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NORTH EAST LINCOLNSHIRE COUNCIL
MINUTES OF THE MEETING HELD ON

16th March 2023

Present: Councillor Beasant (in the Chair)
Councillors Aisthorpe, Astbury, Batson, Boyd, Brasted, Brookes, Callison, Cracknell, Croft, Dawkins, Farren, Freeston, Furneaux, Goodwin, Harness, Hasthorpe, Holland, Hudson, Jackson, Lindley, McLean, Mickleburgh, Parkinson, Patrick, Pettigrew, Reynolds, Shepherd, Shreeve, Shutt, Silvester, Smith, K Swinburn, S Swinburn, 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)
- Paul Windley (Democratic and Scrutiny Team Manager)
- Tracy Frisby (Registrars and Civic Services Team Manager)

The proceedings were opened with prayers by the Mayor's Chaplain.

NEL.58 MR TERRY WALKER AND MS ANNIE DARBY

Members stood to observe a minute's silence as a mark of respect for Mr Terry Walker, former Member and Mayor of North East Lincolnshire Council, and Ms Annie Darby, former member of North East Lincolnshire Council, who both passed away recently.

NEL.59 MAYOR'S ANNOUNCEMENTS

The Mayor welcomed everyone in attendance to this meeting.

The Mayor offered his best wishes to Grimsby Town Football Club for their forthcoming FA Cup quarter-final tie in Brighton.

The Mayor provided an update on his Mayoral Fund and was pleased to report that a number of local schools had now received donations from the fund.

A number of mayoral events were due to take place in the coming weeks. His coffee morning in aid of Mayoral charities was scheduled to take place on 5th April and raffle prizes would be welcomed. An Easter extravaganza show was due to take place on 6th April and the Mayor's 70th birthday bash would be on 21st April at the Carr Lane Social Club. The Mayor further noted that Civic Sunday would take place on 23rd April.

NEL.60 APOLOGIES FOR ABSENCE

Apologies for absence from this meeting were received from Councillors Abel, Cairns, Green and Robinson.

NEL.61 MINUTES

The minutes of the meeting of North East Lincolnshire Council held on 15th December 2022 and 23rd February 2023 were approved as a correct record.

NEL.62 DECLARATIONS OF INTEREST

Councillor Harness declared a disclosable pecuniary interest in item NEL.72 as a question had been asked on the minutes of the Cabinet meeting held on 15th February 2023 regarding the Electricity and Gas Basket Framework and he was a shareholder in Total SA.

Councillor Shepherd declared a non-registrable interest in item NEL.68 as a trustee of Foresight.

Councillor Silvester declared a non-registrable interest in item NEL.68 as the Chief Officer of Foresight.

Councillor Lindley declared a non-registrable interest in item NEL.71 as a question had been asked on notice regarding the Diana Princess of Wales Hospital and he is an employee of the Northern Lincolnshire and Goole NHS Foundation Trust.

NEL.63 QUESTION TIME

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

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

Given the reported sale of St James House, presumably freehold, would this end any association of the building with Grimsby Minster. If so, can the Portfolio Holder indicate the council's position regarding the current Traffic Regulation Order in place for St James Square? The square has no signage regarding motorised vehicles coming from Cartergate through the underpass and two incorrect 619 traffic signs at the entrance from Bethlehem Street. Will the council be looking to enforce moving traffic offences with new penalty charge powers, especially to the works and other vehicles who seem to feel it is permitted to access and park on the hard standings provided in the recent refurbishment?

Councillor S Swinburn, Portfolio Holder for Environment and Transport, responded that the Minster entered into a contractual agreement with e-Factor at the time of purchase. St James Square was not adopted highway and, as such, the council was unable to implement a Traffic Regulation Order covering the area. Any controls on vehicle or pedestrian access would be determined by the land owner (the council and the Minster) and not the Highway Authority. Cartergate underpass was enforceable adopted highway and had bollards at either end to designate the route as a cycle track, segregated for use by pedal cycles and pedestrians only. The signs off Bethlehem Street were correct and currently prohibited motor vehicle access.

The second question was from Mr Fisher for 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:

Please could the Portfolio Holder clear matters of dispute regarding his response to my question at the meeting of Council in December 2022 in light of the following information:

There is no provision in the 2014 Act for amendments, despite the Council's use. The portfolio holder's response also made misleading claims regarding the status of current Public Space Protection Orders (PSPOs) within North East Lincolnshire.

The Portfolio Holder's written response to my additional question contained links to the Dog Control PSPO, the Anti-Social Behaviour PSPO and the Controlled Drinking Zone PSPO but there was no mention of gate/highways PSPOs which are also, as extensions, unlawful. The dog foul PSPO is not the same as the PSPO it purports to follow and it is therefore a variation and by date is now extinct.

The Controlled Drinking Zone PSPO was mandated for extension by Cabinet in October 2020. As indicated in my additional question, the Public Notice required

in law, claimed by the Council still displays the PSPO made in 2014 which are long expired. They cannot be extended.

It is a fact of record the Anti-Social Behaviour PSPO claimed by the Council were not placed online until 19th December 2022, after the Council meeting and months after the date on the PSPO.

Councillor Shepherd, Portfolio Holder for Safer and Stronger Communities, responded that the Anti-Social Behaviour Crime and Policing Act 2014 governed the statutory process for the implementation, variation, extension and discharging of PSPOs. A PSPO would not have effect for more than 3 years unless extended. Within the confines of the legal framework, councils have the freedom to determine their own procedures for introducing a PSPO, ensuring that the statutory requirements have been met and giving final approval for an Order to go ahead. Home Office guidance suggested the close or direct involvement of elected members would help to ensure openness and accountability. The guidance suggested this can be achieved, for example, where the decision was put before Cabinet. The guidance was followed by the Local Authority with decisions involving scrutiny, the Portfolio Holder and/or Cabinet, depending on the impact and significance of the proposed Order.

The legislation gave a Local Authority power to vary such Orders, be that increasing or decreasing the restricted area and/or altering or removing an existing prohibition or requirement or adding a new one. The Local Authority further had powers to extend a PSPO, either in current or varied format, providing that the extension occurred before the PSPO expired. In both instances, the Local Authority must observe certain necessary consultation, publication and notification requirements. PSPO's must be published on the Local Authority's website and erected on or adjacent to the place the Order relates to.

The PSPOs currently in force in respect of Highways are not extended Orders. New PSPOs were implemented for these specific areas on the expiry of previous Orders. These PSPOs had followed the statutory requirements, as outlined above.

The Controlled Drinking Zones PSPO was originally made in 2014 and reviewed and extended in 2017 and 2020 and would be reviewed again this year, following the statutory requirements.

The PSPOs in respect of Anti-Social Behaviour and Dog Control were made in 2019 and reviewed and extended in 2022, following the statutory requirements.

A new Resort and Parks and Open Spaces PSPO was also approved by Cabinet last week after a full public consultation, to be implemented on 1st April. The statutory requirements will be followed in terms of publication and notification.

The Local Authority would review the publication of all PSPOs detailed on its website to assure itself that the necessary publication requirements were being adhered to.

The third question was submitted by Mr Henderson to the Leader of the council. Mr Henderson attended the meeting and put the question as set out below.

In a Guardian article dated 5th December 2022, Philip Jackson argued that the decline in local health was not due to governments cuts in spending or a lack of funding. This leaves me wondering what the cause could be and how much of the responsibility for this lies with North East Lincolnshire Council.

However, the article reports that £60m has been taken out of the budget, since 2010, and quotes council sources as saying our inadequate-rated children's services are £8m over budget. Councillor Jackson does point out that we can always sell off our assets to fund an overspend and makes a virtue of the disposal of local buildings, just as he is buying Freshney Place.

So, would Councillor Jackson explain why services are inadequate and need borrowing / asset stripping to remain viable, if there is enough money?

Councillor Jackson, Leader of the Council, responded that there was some debate to be had over the statistics used within then Guardian article, and he would contend that the health of the local population had not declined in the way they alleged. However, he felt that the Guardian had their own agenda.

His view was that the health of the local population, or groups within, was a complex issue and was determined by many different factors. It was certainly not wholly the responsibility of the government nor the council and to suggest that was very outdated thinking. People themselves had a large part to play in the determination of their own health outcomes. We also must be careful not to confuse correlation and causation.

Turning to the Council budget, whilst there had been a reduction in funding from Central Government, there had been a significant increase in funding through local taxation - council tax and business rates. For example, business rates retention was £34.7m in 2013 but had risen to £48.6m in 2023. The Adult Social Care precept would raise £11.8m in 2023. The actual reduction in Council's overall spending power was therefore much less than the 60% quoted. This was demonstrated by the fact that the Council had continued to provide a comprehensive range of services and reported a balanced financial position since 2010.

There had also been significant additional grant streams received by the Council over past few years which recognised demand and service pressures. These include:

- COVID support grants of over £15m in total, in 2021/22 and 2022/23

- Social care support grant - £13m in 2023/24 and £15.2m in 2024/25
- Improved Better Care Fund - £8m 2023/24 and in 2024/25
- Services grant - £1.6M - 2023/24.

The property rationalisation programme wasn't just about generating capital receipts to support the transformation programme in children's services. It would also:

- reduce our carbon footprint,
- support new ways of working to reflect changing working practices,
- drive footfall within Grimsby Town Centre,
- support delivery of new housing within the Borough.

As at 31st March 2022, the council held total physical assets of more than £320m. Planned disposals of £5m and £4m in 2023/24 and 2024/25 represented less than 3% of council's total assets. These were assets surplus to the council's requirements so there was no asset stripping taking place. Disposals were to be used to support the transformation of children's services, as opposed to funding an overspend.

Turning to Freshney Place, the Leader noted that he hadn't personally decided to buy Freshney Place, as the questioner implied, rather it was a decision of this Full Council, acting in its place leadership role. He also reminded Mr Henderson that the Government gave us the money to purchase Freshney Place, as an asset to help us drive regeneration in Grimsby Town Centre. The Government further demonstrated its support for, and confidence in, our Grimsby Town Centre strategy yesterday. In the Budget, the council received a second tranche of round 2 Levelling Up Funding of £20m, which would go towards the redevelopment of the western end of Freshney Place to include a five-screen cinema, a new market and food hall, improved public open space and other leisure facilities.

Freshney Place actually generated a positive financial return for the council, nett of all associated costs. In 2023/24 it would contribute £1.5m to the Council's coffers. The income from Freshney Place and its redevelopment more than offset any borrowing costs for the new development. This positive financial position was further enhanced by the additional £20m Levelling Up monies towards the redevelopment and was based upon detailed financial due diligence and modelling from our professional advisors which suggested that the yield would grow over time. Importantly, there would be no burden for the council taxpayer in North East Lincolnshire; quite the opposite in fact.

Councillor Jackson knew that Mr Henderson was against the purchase of Freshney Place and did not support the new leisure scheme. He stated that it was easy to snipe from the side-lines, but Mr Henderson offered no alternative, other than the continued managed decline of the town centre. Councillor Jackson asked in what way would that benefit Grimsby. In contrast, he felt that this Conservative administration had an ambitious strategy for the development and

repurposing of the town centre, a strategy backed up by the Town Centre Masterplan and supported by Government via the Future High Streets Fund, the Towns Fund and, as of 14th March, the Levelling Up Fund.

The fourth question was from Mr Brooks to the Leader of the Council. As Mr Brooks was unable to attend the meeting, the Mayor put the question on his behalf, as set out below:

North Lincolnshire has announced a council tax freeze for next year in order to help its residents cope with the cost-of-living crisis. North East Lincolnshire Conservatives had planned to raise council tax by the maximum permitted but, at the last minute, used reserves to make the increase more politically friendly but is still struggling to balance the books. Instead of using Freshney Place rental income to finance high cost borrowing on dodgy capital schemes, would it not have made more sense this year to use that income to help struggling residents by keeping their council tax bills as low as possible?

Councillor Jackson responded by, firstly, clarifying the North Lincolnshire situation. Whilst they may have frozen the council tax part of their precept, they had increased their Adult Social Care precept by 1.75%, and that was the increase their residents would see on their council tax bills. Neighbouring Lincolnshire County Council also raised their precept by “the maximum permitted”, to use Mr Brooks words.

Councillor Jackson noted that Mr Brooks implied that the Freshney Place Leisure Scheme was a “dodgy capital scheme”, which were his words, not the Leader’s. Councillor Jackson commented that nothing could be further from the truth. He reminded Mr Brooks that the Government gave the council the money to purchase Freshney Place, as an asset to help drive regeneration in Grimsby Town Centre. The Government further demonstrated its support for, and confidence in, our Grimsby Town Centre strategy yesterday. In the Budget, we received a second tranche of round 2 Levelling Up Funding, providing £20m towards the Freshney Place Leisure Scheme.

Freshney Place actually generated a positive financial return for the council, nett of all associated costs. In 2023/24 it would contribute £1.5m to the Council’s coffers. The income from Freshney Place and its redevelopment more than offset any borrowing costs for the new development. This positive financial position was further enhanced by the additional £20m Levelling Up monies and was based upon detailed financial due diligence and modelling from our professional advisors which suggested that the yield would grow over time. Importantly, there would be no burden for the council taxpayer in North East Lincolnshire; quite the opposite in fact.

The Leader noted that the council received very positive feedback from Government on its Freshney Place Leisure Scheme bid and quoted the following:

“This bid had a strong strategic fit. A key strength of this bid was its stakeholder engagement. A variety of relevant stakeholders had been engaged, in addition to various public engagements, which shaped the bid’s development. Having built upon extensive engagement undertaken to inform various projects preceding this Levelling Up Fund bid, which all tied into the bid’s proposals, engagement continued to take place and bid-specific consultation was evidenced, demonstrating the ongoing local support for the scheme. The case for investment and the market failure were articulated well, with local challenges and barriers to growth coherently outlined. This included credible evidence to demonstrate the declining retail performance of the town, in addition to outlining the lack of leisure opportunities and an evening economy in the town centre. The bid’s proposals were well positioned to address these, and as such, the Theory of Change was realistic and flowed from the interventions. This bid demonstrated strong alignment with local policies and strategies. The bid outlined good alignment to funding streams such as Grimsby’s Town Deal and the local allocation of the UK Shared Prosperity Fund. A compelling case was also presented for the bid’s impact on Levelling Up, which was also complemented by a rationale to the positive contribution this bid would have on four of the Levelling Up Missions.”

The Leader concluded that this did not sound like a “dodgy capital scheme” to him.

The final question was submitted by Mr Bonner to the Leader of the Council. Mr Bonner attended the meeting and put the question as set out below.

This Council is constantly giving permission to build more houses on greenfield sites, a policy becoming increasingly unpopular with residents.

It has been said there is no demand for houses close to central Grimsby, but thousands of people would prefer to live there if suitable homes were available because it is close to work, shops and services. New houses built on the Birdseye site, Freshney Green and other developments have sold and popularity of houses in the Wellow Conservation Area show strong demand for suitable housing near the town centre.

While significant building takes place on greenfield sites, older parts of the Borough are neglected: blighted by empty homes and derelict land, and sub-standard accommodation that condemns many families to live in poor quality homes that adversely affect their quality of life and health. There is also a substantial need for starter homes and genuinely affordable homes for people who are not well-paid.

My question is as follows:

What measures are being taken by the Authority to improve living conditions in deprived areas with substantial numbers of sub-standard homes? Please include the likely starting date of the licensing scheme, number of prohibition or improvement notices issued in the borough under the Housing Act 2004 in recent

years, and dates for the replacements for homes in the multi-storey flats and Comber Place sites and redevelopment of these large brownfield sites.

Councillor Jackson responded that, as Mr Bonner would well known from his days as an elected member of this Council, the vast majority of the homes granted planning consent on greenfield sites were on sites identified for housing in the current Local Development Plan. Proposed developments on greenfield sites outside of the Local Plan had generally been successfully resisted.

As the questioner acknowledged, there was still considerable housing in and around Grimsby town centre. In recent years, new housing had been completed on a number of brownfield sites and further such sites now had planning consent. Cabinet recently sanctioned further work on a scheme that would see the development of about 130 new homes in the Garth Lane area of Alexandra Dock, a brownfield site, with the scope for future phases to further develop the wider dock area, in line with the Grimsby Town Centre Masterplan.

The council was committed to improving housing conditions in the borough and, in particular, its inner urban areas. We acknowledge that housing conditions within our more deprived areas were challenging, and the administration was keen to deliver further improvements. Currently, the council had commissioned a revised Housing Market Needs Assessment, using the most recent 2021 census data. This would provide the council with information relating to housing need, levels of affordability and shape the council's future Housing Strategy, which would reflect the needs of residents and major employers within the borough.

Work to redevelop the business case for Selective Licensing would commence during 2023/24. We were unable to pre-determine a start date for a potential scheme as the council needed to go through a process of consultation and engagement, working with the community, landlords and stakeholders, to ensure if any future scheme was implemented, it would meet the expectations of the community.

During 2022/23, the council, through its partner Equans, had served 17 improvement notices under the Housing Act 2004, along with 3 prohibition notices. 96 landlords were contacted and improved their properties before formal action by way of a notice was required.

The council, via the Equans partnership, did have dedicated resource providing advice, assistance and property programmes on site, delivering improvements to existing housing stock, including general property improvements and energy efficiency works and targeting empty homes.

The site where the high-rise flats once stood was privately owned. Work was ongoing with the landowner, Lincolnshire Housing Partnership and a host of other stakeholders, including the Freeman, YMCA, East Marsh United and the council to secure a future use and investment for the site.

NEL.64 THE LEADER'S STATEMENT

The Council received a statement from the Leader of the Council which focused on levelling up, regeneration and the exciting opportunities for the future of North East Lincolnshire.

The Leader commented on the Government's aim to develop a further 20 levelling up partnerships across the country, modelled on the 'Deep Dive' that the Department for Levelling Up undertook, in partnership with this Council, last year. That Deep Dive cemented the working relationship between our officers and senior civil servants and it also raised awareness of our Borough's challenges and opportunities at the senior Ministerial level. This led to the unlocking of key infrastructure investment in our A180 bridge network; enabled us to work closely with DEFRA to resolve significant strategic issues affecting our seafood sector; cemented our working relationship with Homes England; and enabled us to have frank and honest dialogue with the Cabinet Office leading to the rapid implementation of revised Border Control Post arrangements. This type of working relationship was not common to every local authority and the Leader felt that this should be recognised. Government engagement continued with the aim of supporting positive and lasting change in Grimsby and the wider Borough.

The Leader provided background on the second round of bidding for the Levelling Up Fund, noting that only one in five bids had been successful and no local authority was successful in more than one bid. Therefore, he felt that we had done very well indeed with our successful bid for Cleethorpes, resulting in £18.4 million being received for three projects in the resort as part of the Cleethorpes Masterplan. This would enable us to move forward with plans for a new, iconic building on Sea Road, the improvement and modernisation of Pier Gardens and a major upgrade of Cleethorpes Market Place. These projects would help transform Cleethorpes from an already good to a great resort, leveraging in further private investment. Indeed, more details of the proposed exciting redevelopment of the derelict Pleasure Island site had recently been announced. The Leader reported that the icing on the cake was the Government further demonstrating its support for, and confidence in, our Grimsby Town Centre strategy by awarding a second tranche of round two Levelling Up Funding of £20m towards the Freshney Place Leisure Scheme. The Council was entering into a lease agreement with Parkway Cinema who would occupy the cinema unit within the new scheme. In addition, the Council had also entered into a Pre-Construction Services Agreement with Morgan Sindalls regarding the construction of the scheme.

The Leader noted that E-Factor had started on the transformation of St James' House into a business and conference centre and work had begun on the refurbishment of Riverhead Square. Proposals regarding additional elements that could be added to the square were in development and would be presented to Members soon. The first phase of a brownfield town centre housing scheme had recently been approved by Cabinet, which would see the development of around 130 new green homes in the Garth Lane area of Alexandra Dock, with the scope for future phases to further develop the wider dock area. The Council continued

to work closely with Onside, who were developing the new Horizon Youth Zone at the West Haven Maltings site and works were due to commence in the next few weeks.

The Leader reported on the recent visit from Arts Council England and the Heritage Lottery Fund, and it was clear from the feedback received that we had a strong and credible story to tell about how the arts, culture and heritage were integral to our regeneration ambitions.

Turning to Children's Services, the Leader noted that, following our latest Monitoring Visit which took place in February, Ofsted had published its letter confirming that improvements were continuing to be made as part of the Council's transformation plan. Whilst the overall improvement plan was still in its infancy and there was still much to do, Ofsted had acknowledged that we were realistic in our outlook and about the challenges facing the service.

The Leader commented that young people were being threaded into a lot of our ambitious regeneration plans, including work to develop Cleethorpes to bring in businesses and create jobs, and the work in Grimsby town centre with the Onside Youth Zone.

The Leader was pleased to confirm that the application to the Department for Education for a new 150-place Free Special School, focused on children with social, emotional and mental health difficulties, had been successful. This was a big step forward in developing local capacity and in-Borough provision to support children and families. He added that we had also been successful in securing a £1m grant from the Department as part of the Delivering Better Value in SEND national programme.

On the wider regional economy, the Leader commented that hardly a day went by without some announcement about new net carbon zero plans or investments in and around our two Ports of Grimsby and Immingham or across the wider Humber footprint. In January, he attended the launch of the Humber Energy Board's "Humber 2030 Vision" – decarbonising the UK's largest industrial cluster. Last week, Maritime UK chose the Port of Grimsby to launch its Offshore Wind Plan, focussing on maximising the value of offshore wind to the maritime supply chain. Earlier this week, he attended a gathering at the House of Commons and it was confirmed by the Levelling Up Minister that the full business case for the Humber Freeport was in the final stages of government approval. The Leader felt that to take full advantage of all these exciting developments and opportunities, North East Lincolnshire and our geographical neighbours must do all we can to ensure that we had the right infrastructure and that our workforce had the appropriate skills. Linked to this, the Leader had received ministerial confirmation that Government officials would now engage with officers to discuss Greater Lincolnshire devolution. The focus would be to ensure that communities and businesses benefit from any devolution deal, whilst we also continue to highlight the strategic significance of the Humber economy to the UK and beyond.

He restated that any formal decisions in respect of devolution would be considered and debated in the council chamber.

The Leader concluded by wishing Grimsby Town Football Club well for their forthcoming FA Cup match against Brighton, along with the enthusiastic crowd of supporters who would be travelling south for the big match.

It was noted that the latest Council tracker had been circulated at this meeting and that there had been no special urgency decisions taken in the period December 2022 to March 2023.

NEL.65 PETITION FOR DEBATE – ZEBRA CROSSING, ST. NICHOLAS DRIVE, GRIMSBY

The Council received a petition for debate requesting the provision of a zebra crossing on St Nicholas Drive, Grimsby.

The Mayor invited Mr Barry Everett, lead petitioner, to address Council to explain the reasons for the petition.

Mr Everett explained that he represented the Wood Park Community Group and the community felt that a zebra crossing was urgently needed to facilitate a safe crossing, particularly for those attending Wybers Wood Academy. He noted the difficulties with monitoring traffic but he felt that it shouldn't have to wait until an accident happened. The petition had the support of over a thousand people.

Councillor S Swinburn, the Portfolio Holder for Environment and Transport, moved that the petition be accepted by the council and he would request officers provide him with a detailed report on the matter. He would inform Mr Everett of the findings. This was seconded by Councillor Jackson.

Following a debate, the Mayor put Councillor Swinburn's motion to the vote and it was:

RESOLVED – That the petition be received and a detailed report on the matter be submitted to the Portfolio Holder for Environment and Transport.

NEL.66 BROADCASTING OF MEETINGS

The Council received a report from the Monitoring Officer providing an evaluation on the practicality and cost of the live broadcasting of full Council meetings, as requested by Council at its meeting on 28th July 2022.

Councillor Jackson proposed that the report be referred to the Executive and Scrutiny Liaison Board to assign the matter to an appropriate scrutiny panel to be looked at in more detail and report back its findings and recommendations to Council as soon as possible. This was seconded by Councillor Sandford.

Following a brief debate, the Mayor put Councillor Jackson's motion to the vote and it was:

RESOLVED – That the report now submitted be referred to the Executive and Scrutiny Liaison Board to assign the matter to an appropriate scrutiny panel for more detailed examination and the panel's findings and recommendations be reported to Council as soon as possible.

NEL.67 PAY POLICY STATEMENT 2023-2024

The Council received a report from the Leader of the Council presenting the Pay Policy Statement for 2023-2024

RESOLVED – That the pay policy statement for the period 2023/24 be approved.

NEL.68 NOTICE OF MOTION 1

The Council received a Notice of Motion, to be proposed by Councillor Aisthorpe and seconded by Councillor McLean, submitted in accordance with the Council's Standing Orders as set out below:

This Council notes that:

- 1. The Department of Health and Social Care definition of food poverty as "the inability to access or afford food to make up a healthy diet".*
- 2. There is a growing problem of food insecurity in the UK, as the country throws away around 9.5 million tonnes of food waste in a single year – even though 8.4 million people in the UK are in food poverty.*
- 3. Between 1st September 2021 and 31st August 2022, one local food bank organisation in the borough, alone distributed 20,307 food parcels, while 26,678 mouths were fed in their Food Kitchens. This is a vast increase from the previous year. (We Are One, 2022).*
- 4. 29.5% of all state school pupils in North East Lincolnshire are now eligible for free school meals, which is above the national average. 7,175 of pupils were eligible in January 2022, up from 6,625 counted the previous year, and well above the 3,897 recorded in 2016, the earliest year with available figures. (Department of Education, 2022).*
- 5. The importance of local food systems and education in ensuring access to affordable, sustainable, and healthy food options, is vital.*
- 6. Addressing food poverty will obviously contribute to improving the health, wellbeing, education, and independence of local residents, while supporting the local food and fishing economy and reducing environmental impacts.*

The Council resolves to:

- Commend the invaluable work done by local charities, churches and food banks in North East Lincolnshire who have already supported people facing food poverty.*
- Appoint an existing Cabinet Member who will be responsible for championing the reduction and prevention of food poverty throughout the borough.*
- Create a 'Food Poverty Action Plan' that investigates the extent of food poverty and what will be done to tackle it, reporting back to the relevant scrutiny panel quarterly.*
- Request that Cabinet investigate adopting a 'Local Food Strategy' for North East Lincolnshire. This would be to work with manufacturing, farming, retail, hospitality, food service, voluntary sectors and local community groups. The object would be to communicate our strategic approach to local food throughout the area.*
- Investigate waste prevention of commercial surplus food, using charitable routes wherever possible.*

Arising from the debate on the motion, Councillor Shepherd proposed the following amendment:

That the Council continue to:

- Work with the appointed Cabinet Member to champion the reduction and prevention of food poverty throughout the borough.*
- Continue to deliver the successful food poverty action plan currently being delivered by North East Lincolnshire Council.*
- Request that the Cabinet continues to monitor the local food strategy for North East Lincolnshire, we will continue to work with manufacturing, farming, retail, hospitality, food service, voluntary sectors and local community groups within the greater Lincolnshire area. The object would be to continue the sterling work carried out by this authority and continue the strategic approach to local food supply in our area.*
- Where possible, investigate waste food prevention of commercial surplus food.*

Following a debate, the amendment 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 Astbury, Batson, Boyd, Brasted, Brookes, Callison, Cracknell, Croft, Dawkins, Freeston, Furneaux, Harness, Hasthorpe, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Reynolds, Sandford, Shepherd, Shreeve, Silvester, Smith,

K. Swinburn, S. Swinburn and Westcott (27 votes).

Against the Motion

Councillors Aisthorpe, Beasant, Farren, Goodwin, Holland, McLean, Mickleburgh, Patrick, Shutt, Wheatley and Wilson (11 votes).

During the debate on the amended, substantive motion, Councillor Wilson moved an amendment that the Portfolio Holder for Safer and Stronger Communities report back to Council every six months on progress. This was seconded by Councillor Mickleburgh.

The amendment was put to the vote and 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, Astbury, Batson, Beasant, Boyd, Brasted, Brookes, Callison, Cracknell, Croft, Dawkins, Farren, Freeston, Furneaux, Goodwin, Harness, Hasthorpe, Holland, Hudson, Jackson, Lindley, McLean, Mickleburgh, Parkinson, Patrick, Pettigrew, Reynolds, Sandford, Shepherd, Shreeve, Shutt, Silvester, Smith, K. Swinburn, S. Swinburn, Westcott, Wheatley and Wilson (38 votes).

The further amended, substantive motion was then 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, Astbury, Batson, Beasant, Boyd, Brasted, Brookes, Callison, Cracknell, Croft, Dawkins, Farren, Freeston, Furneaux, Goodwin, Harness, Hasthorpe, Holland, Hudson, Jackson, Lindley, McLean, Mickleburgh, Parkinson, Patrick, Pettigrew, Reynolds, Sandford, Shepherd, Shreeve, Shutt, Silvester, Smith, K. Swinburn, S. Swinburn, Westcott, Wheatley and Wilson (38 votes).

RESOLVED –

1. That the Council continue to:

- Work with the appointed Cabinet Member to champion the reduction and prevention of food poverty throughout the borough.
- Continue to deliver the successful food poverty action plan currently being delivered by North East Lincolnshire Council.
- Request that the Cabinet continues to monitor the local food strategy for North East Lincolnshire, we will continue to work with manufacturing, farming, retail, hospitality, food service, voluntary sectors and local community groups within the greater Lincolnshire area. The object would

be to continue the sterling work carried out by this authority and continue the strategic approach to local food supply in our area.

- Where possible, investigate waste food prevention of commercial surplus food.

2. That the Portfolio Holder for Safer and Stronger Communities report back to Council every six months on progress.

NEL.69 NOTICE OF MOTION 2

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

Council will note that the funding for local government has been falling for many years, this has had and continues to have a knock-on effect to this council and our communities, this is shown in the effects to Social Services, Environmental Services, and our ability to invest in our future.

This leaves our council with no choice but to reduce already overstretched services and to increase council tax.

In recent years services have retreated further, with ever worsening finances, and despite that the last four years, we have had a Conservative Council under a Conservative Government (blue on blue) which was suggested that would improve our position, this has not been realised.

This Council believes this failure can be in part attributed to a complete lack of success from this ruling Conservative Administration to lobby central government on behalf of the residents of North East Lincolnshire.

This Council calls upon the Leader of the Council to declare that the current model of local government funding is broken, and that under this Conservative Government there has been a complete failure to fund adequately a level of statutory and non-statutory services that our residents rightly expect.

This Council also calls on the Leader to re-double his efforts to lobby central government for more sustainable funding for North East Lincolnshire.

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 Aisthorpe, Beasant, Farren, Goodwin, McLean, Mickleburgh, Patrick, Shutt, Wheatley and Wilson (10 votes).

Against the Motion

Councillors Astbury, Batson, Boyd, Brasted, Brookes, Callison, Cracknell, Croft, Dawkins, Freeston, Furneaux, Harness, Hasthorpe, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Reynolds, Sandford, Shepherd, Shreeve, Silvester, Smith, K. Swinburn, S. Swinburn and Westcott (27 votes).

Abstained

Councillor Holland (1 vote).

The motion was declared lost.

NEL.70 SUSPENSION OF STANDING ORDERS

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 the Deputy Mayor, Councillor Lindley. 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.

NEL.71 QUESTIONS ON NOTICE

A question had been submitted on notice by Councillor Green to the Leader of the Council, in accordance with Council's Standing Orders. Councillor Green had subsequently given her apologies for absence from this meeting so the Mayor read the question on her behalf, as follows:

"Why, despite the controversy regarding the current proposals for the largest salmon farm in the UK to be sited within the holiday resort of Cleethorpes and the needs of a holiday resort not being acknowledged in the assessment provided by Montagu Evans on behalf of the salmon company, has no Environmental Impact Assessment been requested, despite the fact this is a schedule 2 development with a higher proposed output of 5,000 tons of dead fish a year being much more than the recognised threshold of 10 tons of dead fish."

Councillor Jackson, the Leader of the Council, clarified that the proposed site location was Associated British Ports land in Grimsby and not in Cleethorpes. The development had been fully acknowledged as a Schedule 2 project under the Environmental Impact Assessment Regulations and hence a screening application was submitted, and the development was then considered under these regulations. The dead fish tonnages referred to were product, of course, and not waste. For context, it should be noted that National Planning Practice Guidance advice stated that only a very small proportion of Schedule 2 developments would require an Environmental Impact Assessment (EIA). In this case and from the information submitted, officers determined the proposal would

not have significant environmental effects and an EIA was not required. This was in consultation with specialists such as the Council's Ecologist and Natural England. Full details were available on the Council's planning portal. However, any subsequent planning application would be required to fully consider the environmental impacts through transparent and robust individual assessments, including a Habitat Regulations Assessment. This onshore method of fish farming offered many advantages compared to the offshore methods we were more familiar with, including reduced diseases and parasites, increased efficiency, reduced carbon footprint, optimisation of fish welfare, control of water quality and waste to be re-used offsite. All these would feature as part of any planning application.

The Chair invited Councillor Silvester 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.

“Does the Portfolio Holder for Safer and Stronger Communities believe that the recent ASB summit provided a platform for members to highlight issues within their wards and be involved in addressing these issues.”

Councillor Shepherd, Portfolio Holder for Safer and Stronger Communities responded the summit was a fantastic opportunity to make a difference and instigate change in how anti-social behaviour was dealt with in North East Lincolnshire. Whilst he was pleased with the attendance at the summit, he felt that there was a missed opportunity for several wards that had little or no input due to lack of representation. A wide range of stakeholders were invited and encouraged to put forward ideas. For those that did attend, the break-out sessions were particularly invaluable in determining proposals to address anti-social behaviour and removing the perception that the summit would just be another talking shop.

In a supplementary question, Councillor Silvester asked what future opportunities would be available for Members to address anti-social behaviour within their wards.

Councillor Shepherd responded that the summit was intended to be an annual event. In addition, he was happy to meet with community groups on a face to face basis with council officers and the police within wards but he felt that this would only be effective if ward councillors were engaged in the process.

The Chair invited Councillor Farren 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.

“As I am sure you are aware, there is growing concern, confusion, along with conflicting information in respect to the proposed salmon farm on the ABP land in the ward of Sidney Sussex. As a Cleethorpes ward councillor, I have my own concerns that this situation could very quickly spiral out of control. I understand

that business owners in the wider Cleethorpes community are starting to voice their concerns, in respect to the effect this will have on their livelihoods.

Please can I ask you and the Cleethorpes Councillors within your cohort to support a letter to our MP Martin Vickers asking him if he will facilitate a public meeting, inviting all the relevant stakeholders, so that they can engage with our residents and local business owners, to ensure that accurate information is being communicated.”

Councillor Jackson responded that he had clarified the situation regarding this potential development in his earlier response to Councillor Green. He agreed that there had been a lot of conflicting information circulated about the proposal. He stressed again that this onshore method of fish farming offered many advantages compared to the offshore methods we were more familiar with, including reduced diseases and parasites, increased efficiency, reduced carbon footprint, optimisation of fish welfare, control of water quality and waste to be re-used offsite. What is more, it would bring investment and jobs to North East Lincolnshire and would almost eliminate food miles for salmon utilised in the Grimsby seafood processing sector. Once a planning application was submitted and validated, everyone would have the opportunity to fully understand the project and its implications, and comment and influence the outcome accordingly. He was sure that Martin Vickers MP was well able to facilitate a public meeting in Cleethorpes if he thought it necessary. Elected members in Cleethorpes could also take the same course of action.

In a supplementary question, Councillor Farren enquired whether the Leader disagreed that everyone should work together and support a letter to the MP.

The Leader responded that, as part of Councillor Farren’s ward councillor role, she was able to contact her local MP herself on this matter.

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.

“Residents in Cartergate and Chantry Lane are concerned about parking arrangements for the new tenants of Cartergate House. Can the portfolio holder reassure them that enough parking places have been allocated, thus avoiding further confrontations between the residents and the office workers”?

Councillor Harness, Portfolio Holder for Finance, Resources and Assets, welcomed the news that there was now a tenant for the ground floor of the property, bringing with it a rental income and a potential increased footfall into Grimsby town centre. He noted that the site was located in a sustainable town centre location, adjacent to numerous car parks with good walking and cycling access, and links to public transport. Based on this, officers would approach the tenant (Lincolnshire Housing Partnership) and determine if active travel plans would be beneficial to them. Cartergate House was built with retail lets on the

ground floor, however, there had been no demand for retail space. It was considered unlikely that the Lincolnshire Housing Partnership (LHP) lease would bring any further parking requirements than that of the proposed retail use. He added that he had visited the new offices last week and he did ask about parking provision. Twelve spaces had been allocated within the Cartergate House barrier controlled private car park. Any additional season ticket car parking to be provided within the adjacent public car park would be chargeable but, to date, no additional season passes had been purchased. LHP were aware of this, and officers would monitor the situation accordingly. On 27th February a planning application was granted to make permanent an enhanced private car park on Cartergate adjacent to Cartergate House. This would have 62 spaces, served by an attendant. LHP had vacated a much larger office to occupy a smaller space because of changes to the way they worked, which involved more direct work in the community. It was not anticipated that all officers would be in the office at the same time.

In a supplementary question, Councillor Wilson asked whether the portfolio holder would support a free resident parking scheme for the area, noting that a further development was planned for the area at St James House which would add to the likelihood of building users seeking to park for free within surrounding streets.

Councillor Harness responded that this was moving outside of his portfolio holder remit but he would discuss the matter with the Portfolio Holder for Environment and Transport and provide a written response to Councillor Wilson.

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.

“Oncology and haematology services are set to leave the Diana Princess of Wales Hospital permanently due to shortages of consultants. Should the residents of North East Lincolnshire be worried for the future of our hospital, bearing in mind the lack of long-term planning and investment by the government into the training of consultants?”

Councillor Shreeve, Portfolio Holder for Health, Wellbeing and Adult Social Care, responded that the services were being consolidated in Hull but the word ‘permanent’ had not been used when the proposal was presented to the Health and Adult Social Care Scrutiny Panel. The move had been born out of necessity due to the shortage of consultants but it did not mean that there would be no oncology services in the Diana Princess of Wales Hospital. He didn’t think that residents should be worried about the future of the hospital and he explained that an Acute Development Plan had been developed which took into account the need to offer the best acute services.

In a supplementary question, Councillor Wilson asked whether there were shortages of consultants in any other areas within the hospital.

Councillor Shreeve was sure there would be but he added that this was not due to lack of funding but rather the lack of people entering or coming out of the training system. He added that there would be surpluses as well.

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

“Could the Leader update this council to how many empty homes have been brought back into use, in the West Marsh, in the last 12 months?”

Councillor Jackson responded that the Council had intervened and brought five dwellings back into use from the West Marsh in the last 12 months.

In a supplementary question, Councillor Wilson asked whether the Leader agreed that the target of 40 empty homes being brought back into use needed increasing in order to improve the situation across the Borough.

Councillor Jackson responded that he did.

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.

“How many cases have been brought to court successfully with regards to prosecuting perpetrators of common street scene issues; such as dog fouling, littering and fly-tipping in the West Marsh (residential part)?”

Councillor Shepherd responded that environment related street scene enforcement matters were split between LA Support/Doncaster and the council's Environmental Enforcement Team. In 2022/23, the council's Environmental Enforcement team issued 13 fixed penalty notices for fly tipping for offences in the West Marsh ward. Of these, eight had been paid, four were still under investigation as part of a wider investigation. One fixed penalty notice was unpaid and the matter was being pursued through the court in April 2023. All of these were issued outside of the town centre area. Councillor Shepherd noted that fly tipping was nominally dealt with through the issuance of the fixed penalty notice. Only those cases where the notice was unpaid result in prosecutions for the original fly tipping offence.

For LA Support during 2022/23, a total of 313 fixed penalty notices had been issued across the whole of the West Marsh ward for litter offences or breaches of a Public Space Protection Order. 30 were unpaid and taken to court by City of Doncaster Council through the single justice procedure. Four of these single justice cases were for offences outside of the town centre area.

In a supplementary question, Councillor Wilson asked whether the Portfolio Holder for Safer and Stronger Communities enquired about the council's powers to take perpetrators to court for offences where a fixed penalty notice would not be appropriate.

Councillor Shepherd responded that the council did have powers to take matters direct to the magistrates court but sound evidence was needed, such as CCTV footage supported by an appropriate statement from the person who viewed the offence. He added that the council also took a stepped approach in dealing with environmental offences.

The Chair invited Councillor Patrick 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.

"Does the Leader of the Council share my immense disappointment that our resort of Cleethorpes no longer boasts a blue flag for water cleanliness?"

Councillor Jackson responded that he did.

In a supplementary question, Councillor Patrick asked if the Leader would accept an open invitation from a local community group who had been protesting about the issue of water cleanliness, to enter into a meaningful dialogue to improve the situation.

Councillor Jackson was happy to do so and he would be able to tell them about a meeting he had with Anglian Water in January to talk through the issues.

The Chair invited Councillor Patrick 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.

"What action is currently being taken regarding the blite of fly tipping in back alleyways in terms of enforcement against perpetrators of such actions?"

Councillor Shepherd responded that alleyways were private land and therefore were the responsibility of residents to maintain. The council would not clear private land, only council land. The council would investigate fly tipping. A prosecution was more likely where there was evidence, such as CCTV footage supported by a witness statement. Residents who sought council assistance to clear their alleyways were advised accordingly and reminded of disposal arrangements and how communities can clear alleyways themselves working together. He noted that a letter in the waste was not proof that the named person was responsible for the fly tip. Very few individuals were prepared to give formal statements. During 2022, 44 fixed penalty notices were issued for fly tipping. Prosecutions were taken for those that fail to pay the notices. In total, for all regulatory matters the council undertook 37 formal actions through the court system.

In a supplementary question, Councillor Patrick asked what he should tell residents who were not getting the support they needed to clear alleyways.

Councillor Shepherd advised residents who had concerns to contact Waste Services, who would advise on several ways of clearing alleyways, for example community clearances. The emphasis was on the owners of the alleyways.

The Chair invited Councillor Patrick 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 Orders.

"Can the portfolio holder remind us what was the pledge made in his party's 2019 manifesto for the local elections with regards to the charge for a subscription to a brown garden waste bin?"

Councillor S. Swinburn, the Portfolio Holder for Environment and Transport, responded that the pledge was to gradually reduce and eventually remove the charge.

In a supplementary question, Councillor Patrick asked for an example of how successful he had been in reducing the charge and when he expect the charge to be removed all together.

Councillor Swinburn responded that there was no timescale. The government had said that it would scrap the charge but the latest government deadlines for this was 2025. It was this administration's aspiration to remove the charge when circumstances allow.

The Chair invited Councillor Patrick to present the following question to the Portfolio Holder for Culture, Heritage and the Visitor Economy, the question having been submitted on notice in accordance with Council's Standing Orders.

"Has there been any adverse impact as a result of the loss of the Cleethorpes beach blue flag and recent sewage warnings on businesses that rely on tourism around Cleethorpes seafront?"

Councillor Furneaux, Portfolio Holder for Culture, Heritage and the Visitor Economy, responded that there was no specific data held in respect of potential revenue impacts that any loss of blue flag status would have had on local businesses. However, there were other metrics used, including footfall counters at various points within the resort. These figures showed that there had only been one month showing a lower footfall during the summer season since the loss of the blue flag status.

In a supplementary question, Councillor Patrick enquired if the portfolio holder would be happy to join him in discussing the matter with local businesses in the resort.

Councillor Furneaux reiterated that the figures in front of him showed that tourism numbers had reduced significantly but he was more than happy to meet with local businesses to further discuss this matter.

The Chair invited Councillor Patrick 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.

“The recent decision to fire sale council assets in the budget includes properties that have heritage value, namely Welholme Galleries. Will the portfolio holder agree to take these off the market until a better use for them can be found than just a quick cash grab?”

Councillor Harness responded that he was only aware of one property of heritage value on the surplus land and property disposal programme, which was Welholme Galleries. Cabinet agreed the principle of a freehold disposal of Welholme Galleries back in April 2018 with a view to removing ongoing costs, and he agreed with that decision. The recent Cabinet decision to deliver a disposals programme of surplus assets over the next two years was, in the main, business as usual. Full Council also recently voted through the overall budget, which contained property rationalisation. The purpose of the report was to create capital receipts to fund transformation, which was in line with our capital investment strategy, designed to deliver long term improvements and should also address budget pressures. The prospective purchaser had been having some difficulties gaining planning permission for the Welholme Galleries site and the building was still listed for disposal. Any new interests, as always, would be carefully considered by officers, prior to any recommendations being made. Councillor Harness commented that it was sensible and efficient asset management and reflective of a modern Council, to sell off properties that were surplus to requirements. Keeping hold of obsolete assets simply caused a drain on council resources, including rates payable, and could be a target for vandalism.

In a supplementary question, Councillor Patrick enquired why council assets needed to be sold for the transformation of children's services when there was no shortage of resource.

Councillor Harness responded that money was being raised to invest in children's services. If there was no investment in children's services then it was likely that overspends would continue to grow. The intention was to safely reduce the number of looked after children.

The Chair invited Councillor Patrick 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 Orders.

“The response by this council in its first year of responding to the damning Ofsted report into our children’s services is in Children’s scrutiny being referred to as a ‘lost year’, can the Chair explain to the council what this ‘lost year’ refers to?”

Councillor Silvester responded that to his recollection, the council’s response to the most recent Ofsted report had not been referred to as a lost year. Having discussed this with officers and having analysed the minutes of Children and Lifelong Learning Scrutiny Panel meetings there was also no reference to the council’s response being referred to as a lost year. Therefore, unfortunately as he had no knowledge or evidence of the lost year reference it was not in his gift to offer an explanation.

In a supplementary question, Councillor Patrick enquired whether the Chair thought everything reasonable had been done within the first year in response to the Ofsted report.

Councillor Silvester noted that he had been Chair of the panel for one year and he felt that we were now seeing the first green shoots of improvement. He could not answer for what had happened previously but he was confident that children’s services were starting to improve significantly.

The Chair invited Councillor Patrick to present the following question to the Chair of the Planning Committee, the question having been submitted on notice in accordance with Council’s Standing Order

“Does the Chair share my view, that as a rule, building new houses in open countryside should be prevented where possible and should be a very rare occurrence?”

Councillor Pettigrew responded that planning law required that planning applications be determined in accordance with the Development Plan. This council had a Local Plan in place, adopted by this Council, and this was currently under review. When it came to decision making, the council should seek to approve applications for sustainable development where possible. In order to support the government’s objective of boosting the supply of new homes it was important that a sufficient amount and variety of land could come forward where needed. Along with brownfield and other suitable sites, this would inevitably include greenfield sites. Councillor Pettigrew could not give a definitive answer to Councillor Patrick’s question, particularly as it could potentially come close predetermine his position on future applications. However, he supported the encouragement of housebuilders and developers to consider brownfield sites for development as an alternative to greenfield sites where possible.

In a supplementary question, Councillor Patrick felt that it was clear within national planning policy that developments on the open countryside should be prevented and he asked why there were no less than three applications at the last planning committee for approval for development on open countryside, all of

which were brought to the committee following the concerns of parish councils within those areas.

Councillor Pettigrew responded that applications were all considered on their own individual merits and he was confident that the committee made decisions based on the facts in front of them at the time.

The Chair invited Councillor Patrick to present the following question to the Mayor, the question having been submitted on notice in accordance with Council's Standing Order

“Does the Mayor share my view, that the greater the access to our council meetings the public have, the more it promotes transparency and accountability, and that you can’t put a price on democracy?”

The Mayor responded that he did.

In a supplementary question, Councillor Patrick asked if the Mayor was therefore disappointed with this Council's earlier decision to defer the initiative to broadcast meetings within this Council Chamber.

The Mayor responded that, if this Council intended to spend several thousand pounds on such an initiative, would the public be happy with such a level of spend without it being properly scrutinised. He believed the deferral was the best way forward as he felt money should not be spent on something that could be seen as just being of benefit to Elected Members without detailed consideration of, for example, how many people would actually view the meetings.

NEL.72 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 – 16th November 2022, 21st December 2022, 18th January 2023, 23rd January 2023, 15th February 2023, 22nd February 2023
- Portfolio Holder Environment and Transport – 7th December 2022, 13th February 2023
- Portfolio Holder Finance, Resources and Assets – 7th February 2023
- Portfolio Holder Health, Wellbeing and Adult Social Care – 23rd January 2023
- Portfolio Holder Safer and Stronger Communities – 20th December 2022
- Budget Scrutiny – 23rd January and 24th January 2023
- Scrutiny Panel Children and Lifelong Learning – 17th November 2022, 19th January 2023
- Scrutiny Panel Communities – 5th January 2023
- Scrutiny Panel Economy – 8th November 2022, 10th January 2023

- Scrutiny Panel Health and Adult Social Care – 30th November 2022, 1st February 2023
- Scrutiny Panel Tourism and Visitor Economy – 24th November 2022, 26th January 2023
- Place Board (operating as the Health and Wellbeing Board – 21st November 2022
- Audit and Governance Committee – 2nd February 2023
- Planning Committee – 30th November 2022, 4th January and 1st February 2023
- Licensing Sub Committee – 7th December 2022, 25th January 2023
- Standards and Adjudication Committee – 14th December 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 Patrick to Councillor Harness, the Portfolio Holder for Finance, Resources and Assets in accordance with the Council's Constitution as follows:

Cabinet – 23rd January CB.92 (Budget, Finance and Commissioning Plan)

The portfolio holder opted to increase council tax this year by less than the maximum allowed before a referendum, is he aware that this happened several times under the previous Labour administration too?

Councillor Harness, the Portfolio Holder for Finance, Resources and Assets, responded that he was not aware but, in their own way, both administrations had put a little money back into the pockets of our residents.

In a supplementary question, Councillor Patrick noted that a Liberal Democrat leaflet had been circulated which wrongly suggested that previous Labour administrations always increased Council Tax by the maximum allowed and he enquired whether the portfolio holder agreed that they should apologise for making such a misleading statement.

Councillor Harness responded that he has not seen the leaflet but his view was that all leaflets should be factual.

- (2) A question on notice was submitted by Councillor Patrick to Councillor harness, Portfolio Holder for Finance, Resources and Assets

Cabinet – 15th February CB.97 (Quarter 3 Finance Monitoring Report)

The portfolio holder will be aware that for the fourth year running, we will have an horrendous overspend anticipated, is this sustainable for the future of this council?

Councillor Harness responded that Members would be aware that there was an unsustainable overspend within one area. Other services areas were performing admirable against their budgets and serving the public well. The administration had published a detailed plan to safely address the overspend within children's services. It was acknowledged that investment was required to transform the service and drive down costs in future years.

In a supplementary question, Councillor Patrick asked if this year's budget would be delivered on target within a threshold of £0.5m.

Councillor Harness responded that a balanced budget had been set and every effort would be made to come in on target. He added that, if the overspend in children's services had been controlled then a balanced position would have been achieved.

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

Cabinet – 10th November. C.B.104 (Electricity and Gas Basket Framework))

With energy prices in the UK being still at eye-watering levels, affecting this authority as much as other customers, does the portfolio holder agree with the Labour policy to windfall tax excessive energy company profits to reinvest into subsidies for energy consumers?

Councillor Jackson, Leader of the Council responded that he did not.

In a supplementary question, Councillor Patrick asked the Leader of the Council why he was so keen to support shareholders of energy companies over the residents of North East Lincolnshire.

Councillor Jackson responded that he was not.

- (4) A question on notice was submitted by Councillor Patrick to Councillor Harness, Portfolio Holder for Finance, Resources and Assets in accordance with the Council's Constitution as follows:

Cabinet – 22nd February C.B.109 (Treasury Management Strategy Policy and Statement)

Can the portfolio holder remind us that under current borrowing plans, what will be the highest level of debt forecasted for the council, including money

owed in long term debt, annual expenditure servicing debt and ratio of revenue expenditure servicing debt?

Councillor Harness responded that the Council had £154.8m of borrowing and £24m of investments as of 31st December 2022. Borrowing was forecast to peak at around £209m over the next three years. That was an absolute borrowing figure, assuming there was no slippage of the capital programme and that all elements of the capital programme would remain. The Grant Street car park project, for example, had been removed due to construction costs making it unviable. There was always the possibility of other funding streams being found, such as that recently announced for Freshney Place. That would reduce the headline borrowing requirement by £20m. It was also to be remembered that the council received a significant rental income from Freshney Place. On the annual expenditure servicing debt, the budget for borrowing net of investment income for 2023/24 was £13.6m, for 2024/25 it was £16.6m. and for 2025/26 it was £18.7m. The levelling up funding for Freshney Place should result in reduced borrowing and servicing of debt. Councillor Harness provided the ratios for revenue expenditure servicing debt estimates and noted that the levelling up funding would again have an effect on these estimates. The council set an arbitrary maximum ratio for financing costs and net revenue stream at 10%. However, a fall in interest rates over the medium term financial plan was to be anticipated in the delivery of further savings.

In a supplementary question, Councillor Patrick asked, with the anticipation that the overall proportion of revenue that would be spent on servicing debt expected to reach a peak of 9.9%, close to the 10% target, what would conceivably be the new target for the ratio of spend of revenue to servicing debt or was debt servicing going to be uncapped and unregulated.

Councillor Harness responded that as he had already explained, there was a maximum borrowing figure and that figure would be reduced due to the levelling up funding. Therefore, the lesser amount of borrowing would reduce the percentage and, moving forward, he would not expect this 10% to be exceeded.

- (5) A question on notice was submitted by Councillor Wilson to Councillor Boyd, the Deputy Chair of Audit and Governance Committee

Audit and Governance Committee – 2nd February A.C.30 (Treasury Management Mid-Year Report)

According to the minutes this Council is near its upper limits with its borrowing costs, reaching 9.9% of its revenue in paying back. Does this situation mean that any future capital spends, where we need to borrow, are at risk because they won't be affordable?

Councillor Boyd, Deputy Chair of the Audit and Governance Committee, responded that debt costs to net revenue remained under 10%. This

percentage was kept under review. The Capital Programme was subject to regular change and future capital spends were always kept under review. Borrowing was always under review and had to be affordable.

In a supplementary question, Councillor Wilson asked how future capital programmes would be funded if the 10% limit was not to be exceeded.

Councillor Boyd responded that, if there was no head room, then the council would not be borrowing.

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

Audit and Governance Committee – 2nd February AC.34 (Partnership Stocktake)

Could the Deputy Chair explain what the 'key risks and challenges' are, as mentioned in paragraph one of the minutes?

Councillor Boyd responded that an Audit Partnership Stocktake was undertaken and that illustrated the risks that were considered to exist with the partnerships. The stocktake stated that as a result of the Covid-19 pandemic and other market forces there was an increasing risk of shortage, and an increase in the costs, of construction materials. Projects being delivered by Equans on behalf of the Council could be affected by this and it had the potential to impact on the delivery of the council's strategic outcomes.

In a supplementary question, Councillor Wilson asked how capital projects would be funded if this came to fruition.

Councillor Boyd responded that it was known with built in projects that there could be a leeway with costs and this would be taken into account and budgeted for appropriately.

- (7) A question on notice was submitted by Councillor Patrick to Councillor Boyd, the Deputy Chair of the Audit and Governance Committee

Audit and Governance Committee – 2nd February A.C.34 (Partnership Stocktake)

Is the vice chair aware that the Equans partnership is fundamentally flawed, providing no value for money for council taxpayers, a loss of strategic control over crucial council services, and a fundamental disconnect from the priorities of our residents?

Councillor Boyd responded that she was not aware that this was the case. All matters would be considered at the time of contract renewal. If Members were unhappy with the partnership, then all options would be on the table and Councillor Patrick would have the opportunity to be involved in the decision making.

In a supplementary question, Councillor Patrick asked whether bringing those services back in house was the best option.

Councillor Boyd responded that she could see some sense in that but she remained unconvinced either way. The services had to be provided by professionals and this costed money. She was sure that we would be looking for best value when considering contract renewal.

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

Planning Committee – 4th January P.59 Deposited Plans and Applications
Item 1)

Could the Chair explain to this Council why a cut through walkway was allowed on this development, when a similar one was gated off due to antisocial behaviour?

Councillor Pettigrew, Chair of the Planning Committee, responded that the walkway presented an opportunity for connectivity and permeability for residents and cyclists. It also allowed for additional green infrastructure in the form of tree planting. This was seen as a positive and it should be noted that full consultation took place with neighbours on the amended plans. The design of the walkway with regard to crime prevention and anti-social behaviour was considered by the Police and Crime Reduction Officer and subsequently amended to allow overlooking on the walkway to prevent crime. Final security details for lighting had also been requested as a condition for approval.

In a supplementary question, Councillor Wilson asked if the Chair was aware that next to the cut through there was already a gated walkway.

Councillor Pettigrew noted that this was something outside of the development boundary and therefore this was not taken into account as part of the application.

- (9) A question on notice was submitted by Councillor Wilson to Councillor Pettigrew, the Chair of Audit and Governance Committee

Planning Committee – 4th January P.59 (Deposited Plans and Applications)

Action for employment buildings are considered to be a bat roost. Could the Chair explain to this Council what mitigation for the destruction of this roost has the planning committee made?

Councillor Pettigrew responded that this was reviewed by the council's Ecology Officer, who suggested a condition for a nesting bird survey and bat survey to be carried out prior to any demolition. If there was a bat roost then a mitigation plan would be put in place.

- (10) A question on notice was submitted by Councillor Wilson to Councillor Pettigrew, the Chair of the Planning Committee

Planning Committee – 4th January P.59 (Deposited Plans and Applications)

Was the planning committee given a traffic impact assessment given the concern made by some members?

Councillor Pettigrew responded that concerns were raised regarding parking and traffic. For this level of development, a traffic impact assessment was not required. However, a Highways Officer did undertake site visits to the area and fully considered the highways implications. Construction traffic was also considered as part of the application and this was addressed prior to determination.

In a supplementary question, Councillor Wilson asked why the Chair did not request a traffic impact assessment.

Councillor Pettigrew responded that the walkway provided a facility for occupants of new housing to walk to school. On-site parking was looked at and the number of dwellings was reduced to accommodate off-street parking so there would not be many places for parking on the side of the road. The committee also considered a potential traffic regulation order for resident parking. Therefore, he considered that highways issues had been sufficiently addressed.

- (11) A question on notice was submitted by Councillor Patrick to Councillor Pettigrew, the Chair of Audit and Governance Committee

Planning Committee – 4th January P.59 (Deposited Plans and Applications Item 5)

Can the Chair explain the resolution of this application?

Councillor Pettigrew, Chair of the of Planning Committee, responded that there was an error in the minutes and the application was approved.

RESOLVED –

That the minutes of the following meetings of Cabinet and the Committees of the Council be approved and adopted, subject to the amendment of the minute P.59 (item 5) of the Planning Committee meeting held on 4th January 2023 to confirm that the committee voted to approve this application:

- Cabinet – 16th November 2022, 21st December 2022, 18th January 2023, 23rd January 2023, 15th February 2023, 22nd February 2023
- Portfolio Holder Environment and Transport – 7th December 2022, 13th February 2023
- Portfolio Holder Finance, Resources and Assets – 7th February 2023
- Portfolio Holder Health, Wellbeing and Adult Social Care – 23rd January 2023
- Portfolio Holder Safer and Stronger Communities – 20th December 2022
- Budget Scrutiny – 23rd January and 24th January 2023
- Scrutiny Panel Children and Lifelong Learning – 17th November 2022, 19th January 2023
- Scrutiny Panel Communities – 5th January 2023
- Scrutiny Panel Economy – 8th November 2022, 10th January 2023
- Scrutiny Panel Health and Adult Social Care – 30th November 2022, 1st February 2023
- Scrutiny Panel Tourism and Visitor Economy – 24th November 2022, 26th January 2023
- Place Board (operating as the Health and Wellbeing Board – 21st November 2022
- Audit and Governance Committee – 2nd February 2023
- Planning Committee – 30th November 2022, 4th January and 1st February 2023
- Licensing Sub Committee – 7th December 2022, 25th January 2023
- Standards and Adjudication Committee – 14th December 2022

There being no further business, the Mayor declared the meeting closed at 11.10 p.m.