ukrainian refugee situation in North East Lincolnshire. New arrivals continued to be welcomed and existing refugees supported, with no issues to report. There were currently 71 guests in 34 sponsor households. There were 7 imminent guest arrivals and one sponsor relocating to the area with their guest. Two guests had been successfully placed in private rented accommodation and provided with furniture. Two families have secured properties, both moving in this week. Seven guests had moved outside of the area. A Ukrainian version of our welcome pack would be on the Council’s website this week.

The Leader confirmed that the latest updated Council tracker and details of the one decision taken under Special Urgency Provisions had been tabled at this meeting.

In concluding, the Leader thanked all council staff for the hard work and dedication delivering services during 2022 and wished all members, officers and the people of North East Lincolnshire a Merry Christmas and a Happy New Year.

NEL.50 GREATER LINCOLNSHIRE DEVOLUTION

The Council received a report from the Leader of the Council seeking support for draft proposals for devolution for Greater Lincolnshire and to enter into negotiations with Government to seek a devolution deal at the earliest opportunity.

Following a debate, the recommendations in the report were put to the vote. A recorded vote was requested in accordance with the requirements of the Council’s Standing Orders and the votes cast were recorded as follows:

For the Motion

Councillors Abel, Astbury, Batson, Beasant, Boyd, Brookes, Cairns, Callison, Cracknell, Croft, Dawkins, Freeston, Furneaux, Harness, Hasthorpe, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Reynolds, Shepherd, Shreeve, Silvester, Smith and Westcott (26 votes).

Against the Motion

Councillors Aisthorpe, Farren, Holland, Mickleburgh, Patrick, Wheatley and Wilson (7 votes).

RESOLVED –

1. That engagement with government officials be supported, to secure a devolution deal for Greater Lincolnshire on the basis of the draft devolution prospectus at Appendix A of the report now submitted.
2. That devolution to a mayoral county combined authority for Greater Lincolnshire be supported, in principle.
3. That continued engagement with key stakeholders be supported with a view to Appendix A of the report now submitted being further developed and enhanced as the basis of the devolution bid to government to ensure that Greater Lincolnshire was in as strong a position as possible to secure a deal.

NEL.51 MODEL CODE OF CONDUCT

The Council received a report from the Monitoring Officer setting out the Local Government Association's Model Code of Conduct for Elected Members, for proposed adoption by the Council.

This report was considered by the Standards and Adjudication Committee at its meeting on 14th December 2022 and supported the recommendations within the report, subject to the inclusion of reference to site visits as mentioned in the current code.

RESOLVED –

1. That the Model Code of Conduct be adopted by North East Lincolnshire Council, effective from 1st January 2023, subject to the inclusion of reference to site visits as mentioned in the current code.
2. That any future minor amendments or changes to the Code of Conduct be delegated to the Monitoring Officer.
3. That all incidental and consequential amendments to the Constitution, arising from the adoption of the Code, or any future amendments or changes to the Code, be delegated to the Monitoring Officer.

NEL.52 CALCULATION OF THE COUNCIL TAX BASE FOR 2023/24

The Council considered a report from the Portfolio Holder for Finance, Resources and Assets on the setting of the Council Tax Base for 2023/24 and outlining the proposed Council Tax Support Scheme for the forthcoming year.

RESOLVED –

1. That the proposed Council Tax Support Scheme for 2023/2024 which maintains the discount of 65% for all working age customers, be supported.
2. That the Council Tax Base for the Council and other precepting bodies in 2023/24 be set at 45710.4 Band D equivalents (as detailed in Appendix A of the report now submitted).

NEL.53 APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICER

The Council considered a report from the Chief Executive seeking to appoint a Deputy Electoral Registration Officer

RESOLVED – That the Assistant Chief Executive for North East Lincolnshire Council be appointed as Deputy Electoral Registration Officer with immediate effect.

NEL.54 NOTICE OF MOTION 1

The Council considered a Notice of Motion proposed by Councillor Jackson and seconded by Councillor Shreeve, submitted in accordance with the Council's Standing Orders as set out below:

On 1st December 2021 the Cabinet adopted a Carbon Roadmap, including a commitment to engage with partners, business and communities to achieve our net zero carbon ambition.

The outcome of COP27 reaffirms the need for accelerated action, for ambition and vision, in order to face the challenge of climate change.

In order to reinforce and accelerate this Borough's contribution to tackling the effects of climate change, this Council commits to faster progress with a view to achieving a net zero carbon impact by the Council and our assets by 2030.

This Council also reaffirms its commitment to engage with partners, business and communities in order to achieve net zero carbon, across the Borough, as proximate as practicably possible to this Council's own accelerated 2030 aspiration.

Following a debate, the motion was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the motion

Councillors Abel, Aisthorpe, Astbury, Batson, Beasant, Boyd, Brookes, Cairns, Callison, Cracknell, Croft, Dawkins, Farren, Freeston, Furneaux, Harness, Hasthorpe, Hudson, Jackson, Lindley, Mickleburgh, Parkinson, Patrick, Pettigrew, Reynolds, Shepherd, Shreeve, Silvester, Smith, Westcott, Wheatley and Wilson (32 votes).

Against the motion

Councillor Holland (1 vote).

The motion was declared carried.

RESOLVED –

1. That, in order to reinforce and accelerate this Borough's contribution to tackling the effects of climate change, this Council commits to faster progress with a view to achieving a net zero carbon impact by the Council and our assets by 2030.
2. That this Council reaffirms its commitment to engage with partners, business and communities in order to achieve net zero carbon, across the Borough, as proximate as practicably possible to this Council's own accelerated 2030 aspiration.

NEL.55 NOTICE OF MOTION 2

The Council considered a Notice of Motion proposed by Councillor Patrick and seconded by Councillor Wheatley, submitted in accordance with the Council's Standing Orders as set out below:

The UK has seen a collapse in the standard of living over the last decade, with ordinary working people, the most vulnerable in society and young people being hardest hit, this is contrasted with a significant improvement in living standards and public services experienced within the previous decade.

Steady erosion of vital local and national public services coupled with no real terms increases in wages for most people have created the conditions for a perfect storm, putting millions into a vulnerable economic position.

The poor planning experienced for the aftermath of the COVID pandemic coupled with international events, spiking inflation, caused mostly by energy price hikes, means that many of the residents of North East Lincolnshire are finding themselves in the most difficult financial trouble they have ever faced, unable to

pay basic bills our residents are experiencing at first hand the 'cost of living crisis'.

A number of councils across the UK have already declared a 'cost of living emergency' and North East Lincolnshire will do the same. We shall declare this is a crisis locally and nationally and will show that in these most challenging of times that this council is on the side of all of our residents who may find themselves struggling through a crisis not of their making.

This Council resolves to:

- Locally declare a cost-of-living emergency, making appropriate communication needed to include local media.*
- Write to both the secretary of state for levelling up, housing and communities as well as the local government association confirming this Council's declaration regarding the cost-of-living crisis (and calling for a national emergency to be declared).*
- Task each NEL portfolio holder to investigate where appropriate within their own portfolios as to what incentives they can deliver to ease the cost-of-living crisis to residents.*
- Establish a scrutiny select committee with a brief to investigate and report back to full council the local effect of the cost-of-living crisis and the impact this will have on our communities, with recommendations for each portfolio holder therein.*
- Require the leader of the council to update members in his reports to full council the progression of the crisis as well as the successes of his portfolio holders in their moves to support residents, with the updates to cease when the crisis is finally at an end.*

During the debate on the motion, the Mayor moved that the Council's Standing Orders governing the length of meetings be suspended to permit this meeting to continue beyond 10.00 p.m. This was seconded by Councillor Jackson. Upon a show of hands, the motion was carried and it was

RESOLVED - That the Council's Standing Orders governing the length of meetings be suspended to permit this meeting to continue beyond 10.00 p.m.

Following the debate, the motion was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the Motion

Councillors Aisthorpe, Beasant, Farren, Mickleburgh, Patrick, Wheatley and Wilson (7 votes).

Against the Motion

Councillors Abel, Astbury, Batson, Boyd, Brookes, Cairns, Callison, Cracknell, Croft, Dawkins, Freeston, Furneaux, Harness, Hasthorpe, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Reynolds, Shepherd, Shreeve, Silvester, Smith and Westcott (25 votes).

Abstained

Councillor Holland (1 vote).

The motion was declared lost.

NEL.56 QUESTIONS ON NOTICE

The Chair invited Councillor Holland to present the following question to the Leader of the Council, the question having been submitted on notice in accordance with Council's Standing Orders.

"Speaking in the House of Commons on the 21st November, the MP for Great Grimsby stated that "Great Grimsby secured the first town deal and we have also had Future High Streets Funding, but we have had some of it for two and a half years now and things are not happening quickly enough on the ground". She then urged the Minister, the Rt Hon Lee Rowley, Parliamentary Under Secretary of State in the Department for Levelling Up, Housing and Communities to commit to coming back to Grimsby to "make sure we can push the Council forward to get things happening on the ground". The MP is clearly frustrated that lots of Government money is being directed towards Grimsby but not being spent, with some planned projects appearing to be falling behind. I'm sure that the Council would welcome such a ministerial visit to help push things forward and I wonder if the Leader could confirm as to whether a date for the visit has yet been set?"

The Leader of the Council set out the current position with projects in Grimsby town centre. A bid for £25m was submitted for the Freshney Place leisure scheme and the council was awarded £17.3m. Whilst this was great news, it meant the scheme had to be redesigned right in the midst of Covid and the revised proposals resubmitted to Government. A partnership approach continued to be followed with Arreal (the bank funding Freshney Place) and Capreon, (representatives of the owners). A variety of survey works were undertaken to more accurately understand detailed design implications. All was proceeding well but, given the backdrop of Covid and the impact on retail asset values, Areal made a strategic decision in Autumn 2021 to withdraw from UK retail centres and accept losses on their loan book. Arreal advised the council of this in advance given we had obviously formed a close relationship with them. There was immediate engagement with the receivers but understandably, this slowed everything down to a significant extent. Following option appraisals, it was concluded the only viable way to bring the scheme forward was if the council owned Freshney Place. Thereafter followed a long period of engagement with

the receivers and agents which ultimately resulted in the Council taking ownership in August 2022. Councillor Jackson noted that Councillor Holland was one of the small number who voted against the purchase, and if had his wish it was very unlikely that the scheme would have progressed, leading to continued decline which would have further blighted the town centre. Since then, the project team remobilised and had seen the support of Department of Levelling Up, Housing and Communities by switching the Future High Street Fund monies to support buying Freshney Place, undertaken a public consultation event, prepared and submitted a detailed planning application and gone out to tender. That's a lot of activity in a short time and perhaps reflective of the fact that the council had control. Stage one tenders were due on 25th January 2023 and the scheme was expected to be considered by the planning committee by March 2023. Councillor Jackson felt that the key point around any perceived delays were almost entirely due to the centre being put into receivership and that in itself was largely due to Covid, which of course no-one could have planned for.

Turning to the Towns Fund, the Leader reported that, following the development of the Grimsby Town Centre Masterplan and Town Investment Plan (the document setting out how we would spend Towns Fund) and subsequent approval in October 2020, the council received notification of £20.9m funding in March 2021 (again, in the midst of Covid). All funds had to be spent by March 2026. As per government requirements, very substantial Full Business Cases had to be completed for each project. The final ones were submitted in March 2022 and, with the exception of Alexandra Dock, all have now been approved. The Activation and Community Engagement Fund was launched in November 2021 and amongst other things, has supported Our Big Picture to acquire and open their new premises on Bethlehem Street, contributing to one of the key aspects of the masterplan being diversification. After complex legal matters, St James House as now been acquired by eFactor to refurbish and create managed workspaces and conference / meeting facilities. Again, more diversification and eFactor has already commenced enabling works. The Riverhead Square design has been approved and tenders were due on 23rd December 2022. Subject to tender, we expect to be on site early in the new year. Background work was being undertaken on the public realm and connectivity strand and there would be engagement in early 2023 and the schemes would commence in 2023. With regard to the Central Library building, it was always expected that this project would follow later in the programme and further work was being undertaken on the business case with support from One Public Estate whilst the technical elements of the core works were being scoped. We expect to commence initial works in 2023. With regard to the Alexandra Dock Phase One scheme, as with the library, it was always planned that this would be later in the programme. Detailed work was ongoing with strong support from Homes England and soft market testing had been undertaken. Enabling works would be anticipated to commence in late 2023/early 2024.

Throughout, we have been in regular dialogue with civil servants so they are well aware of the progress, challenges and delays. As much as it may frustrate us all, getting schemes to the delivery point takes a lot longer than it used to and that's

common across the UK. We're certainly ahead of a fair few other areas. The Secretary of State, Michael Gove, had visited the area twice this year and was supportive of our ambitious plans. A further visit was expected in early 2023.

In a supplementary question, Councillor Holland noted that government funding had been received for the refurbishment of Corporation Road bridge, which he understood had been delayed. He sought an assurance that these works would start in January 2023.

Councillor Jackson noted that Councillor Holland had written to our two MPs in December to inform them of the outcome of preliminary budget discussions, which meant it was unlikely that the refurbishment would happen any time soon. However, Councillor Jackson felt that he should have checked his facts before doing so as this was not the case and he was happy to confirm that the refurbishment was going ahead as planned.

The Chair invited Councillor Holland to present the following question to the Portfolio Holder for Health, Wellbeing and Adult Social Care, the question having been submitted on notice in accordance with Council's Standing Orders.

"On 27th November 2020, North East Lincolnshire Council issued a public statement to say that it was proud to be supporting the national Fuel Poverty Awareness Day. Despite the massive recent increase in fuel poverty in recent months, no similar statement appears to have been issued on December 3rd of this year to mark the same occasion. Given the known correlation between poor health and fuel poverty, could the Portfolio Holder state the best and worse-case estimates for the number of people in the Borough who are expected to be living in fuel poverty this coming winter?"

Councillor Shreeve Portfolio Holder for Health, Wellbeing and Adult Social Care responded that the council understood the challenges which residents were experiencing with the rising costs of living and the linkages with the effects of fuel poverty and health. To highlight the challenges, the council promoted Fuel Poverty Awareness Week through its social media channels and on the council's website. North East Lincolnshire Fuel Poverty statistics were above the regional and national average (17.5% in the Yorkshire and Humber region and 13.23% nationally), with Grimsby at 19.4% (8076 households) and Cleethorpes 15.7% (6871 households) who live in fuel poverty. These figures were provided by the National Energy Action group, a national fuel poverty charity.

In a supplementary question, Councillor Holland challenged these figures as it had been estimated that 80% of the local population would be living in fuel poverty this winter and he asked the portfolio holder if he would provide a revised estimate.

Councillor Shreeve responded that he had been provided with the most recent figures and did not recognise the 80% figure. As new figures became available, he agreed to advise Councillor Holland.

The Chair invited Councillor Holland to present the following question to the Portfolio Holder for Children and Education, the question having been submitted on notice in accordance with Council's Standing Orders.

“More than one in three adults in North East Lincolnshire are currently classed as obese. Almost 40% of children aged 10 to 11 are classed as overweight. These figures are expected to worsen. 30% of children aged 5 have experience of dental decay. It is clear that we have an increasing problem that must be addressed to relieve intense future pressures on the NHS. Lincolnshire County Council has recently committed £674,000 for a new Child and Family Weight Management Service over two years to tackle childhood obesity. It will be provided by One You Lincolnshire, building on their current integrated lifestyle service for the county. Does the Portfolio Holder agree that a similar service is urgently needed within North East Lincolnshire?”

Councillor Cracknell, Portfolio Holder for Children and Education, agreed that the national and local rates were a real concern leading to adverse impacts on the NHS and adult social care. She felt that this was a highly complex problem requiring a whole system approach. In North East Lincolnshire, a Healthy Weight Healthy Lives strategic framework had recently been developed, setting out our vision to enable all residents to make healthy eating choices, to be physically active and to maintain a health weight throughout their lives. Its development and implementation was being undertaken with a wide range of system partners. Key actions already in place or nearing fruition included North East Lincolnshire joining the Greater Lincolnshire Food Partnership; the evidence based Healthy Child Programme providing advice, support and resource to maintain a healthy weight; the achievement of the UNICEF gold award to support improvements in breast feeding; the development of a maternal obesity programme for women during and after pregnancy; and adult weight management pathways. Councillor Cracknell added that our schools also have curriculum requirements that support healthy weight goals and many adopt a whole school approach to this.

In a supplementary question, Councillor Holland enquired whether there were performance targets associated with these actions.

Councillor Cracknell agreed to provide Councillor Holland with further information on this.

The Chair invited Councillor Holland to present the following question to the Portfolio Holder for Finance, Resources and Assets the question having been submitted on notice in accordance with Council's Standing Orders.

“Could the Portfolio Holder outline what measures, if any, North East Lincolnshire Council has taken to persuade Government to significantly increase the Revenue Support Grant for the financial year 2023/24 from its existing level?”

Councillor Harness, Portfolio Holder for Finance, Resources and Assets, responded that the Leader and Deputy Leader met weekly with our two MPs, regularly update them on budgetary issues and request that they lobby on our behalf, as appropriate, for any additional funding. The council also engaged with the government either direct or via various forums, such as the Local Government Association.

In a supplementary question, Councillor Holland asked the portfolio holder how concerned he was that the council may not be able to set a balanced budget if the government did not increase the revenue support grant.

Councillor Harness responded that the revenue support grant would remain next year and while he acknowledged it was a serious situation, the council had no alternative but to set a balanced budget.

The Chair invited Councillor Mickleburgh to present the following question to the Portfolio Holder for Safer and Stronger Communities, the question having been submitted on notice in accordance with Council's Standing Orders.

"In future people will have to provide photo ID in order to vote at local and national elections. This will particularly affect those who have neither a driving licence or passport. Can I ask what the council are intending to do to provide other means of photo ID, and when will they start to publicise this? In view of the low voting turnouts in some wards, I cannot stress the urgency of this."

Councillor Shepherd, Portfolio Holder for Safer and Stronger Communities, responded that the Elections Act 2022 received Royal Assent in April 2022 and required voters to show photo ID at polling stations before a ballot paper was issued. For residents who do not own a form of photo ID, local authority Electoral Registration Officers were required to issue free Voter Authority Certificates to eligible residents. This is a document containing an elector's name and photograph and will be issued following verification of an applicant's identity. The Voter Authority Certificate can be applied for via a new portal which was due to go live in January 2023. There are over 20 forms of photo ID which will be accepted by Presiding Officers at polling stations, which include a passport or driving licence, a biometric immigration document, a Blue Badge, an Older Person's Bus Pass; and a Disabled Person's Bus Pass. A full list can be found be on the Electoral Commissions website. It was also important to note that expired photographic identification documents can still be used as accepted forms of photo ID, as long as the photograph was still a good likeness of the elector. With regard to publicity, national media campaigns would commence on 8th January 2023 and options for local campaigns were being explored. A webpage had also been created on the council's website, which would be updated as more information became available.

In a supplementary question, Councillor Mickleburgh asked what options would be available for vulnerable people who did not have access to computers.

Councillor Shepherd reiterated that there would be a national media campaign and options were being explored for local campaigns.

The Chair invited Councillor Wilson to present the following question to the Chair of the Children and Lifelong Learning Scrutiny Panel, the question having been submitted on notice in accordance with Council's Standing Order

“Can the Chair of Children’s and Lifelong Learning Scrutiny Panel update this council on the outcomes of any benchmarking exercises against other comparable authorities in respect to levels of elective home education, highlighting the comparisons so that this council can fully understand the position locally?”

Councillor Silvester, Chair of the Children and Lifelong Learning Scrutiny Panel, responded that there was a local authority policy to benchmark against the local authorities in the Yorkshire and Humber region who report in their figures with regard to elective home education. From figures produced at last month's regional meeting, all the local authorities who participate had seen an increase in their levels of elective home education due to the impact of the Covid-19 pandemic and where post-pandemic students had struggled to re-engage. Examples of comparisons with other local authorities with regard to elective home education were that within North East Lincolnshire 1.09% of our student cohort were accessing elective home education compared to 1.20% in Kirklees, 1.57% in Barnsley and 1.19% in North Yorkshire. This highlighted that we compare either favourably or on the same levels with other local authorities in the region. If any member required further information, the full table for all local authorities who submit data could be forwarded by contacting Democratic Services. There was good news in North East Lincolnshire because, whilst our numbers remain high, they had now plateaued. This was due to strategies put in place following regional meetings with other local authorities, where we had a designated Elective Home Education officer who was working hard to support families with the school admissions process, helping them return to school, or signposting children to our Emotional Based Barriers to School Attendance Team. School Attendance Orders had also been enacted for those families where we had continuing concerns about the lack of education.

As a Point of Order, Councillor Wilson felt that his question had not been sufficiently answered as he had asked about comparable authorities not those in the Yorkshire and Humber region. Councillor Silvester responded that he had made it clear that the full table of data for those authorities who submit returns was available via Democratic Services.

Councillor Wilson remained unsatisfied as he was interested in determining whether this area was an outlier. The Monitoring Officer agreed to take this away for further consideration and report back to Councillor Wilson.

The Chair invited Councillor Wilson to present the following question to the Chair of the Communities Scrutiny Panel, the question having been submitted on notice in accordance with Council's Standing Orders.

"How many trees have been planted by our Council comparing this to how many have been felled over the last three years?"

Councillor Dawkins, Chair of the Communities Scrutiny Panel, responded that over the last three years 121 trees had been felled and we were in the process of planting 225 more. Further trees were scheduled to be planted over the coming years, following the direction of the tree strategy, once approved by Cabinet in 2023.

In a supplementary question, Councillor Wilson asked whether the Chair felt that this was an acceptable ratio given the green agenda.

Councillor Dawkins responded that more trees were required but reminded Councillor Wilson that there had been a pandemic and he was sure that a lot more trees would be planted in the coming years.

The Chair invited Councillor Wilson to present the following question to the Chair of the Health and Adult Social Care Scrutiny Panel, the question having been submitted on notice in accordance with Council's Standing Orders.

"Can the Chair of the Health and Adult Social Care Scrutiny Panel update this Council on his plans to further scrutinise the East Midlands Ambulance Service and others, highlighting the problems which cause ambulances to stack up outside of our hospital and further outlining what options are available to hold health providers to account?"

Councillor Hudson, Chair of the Health and Adult Social Care Scrutiny Panel, responded that the service had been invited to a recent meeting of the Health and Adult Social Care Scrutiny Panel to talk about their current performance and the issues that were impacting on that performance. Representatives from the hospital trust were also present at the meeting. The issue appeared to be about getting people out of ambulances rather than the number of ambulances. The reason for this was bed blocking caused by care services not getting patients out of hospital quickly enough, particularly for those patients from outside North East Lincolnshire. It was felt that a whole system approach was needed to resolve the issues and this would involve the new emergency care department containing twice as many people as previously, a new falls team that would treat those who hadn't broken any bones, and more care and treatment in the community. We have given them six months to bring about improvements and they will then be invited back to see what progress has been made. If there had been no improvement, then he suggested the matter would have to be escalated to the Integrated Care Partnership. He assured Councillor Wilson that the matter would be kept on the panel's agenda.

In a supplementary question, Councillor Wilson asked whether the Chair would not rule out the possibility of inviting Lincolnshire County Council to a future panel meeting given that patients from their area appear to be experiencing issues being discharged from the hospital.

Councillor Hudson reiterated that he intended to give six months to bring in improvements but Councillor Wilson was free to bring this proposal to the panel.

The Chair invited Councillor Wilson to present the following question to the Portfolio Holder for Health, Wellbeing and Adult Social Care, the question having been submitted on notice in accordance with Council's Standing Orders.

“Can the Portfolio Holder for Health and Adult Social Care update this Council on the reasons why male healthy life expectancy has dropped to 55.2 years in the last decade, this being the biggest fall in the country according to the Guardian using figures from the Office for National Statistics (ONS)?”

Councillor Shreeve, Portfolio Holder for Health, Wellbeing and Adult Social Care, responded that the ONS Healthy Life Expectancy indicator was to a significant degree calculated from a population survey which was not the most reliable of assessments, the figure reported for 2011-13 undoubtedly over-stated the true healthy life expectancy in North East Lincolnshire at the time. This was evidenced by the fact that the figure was the second highest in the Yorkshire and Humber region and was comparable with many affluent parts of southern England despite the fact that overall life expectancy for males was amongst the lowest in England at the time. It was also the highest figure ever reported for this indicator in North East Lincolnshire. In the period since, overall male life expectancy remained broadly similar to what it was in 2011-13 so it was highly unlikely that healthy life expectancy had declined by the levels shown in the ONS indicator and reported in the Guardian.

That said it was certainly recognised that there was a significant issue of early chronic disease, especially in men living in areas of high deprivation in North East Lincolnshire, and the rates of economic inactivity due to illness were amongst the highest in the country.

In a supplementary question, Councillor Wilson asked whether the portfolio holder would dig into these figures and update him on healthy life expectancy rather than life expectancy so that it was transparent and we could find our reasons why people becoming ill, injured or disabled.

Councillor Shreeve repeated that life expectancy was roughly at the same level as it was in 2011 but it remained too low and he would prefer to focus on addressing that. However, he was happy to discuss this further with Councillor Wilson outside this meeting.

The Chair invited Councillor Wilson to present the following question to the Portfolio Holder for Children and Education, the question having been submitted on notice in accordance with Council's Standing Orders.

"The budget planning process in children's services has been woefully wrong in its forecasting, this year Children's Services have overspent by nearly £12 million, can the portfolio holder update this Council on what actions she is taking, or planning to take, so that this year's budget forecasts are closer to the actual spend and therefore the overall budget for next year is not put under undue stress?"

Councillor Cracknell responded that financial planning process was well underway. She commented on the external factors affecting spend this year such as inflation, high demand for placements, sufficiency challenges, the recruitment of permanent social agency workers and the availability of placements to support complex needs. However, there were plans in place to help address these issues, such as the recruitment of overseas social workers. The council was working with Lincolnshire County Council and with the Department for Education on a long term plan designed to address the issues and to improve outcomes for children. She hoped the council would benefit from support being provided to reduce the numbers coming into the care system and to take advantage of much more cost effective placements.

In a supplementary question, Councillor Wilson enquired how the figures being brought forward in the budget could be trusted.

Councillor Cracknell responded that a new Director of Children's Services had been appointed who was recognised as being very experienced and whose view was that the number of children in care was far too high. Steps were being taken to address this by changing the way that the 'front door' was managed. Rather than just accepting referrals, it was important to only bring into care those children that needed it for their safety. Councillor Cracknell felt that this and her previous answer provided a flavour of the activities being undertaken, which would assist in achieving a more realistic budget figure.

The Chair invited Councillor Wilson to present the following question to the Portfolio Holder for Finance, Resources and Assets, the question having been submitted on notice in accordance with Council's Standing Orders.

"Can the Portfolio Holder for Finance, Resources and Assets update this Council on which services will be cut to pay for the near £12 million overspend in children's services?"

Councillor Harness responded that the council was working on a range of actions designed to address the overall forecast overspend, which was reported as £7.9m in the most recent budget monitoring report. Without doubt this was a serious and unsustainable position but the Council would have to set a balanced budget. He noted that no services cuts had been made, as part of our approach

to continuous improvement, and the administration would continue to explore new and better ways of delivering services, at reduced cost.

In a supplementary question, Councillor Wilson enquired if savings were found in the new budget next year, would it be safe to say we set a balanced budget for last year. Councillor Harness responded that the answer to that would be no.

The Chair invited Councillor Wilson to present the following question to the Portfolio Holder for Safer and Stronger Communities, the question having been submitted on notice in accordance with Council's Standing Orders.

“Will the Portfolio Holder for Safer and Stronger Communities work with the ward councillors in the West Marsh to discourage fly tipping, on Corporation Road close to the bring-to recycling sites provided for the flats, by providing new warning signs, cameras and officer time to investigate the rubbish left there on a regular basis?”

Councillor Shepherd responded that the legacy of Safer Streets 2 in the West Marsh ward was clear to see with the provision of extra cameras and alleygates. Fly tipping was less frequent in that ward but officers were aware of that particular location and it was being treated as a 'hot spot'. This involved setting up a rapid deployment camera, which had been up and running for three months, alongside appropriate signage. The location of the camera placement was limited and the footage obtained hadn't allowed identification of any offenders. Therefore, an assessment was being made of the possibility of relocating the camera to an alternative position. The street cleansing team continued to provide support but no evidence had been found in this location in the past 3 months. This was likely due to the type of the fly tipped material such as prams and furniture, which were very hard to link to an individual address. Records indicate nearly 2,000kgs of non-recycling waste had been removed from this area since June. All reports received were being investigated but the current barrier was evidence and identity of offenders. It was believed that waste was likely arriving from local residents on foot, so the community sharing any intelligence they had would be much valued. In addition, the enforcement team was working with the waste team to review the location and design of recycling points such as this one with an ambition to design out the problems in the future.

In a supplementary question, Councillor Wilson enquired when he imagined the new camera would be active.

Councillor Shepherd was unable to give a timescale but explained that he had been on a recent ward walk and the position was a particular concern as it was on major route in the town and it was thought that the waste was coming from nearby buildings. Further rapid deployment cameras had become available as part of the new CCTV project and he was hopeful that the perpetrators would be caught. He further agreed to meet Councillor Wilson on site to discuss the matter further.

The Chair invited Councillor Wilson to present the following question to the Leader of the Council, the question having been submitted on notice in accordance with Council's Standing Orders.

“Could Councillor Jackson update this Council on the youth zone development, highlighting any budgetary or delivery issues that might affect the timely delivery of the project?”

Councillor Jackson responded that he shared what he suspected was Councillor Wilson's frustration that this project had not moved forward as quickly as expected. He summarised the key issues that had caused the delay. He felt it important to note that On Side normally developed its youth zones via a new building template. The former West Havens Maltings building was a different type of construction to what they were used to and this wasn't fully appreciated when they commenced the project. The semi-derelict nature of the property and it being a listed building meant that the developer had to engage with Heritage England over how the building was re-developed. That brought a number of technical problems and a lot more expense, particularly due to the requirement for more specialist contractors. There was a whole raft of delays caused by Covid and then there was the inflation resulting from the problems seen in the economy. This had impacted on the cost of raw materials, and there were further issues with obtaining the raw materials and the general availability of contractors. However, the Leader was pleased to report that we were now in a position where spades were expected to be in the ground early in 2023.

The Chair invited Councillor Wilson to present the following question to the Portfolio Holder for Environment and Transport, the question having been submitted on notice in accordance with Council's Standing Order

“Could the portfolio holder highlight any issues that affect the street cleaning schedule and effectiveness of street cleaning within the residential parts of the West Marsh in the last three months.”

In the absence of the Portfolio Holder for Environment and Transport, Councillor Jackson responded that the Council had a routine 6–8-week cleanse frequency for residential parts of West Marsh. There is also an additional staff member litter picking in West Marsh four days a week, which is above the core offer, to assist with the terraced housing nature of the ward.

In relation to barriers, there was nothing out of the ordinary to report from the last three months. The effectiveness of the routine cleanse and gully cleaning would be impacted by parked cars in some terraced areas, even if we try to schedule cleansing at times when more residents are away from their home to improve access. This is the reason why manual litter picking resource had been added in this ward.

In respect to fly tipping and graffiti, these were reactive services, but it was rare for jobs to take as long as the committed 7-day response time, unless it relates to waste on private land.

In relation to reactive cleansing such as fly tipping, prevalence by ward and trends by year were available on the Council Dashboard. In general, this showed an improving picture for the West Marsh, with fly tipping levels similar to Wolds, Heneage, South and Sidney Sussex wards.

In a supplementary question, Councillor Wilson asked if consideration could be given to further improvements to the service, given he had residents in his ward complaining about litter being left outside their homes for months.

Councillor Jackson responded that he was always in favour of finding more cost effective ways of delivering services but it would help if people across the community would be more prepared to pick litter up rather than depend on the council to do so.

At this point, Councillor Patrick agreed to withdraw his remaining questions on notice so that Council could move to the next item on the agenda.

NEL. 57 MINUTES OF THE CABINET AND COMMITTEES OF THE COUNCIL

The Council received the minutes of decisions taken under delegated powers at the following meetings:

- Cabinet – 21st September 6th October and 19th October 2022
- Portfolio Holder Environment and Transport – 17th October 2022
- Portfolio Holder – Finance, Resources and Assets – 20th October 2022
- Scrutiny Panel Children and Lifelong Learning – 22nd September 2022
- Scrutiny Panel Communities – 8th September and 3rd November 2022
- Scrutiny Panel Economy – 20th September 2022
- Scrutiny Panel Health and Adult Social Care – 5th October 2022
- Scrutiny Panel Tourism and Visitor Economy – 29th September 2022
- Crime and Disorder – 20th October 2022
- Place Board (operating as the Health and Wellbeing Board – 23rd September 2022
- Audit and Governance Committee – 10th November 2022
- Planning Committee – 7th September 5th October and 2nd November 2022
- Licensing and Community Protection Committee – 23rd November 2022
- Licensing Sub Committee – 11th November 2022
- Standards and Adjudication Committee – 21st September 2022
- Standards Referrals Panel – 12th October 2022
- Appointments Committee – 23rd September, 5th October, 7th October, 18th October and 21st November 2022

The Mayor advised that a number of questions on notice had been received on the above minutes. They would be dealt with in the order in which they had been received; each questioner would be permitted one supplementary question and there would be no debate on the questions asked or the answers given.

- (1) A question on notice was submitted by Councillor Wilson to the Leader of the Council in accordance with the Council's Constitution as follows:

Cabinet – 21st September CB.47 (Freshney Place Leisure Scheme)

Could the Leader reassure me that when the Freshney Place leisure scheme gets underway, that all efforts will be made to maintain the entrance for pedestrians coming from the West Marsh to Freshney Place (the entrance close to the market hall leading to Lord Street area)?

Councillor Jackson, Leader of the Council responded that he would.

- (2) A question on notice was submitted by Councillor Patrick to the Leader of the Council

Cabinet – 19th October CB.58 (Freshney Place Acquisition and Governance Arrangements)

Can the Leader of the Council outline the scrutiny provision within these proposals to oversee the decisions of the Cabinet, officers, and other decision makers moving forward?

As permitted within the Council's Standing Orders, Councillor Jackson referred Councillor Patrick to the agenda papers for the inaugural meeting of the Freshney Place Cabinet Sub Committee on 20th December 2022. The papers included the terms of reference for the sub committee which explained the scrutiny provision.

In a supplementary question, Councillor Patrick asked why, despite a lot of trust and faith being demonstrated by the community in the purchase of Freshney Place, the governance arrangements were not more open.

Councillor Jackson noted that any key decisions taken by the sub-committee would be subject to the usual advanced publication requirements within the Forward Plan, which scrutiny has regular access to. All such key decisions would be subject to the call-in mechanism and any such call-in would be referred to the Economy Scrutiny Panel for consideration. On accountability of reporting, an annual report on the governance arrangements would be reported to the Audit and Governance Committee and the Economy Scrutiny Panel would receive a report on day to day operational issues and overall performance.

- (3) A question on notice was submitted by Councillor Patrick to the Deputy Chair of the Audit and Governance Committee in accordance with the Council's Constitution as follows:

Audit and Governance Committee – 10th November. AC.23 (Strategic Risk Register Update)

Could the Vice Chair explain the reason that the operational risk register is not subject to the same level of scrutiny as the strategic risk register.

Councillor Boyd, Deputy Chair of Audit and Governance Committee responded that an effective Audit and Governance Committee contributed to the achievement of strategic objectives. It did this by seeking and receiving assurance on risk management, governance and internal controls, which underpin delivery of those objectives. Bearing in mind that the objectives of the committee were strategic, its purpose in terms of risk management is receiving assurance that the governance around its reporting was effective. The difference with operational risk management was that it was monitored by the audit department and it was an operational management role.

In a supplementary question, Councillor Patrick asked if the Deputy Chair agreed that governance arrangements around the risk register were a strategic matter.

Councillor Boyd agreed that governance was a strategic matter but operational risks were monitored by management rather than directly by the committee. The committee's role was to ensure that reviews and audits were taking place and they were effective.

- (4) A question on notice was submitted by Councillor Patrick to the Councillor Lindley, Deputy Chair of Standards and Adjudication Committee in accordance with the Council's Constitution as follows:

Standards and Adjudication Committee – 21st September SA.5 (Standing Order Amendments)

Historically, questions on Scrutiny minutes at full council has been a privilege all members have enjoyed, why has this only changed now?

Councillor Lindley responded that the length of council meetings had certainly increased significantly since he was first elected. While debate was welcomed and should not be stifled, it was important to maximise time available at Council meetings. The key points considered by the Standards and Adjudication Committee included the ability of all scrutiny members to still be able to ask questions at panel meetings, the elimination of questions on the same minute, that questions were being asked on minutes when the member asking the question was in attendance at the scrutiny meeting and should have asked the question then, and it was felt that questions were challenging the content of the minutes rather than seeking clarification so Council was almost scrutinising scrutiny. He felt that it was also worth noting that there was no statutory requirement to

receive the scrutiny minutes at full Council and many other authorities chose not to receive any committee minutes at full Council.

In a supplementary question, Councillor Patrick asked, in terms of reducing the time of Council meetings, how successful that had been given that he had already withdrawn a number of questions this evening, otherwise the meeting would have probably proceeded beyond midnight.

Councillor Lindley noted the significant increase in questions on notice as a result but he felt that the change had been implemented with good intent and not to stifle debate.

The Mayor noted that the following questions related to business conducted in exempt session. He therefore moved the exclusion of the press and public for consideration of the questions and response. This was seconded by Councillor Jackson and approved on a show of hands.

RESOLVED – That the press and public be excluded for consideration of the following business on the grounds that its discussion was likely to disclose exempt information within paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended).

- (5) A question on notice was submitted by Councillor Wilson to the Chair of Appointments Committee

Appointments Committee – 21st November AT.36 (Exercise of Discretion on Redundancy)

Why did the appointments committee grant the discretionary redundancy, considering the financial challenges faced by this Council?

Councillor Jackson, Chair of the Appointments Committee, responded that there was a considerable debate on this matter and the committee was advised that it was normal practice to grant the discretionary redundancy and any decision otherwise may have been open to challenge through an industrial tribunal.

In a supplementary question, Councillor Wilson asked whether the decision should refer to it being discretionary when it appeared not to be.

Councillor Jackson agreed and noted that he had asked officers to come back to the committee regarding a more streamlined approach given that the committee was almost obliged to grant the discretionary redundancy.

- (6) A question on notice was submitted by Councillor Patrick to Chair of the Appointments Committee in accordance with the Council's Constitution as follows:

Appointments Committee – 21st November AT.36 (Exercise of Discretion on Redundancy)

When considering matter such as this, it's important to make an informed decision, especially where matters of the public purse are concerned. Were all facts and figures surrounding this redundancy, especially financial implications made available to members of committee in this item?

Councillor Jackson responded that they were and as a result of full questioning from the committee it was in a position where all relevant financial information had been made available.

In a supplementary question, Councillor Patrick noted that the report he had received referred to certain information being marked as 'to be confirmed'.

Councillor Jackson responded that the report he received contained all the required information so he wasn't sure why Councillor Patrick's version was different.

At this point, the press and public were invited back to the meeting.

RESOLVED –

That the minutes of the following meetings of Cabinet and the Committees of the Council be approved and adopted, noting and approving the recommendation to Council contained within the minutes of the Appointments Committee meeting held on 5th October 2022 in relation to the appointment of the Director of Adult Social Services:

- Cabinet – 21st September 6th October and 19th October 2022
- Portfolio Holder Environment and Transport – 17th October 2022
- Portfolio Holder – Finance, Resources and Assets – 20th October 2022
- Scrutiny Panel Children and Lifelong Learning – 22nd September 2022
- Scrutiny Panel Communities – 8th September and 3rd November 2022
- Scrutiny Panel Economy – 20th September 2022
- Scrutiny Panel Health and Adult Social Care – 5th October 2022
- Scrutiny Panel Tourism and Visitor Economy – 29th September 2022
- Crime and Disorder – 20th October 2022
- Place Board (operating as the Health and Wellbeing Board) – 23rd September 2022
- Audit and Governance Committee – 10th November 2022
- Planning Committee – 7th September 5th October and 2nd November 2022
- Licensing and Community Protection Committee – 23rd November 2022
- Licensing Sub Committee – 11th November 2022
- Standards and Adjudication Committee – 21st September 2022

- Standards Referrals Panel – 12th October 2022
- Appointments Committee – 23rd September, 5th October, 7th October, 18th October and 21st November 2022

There being no further business, the Mayor declared the meeting closed at 11.25 p.m. and wished all present, and the residents of North East Lincolnshire, a Happy Christmas and a peaceful, healthy New Year.