

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

Friday 15 January 2021

Dear Councillor,

You are summoned to attend an **ORDINARY MEETING** of the **COUNCIL** to be held in the **VIRTUAL MEETING MICROSOFT TEAMS** at **1.30 pm** on **25 JANUARY 2021**.

1. Mayor's Remarks
2. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial Interests
3. To approve as a correct record the minutes of the Ordinary Meetings of the Council held on 2 November 2020. (Pages 1 - 8)
4. Calculating the Council Tax Base 2021/22 - Report of the Director : Governance and Partnerships (Pages 9 - 18)
5. Proposed Changes to the Council's Constitution : Part D Financial Regulations and Contract Procedure Rules - Report of the Director : Governance and Partnerships (Pages 19 - 54)
6. Periodic Electoral Review - Report of the Director : Governance and Partnerships (Pages 55 - 60)
7. To receive the minutes of the under mentioned committee/panels/board and to consider any recommendations made and to pass such resolutions as may be necessary (Pages 61 - 126)
Planning Committee – (23 September, 21 October and 18 November 2020)
Licensing Committee – (3 December 2020)
Audit Committee – (23 November 2020)
Standards Committee – (11 November (x3) and 15 December 2020)
Health Scrutiny Panel – (8 and 14 December 2020)
Governance Scrutiny Panel – (26 November and 10 December 2020)
Places Scrutiny Panel – (28 October and 25 November 2020)
Children and Education Scrutiny Panel – (16 and 22 December 2020)
Health and Wellbeing Board – (16 November and 21 December 2020)
8. To consider any questions on the discharge of the functions of the Humberside Fire Authority
9. Questions from members of the public (including town and parish councils)
10. To consider a joint motion of which notice has been given and to pass such

resolutions as may be necessary (none received)

NORTH LINCOLNSHIRE COUNCIL

2 November 2020

- Present -

THE MAYOR - Councillor J Evison

Councillors Ali, Allcock, Armiger, Armitage, Bainbridge, Briggs, Clark, J Davison, Ellerby, England, L Foster, T Foster, Gosling, Grant, Hannigan, Marper, Mitchell, Ogg, Poole, Rayner, Reed, Robinson, Rose, Rowson, C Sherwood, N Sherwood, Southern, Swift, K Vickers, P Vickers, Walshe, Waltham MBE, Wells, Wilson and Yeadon,

The council met remotely via Microsoft Teams.

- 2720 **MAYOR'S REMARKS** – The Mayor welcomed fellow councillors, officers and members of the public to the first remote meeting of North Lincolnshire Council. He referred to everyone's difficult experiences during the current Covid19 pandemic, but also to the community cohesion, family support, self-help and outstanding voluntary endeavours especially including those of the NHS, emergency services and community workers who had been a bright beacon for our community. The Mayor on behalf of the Council offered its heart felt gratitude and admiration, sincerely thanking them all. He also explained that he would be continuing with Local Hero Awards and encouraged local residents and organisations to inform him or Mayoral Services of individuals and groups who should be considered for such an award especially during the ongoing pandemic.

The Mayor also informed the Council of the recent sad deaths of Councillor Derek Longcake, North Lincolnshire Councillor for the Bottesford Ward and former Scunthorpe Borough Councillors Jim Pearson, Robin Downs, and Alec Readhead. The Mayor paid tribute to the councillors' years of dedicated public service and on behalf of all councillors, expressed their thoughts for their families. He also referred to the recent sad death of Colin Davison, Councillor A Davison's husband and on behalf of all councillors, expressed their thoughts for Councillor A Davison and her family at this sad time.

The council then observed a minute's silence in memory of those above, and for those North Lincolnshire residents who had tragically lost their lives to Covid19.

(The Leaders of both political groups paid tribute during the meeting to Councillor Longcake and expressed their deepest sympathy to Councillor A Davison).

- 2721 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND SIGNIFICANT LOBBYING** – Declarations of personal interests were indicated as follows –

COUNCIL
2 November 2020

Member	Subject/Minute
Councillor M Ali	Licence Holder with schools transport contract. Crosby Community Association – Trustee
2722	MINUTES – Resolved – That the minutes of the Ordinary Meetings of the Council held on 27 January and 26 February 2020 (budget meeting) having been circulated amongst the members, be taken as read and correctly recorded and be signed by the Mayor.
2723	TREASURY MANAGEMENT ANNUAL REPORT 2019/20 – The Director: Governance and Partnerships submitted the Treasury Management Annual Report 2019/20 which summarised the council’s arrangements, activity and treasury performance during 2019/20; the key points being – <ul style="list-style-type: none">• Borrowing was within Prudential Indicator Limits;• Investment balance levels were increased. Yields initially rose, then fell in the final weeks of the period and into the new year in response to the Coronavirus pandemic;• Debt costs were well within budget delivering in-year savings to support pressures elsewhere in the organisation, and• Investment income exceeded budget to further support other services

The Treasury Management Outturn 2019/20 report/presentation was attached as an appendix to the report and covered key issues including-

- The Treasury Management Strategy for 2019/20 assumed further borrowing would be required during the year. The net increase in council debt in 2019/20 was £8.5m. Long-term debt increased by £3.4m and short-term by £5.1m. The average interest rate on borrowing fell from 3.4% to 3.2%;
- The cost of servicing the council’s debt was £11.6m. This remained below the council’s guideline of debt management costs being below 10-12% of the council’s revenue stream;
- The level of debt was within the operational boundary and authorised limits set in the Treasury Management Strategy, and
- Investment balances increased from £13m to £35.3m by the end of 2019-20. The main reason for this increase was various Covid-19 related grants being paid to the council by central government. The average investment interest rate was 0.13%.

Resolved – That the Treasury Management Performance for the 2019/20 financial year be noted.

COUNCIL
2 November 2020

- 2724 **ANNUAL REPORT OF THE AUDIT COMMITTEE 2019/20** – The Director: Governance and Partnerships submitted a report which presented to Council the second annual report of the Audit Committee. It summarised the activities of the committee and demonstrates how it had discharged its duties for the period May 2019 to May 2020. A copy of the annual report was attached as an appendix.

The report stated that the annual report of the Audit Committee was considered good practice, and provided a mechanism to demonstrate transparently the effectiveness of the committee and provided assurance on the effectiveness of its role.

The annual report had been approved by the Audit Committee at its meeting of 15 July 2020 and recommended that it be presented to Council in support of the requirements of the Council's Code of Governance.

Resolved – That the annual report of the Audit Committee for 2019/20 be received.

- 2725 **STANDARDS COMMITTEE – ANNUAL REPORT 2019/20** – The Director: Governance and Partnerships submitted a report which attached as an appendix the seventh annual report of the Standards Committee under its standards regime and associated published Standards Arrangements pursuant to the Localism Act 2011. The report covered the period 1 July 2019 to 30 June 2020, and detailed the work and activities of the Standards Committee throughout that time.

The report was approved by the Standards Committee at its meeting on 9 July 2020 with a request that the Monitoring Officer provide a copy to all Town and Parish Councils in the area.

Following receipt of this report by Council, the Monitoring Officer would provide the annual training sessions to town and parish members using the report to inform the itinerary.

Resolved – That the report of the Standards Committee for the period 1 July 2019 to 30 June 2020 be received.

- 2726 **CONSTITUTIONAL MATTERS** – The Director: Governance and Partnerships submitted a report which set out relevant Constitutional matters requiring the Council to consider, note and approve.

The Director in her report explained that ‘The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392’ (‘Regulations’) were brought into force following the pandemic to enable, amongst other things, local authorities to hold meetings remotely and to dispense with Annual General Meetings.

To give practical effect to the Regulations and in the absence of an Annual General Meeting, it was necessary to make consequential amendments to the Council's Procedure Rules to facilitate business continuity and develop a remote meetings protocol to govern the conduct of remote meetings, in accordance with sector advice from both Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO).

COUNCIL
2 November 2020

Accordingly, these changes were consolidated as set out in Appendix A of the report : Part D Rule 9 – Remote Meetings Procedure Rules (and Remote Meetings Protocol). Advice from both LLG and ADSO was that even though the Regulations have had an “automatic amending effect on an authority’s existing rules and can be applied immediately” it was nonetheless good practice for these changes to be “adopted formally by the full authority at the first opportunity to do so.” This report sought such approval from Council.

The report also stated that pursuant to the Local Government Act 2000 (as amended) the Leader was responsible for determining the size and composition of the Cabinet for the discharge of executive functions, including the content of any cabinet member portfolios. Under the Constitution, the Leader was required to notify the Council at each Annual General Meeting of any changes to cabinet member portfolios so that these could be received and included in the Constitution. In lieu of this year’s Annual General Meeting, this report sought to acknowledge formally the changes to cabinet member portfolios as detailed in Appendix B as notified by the Leader on 3 July 2020, and for inclusion in the Constitution.

Resolved – (a) That the report be noted and its content explained in paragraph 2 of the report and set out in its appendices be approved, and (b) that the Constitutional amendments as detailed in this report and as set out in its appendices be approved and adopted.

2727 **URGENT KEY DECISIONS** – The Director: Governance and Partnerships submitted a report in accordance with requirements of the Council’s Constitution ‘Access to Information Procedure Rules’ executive key decisions taken over the last year where the making of the decision was agreed as urgent. The report in an appendix summarised three executive key decisions taken as urgent over the last year and stated that the required public notice of the decisions to be taken were published on the council’s website, and the required agreement for the decisions to be made were obtained from the chairs of the relevant scrutiny panels.

Resolved – That the annual report summarising executive key decisions where the making of the decision was agreed as urgent be received and noted.

2728 **MINUTES OF COMMITTEES, PANELS AND BOARD - PLANNING COMMITTEE** – **Resolved** - That the minutes of the meetings of the Planning Committee held on 15 January, 12 February, 11 March, 12 May, 3 and 17 June, 1, 15 and 29 July and 26 August 2020 be received with the exception of minutes 2004 (ii) and 2014(i)

2729 **APPLICATION PA/2019/1782** - With regard to the excepted portion (a) it was -

Moved by Councillor N Sherwood and seconded by Councillor J Evison -

That the minute be received.

Moved by Councillor L Foster and seconded by Councillor S Swift as an amendment-

COUNCIL
2 November 2020

That the minute be received with regret at the decision arrived at by the panel.

At the request of members and in accordance with Procedure Rule 1.22(d) the names of members voting for, against and abstaining from the amendment are as follows –

FOR: *Councillors Ali, Allcock, Armiger, Armitage, Bainbridge, Briggs, Clark, J Davison, Ellerby, England, Evison, L Foster, T Foster, Gosling, Grant, Hannigan, Marper, Mitchell, Ogg, Poole, Rayner, Reed, Robinson, Rose, Rowson, C Sherwood, N Sherwood, Southern, Swift, K Vickers, P Vickers, Walshe, Waltham MBE, Wells, Wilson and Yeadon,*

AGAINST: *Nil*

ABSTAINING: *Nil*

Amendment Carried
Substantive Motion Carried

2730 **APPLICATION PA/2020/103** - With regard to the excepted portion (b) it was -

Moved by Councillor N Sherwood and seconded by Councillor J Evison -

That the minute be received.

Motion Carried

2731 **LICENSING COMMITTEE – Resolved** - That the minutes of the meetings of the Licensing Committee held on 23 January, 6 February, 5 and 18 March, 4 June, 9 and 28 July, 27 August and 10 September 2020 be received, approved and adopted.

2732 **AUDIT COMMITTEE – Resolved** – That the minutes of the meeting of the Audit Committee held on 22 January, 20 May, 15 July and 16 September 2020 be received, approved and adopted.

2733 **STANDARDS COMMITTEE – Resolved** – That the minutes of the meetings of the Standards Committee held on 9 and 29 July and 16 September 2020 be received.

2734 **HEALTH SCRUTINY PANEL – Resolved** – That the minutes of the meetings of the Health Scrutiny Panel held on 6 March, 20 May, 22 July, 14 August, 15 September and 5 October 2020 be received with the exception of minutes 536 –

2735 **COVID19 - LOCAL RESPONSE AND CURRENT POSITION** - With regard to the excepted portion it was –

Moved by Councillor T Mitchell and seconded by Councillor S Wilson -

That the minute be received.

COUNCIL
2 November 2020

Motion Carried

2736 **GOVERNANCE SCRUTINY PANEL – Resolved** – That the minutes of the meetings of the Governance Scrutiny Panel held on 18 and 20 February, 6 July, 9 and 23 September 2020 be received with the exception of minute 31–

2737 **CALL-IN MINUTE 9 OF THE DEPUTY LEADER CABINET MEMBER MEETING HELD ON 12 FEBRUARY 2020 – APPROVAL OF COMMUNITY GRANT APPLICATIONS-** With regard to the excepted portion it was-

Moved by Councillor D Robinson and seconded by Councillor T Gosling -

That the minute be received.

Moved by Councillor S Swift and seconded by Councillor L Yeadon as an amendment-

That the minute be received with regret at the decision arrived at by the panel.

At the request of members and in accordance with Procedure Rule 1.22(d) the names of members voting for, against and abstaining from the amendment are as follows –

FOR: *Councillors Ali, Armitage, Bainbridge, Ellerby, L Foster, Gosling, Grant, Rayner, Southern, Swift, Wilson and Yeadon.*

AGAINST: *Councillors, Allcock, Armiger, Briggs, Clark, J Davison, England, Evison, T Foster, Hannigan, Marper, Mitchell, Ogg, Poole, Reed, Robinson, Rose, Rowson, C Sherwood, N Sherwood, , K Vickers, P Vickers, Walshe, Waltham MBE and Wells.*

ABSTAINING: *Nil*

Amendment Lost
Motion Carried

2738 **PLACES SCRUTINY PANEL – Resolved** – That the minutes of the meetings of the Places Scrutiny Panel held on 14 July and 6 October 2020 be received.

2739 **CHILDREN AND EDUCATION SCRUTINY PANEL – Resolved** – That the minutes of the meetings of the Children and Education Scrutiny Panel held on 10 February, 12 June, 7 August and 14 October 2020 be received with the exception of minutes 21 and 31-

2740 **ADDED ITEM – HOLIDAY HUNGER -** With regard to the excepted portion (a) it was –

Moved by Councillor T Foster and seconded by Councillor L Yeadon-

That the minute be received.

COUNCIL
2 November 2020

Motion Carried

- 2741 **LOCAL ARRANGEMENTS TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN AND YOUNG PEOPLE 2018/19** - With regard to the excepted portion (b) it was –

Moved by Councillor T Foster and seconded by Councillor L Yeadon-

That the minute be received.

Motion Carried

- 2742 **HEALTH AND WELLBEING BOARD – Resolved** – That the minutes of the meetings of the Health and Wellbeing Board held on 17 December 2019, 29 June and 14 September 2020 be received.

COUNCIL
2 November 2020

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

CALCULATING THE COUNCIL TAX BASE 2021/22

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider and approve the Council Tax base to be used for each part of the Council's area for formula grant and tax setting purposes.
- 1.2 The key elements of this report are:
 - To note the council tax base for grant purposes, as submitted to the Ministry of Housing, Communities and Local Government (MHCLG).
 - To set a tax base for setting Council Tax for the council, local parishes and major precepting authorities.
 - To note how the tax base has been adjusted to recognise the increased risk attributable to Covid-19.

2. BACKGROUND INFORMATION

2.1. North Lincolnshire Council has the power in statute to raise a tax on households in its area to pay for the provision of local services. It is designated as the billing authority for the area. This means that it is responsible for levying a council tax to meet its own demands and to meet the precepts of lower and higher tier authorities in the area. The precepting bodies are:

- Humberside Police and Crime Commissioner
- Humberside Fire Authority
- Parish and Town Councils in North Lincolnshire

It also provides details of its tax base to levying bodies to which it must pay a contribution for the cost of services provided in the area. That includes the Environment Agency (Anglian and Severn Trent Regions) and the Port Health Authority.

2.2. Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base) Regulations 2012 requires the council to determine its tax base for council tax purposes each year. This is the basis on which the council tax is raised. The Council keeps a database of the properties in its area. Properties are recorded in 8 national bands by value (A to H) as determined by the independent Valuation Office Agency. Band H taxpayers pay twice as much as those in band D and three times as

much as those in band A. The number of properties is expressed as a number of Band D equivalent properties for the purposes of calculating what £1 on the council tax would raise

- 2.3. All precepting bodies have a right to receive the tax base figure for the area or their part of the area no earlier than 1 December and no later than 31 January in advance of the relevant tax year. It is this tax base that they will use to calculate a precept to fund their services, which they will direct the Council to collect on their behalf. The tax base is subject to change as new properties are built or converted and old properties demolished, so the tax base needs to be recalculated each year. Government also requires information on the council tax base to determine the council's share of national grant funding and notional spending power.
- 2.4. North Lincolnshire Council will use the tax base to calculate a combined council tax requirement for 2021/22 for itself, Humberside Police & Crime Commissioner, Humberside Fire Authority and Parish and Town Councils. The council tax collected is pooled in a collection fund and then distributed to North Lincolnshire Council and the precepting bodies, based on their tax decisions.
- 2.5. The calculation of the tax base is informed by the number of Band D equivalent properties and is adjusted by anticipated collection rates and the cost of applicable discounts made to relevant households. This includes several nationally determined discounts and the local Council Tax Support Scheme (CTSS). The CTSS requires working age households to pay a proportion of their council tax bill.

3. OPTIONS FOR CONSIDERATION

- 3.1. To note the council tax base applied for grant purposes.
- 3.2. To maintain the current level of council tax support scheme and discretionary reliefs and empty property surcharge.
- 3.3. To set the council tax base for the council, parishes and major precepting bodies in 2021/22.

4. ANALYSIS OF OPTIONS

Tax Base for Grant Purposes 2021/22

- 4.1. The Government uses taxbase data when it determines the amount of formula grant to be paid to each local authority. It makes use of the CTB form which billing authorities are required to submit every October. The submission is summarised in Appendix 1. It is assumed that councils will be able to collect 100% of the tax levied on this base and the Government uses the information to determine the council's share of formula grant. This data is also used by Government to notionally estimate the Council's spending power, published in the Local Government finance settlement.

Tax Base for Council Tax Purposes 2021/22

- 4.2. To determine the taxbase for Council Tax purposes for the council and those which precept on it, a comprehensive calculation is carried out which makes a series of adjustments to the gross taxbase in order to result in a revised estimate which provides the basis for the council tax requirement.
- 4.3. The gross taxbase is equivalent to the number of properties on the rating list at a point in time. A series of national discounts and exemptions are applied to the gross taxbase, together with local discounts (CTSS) and the empty property premium. From here, officer judgements in respect of property growth, non-collection and other adjustments are applied and then combines into a taxbase estimate.
- 4.4. Appendix 2 sets out the calculation steps which demonstrate how the revised taxbase has been arrived at and includes commentary which sets out the key assumptions which support the taxbase estimate. This report proposes a taxbase of 49,640.3 band D equivalents, which represents a 0.5% reduction from the taxbase which was approved for 2020/21.
- 4.5. It is a further reduction from the taxbase for 2021/22 which was assumed in the 2020/23 medium term financial plan, 50,279.5 band D equivalents, with the biggest contributing factors set out below (including band D impact):
 - A reduction in the collection percentage estimate (299)
 - A reduction in future property growth forecasts (107)
 - An increase in the number of single adult households (97)
 - More CTSS recipients than had been expected (93)
 - Lower property growth to October 2020 than had been expected (87)

One offsetting factor relates to the empty property premium, with an increase in the cohort of properties empty for longer than two years.

Covid-19

- 4.6. The emergence of the Covid-19 pandemic represents a material change of circumstances in respect of taxbase setting. The rise and spread of the virus have prompted a series of national policy measures which have been aimed to contain the outbreak and have encompassed national lockdowns and localised tiering restrictions, including the closure of some business sectors for large parts of 2020. At a national level, this has reduced consumer spending and impacted business trading conditions. The Office for Budget Responsibility (OBR) estimate that coronavirus has caused the economy to shrink by 11% this year, which has a knock-on impact to jobs and incomes. This is despite unprecedented Government intervention. Unemployment is forecast to increase to 7.5% during the middle of 2021, compared to 4% unemployment during the first quarter of 2020.
- 4.7. There are short, medium and long-term risks to the taxbase as a result of Covid-19. In the short-term, non-collection is at a heightened risk of increasing. In the medium term, there is a risk that increased unemployment

locally translates into greater structural need for council tax support. Longer-term, housing developments reflect the state of the economy

- 4.8. The Council has robust monitoring processes established which seek to monitor the state of the various aspects of council tax collection. This includes the change in property stock, the change in caseload and value of exemptions and discounts, collection rates and crucially how this compares to previous years. This insight enables the Council to make informed judgements when setting the tax base.
- 4.9. The Government announced a Covid-19 hardship fund for 2020/21, to provide all recipients of working age local council tax support with a further reduction in their annual council tax bill of £150. Furthermore, the Spending Review 2020 outlined an estimated £670m of additional un-ringfenced grant funding for local authorities in 2021/22 in recognition of the increased cost of providing local council tax support following the pandemic. In total, North Lincolnshire has indicatively been allocated approximately £1.4m, which is to be split between the major preceptors.

Collection Rate

- 4.10. Taking all information into account, it is judged prudent to make a step-change in the collection rate, to reduce the risk of generating a large collection fund deficit beyond 2021/22. This will be kept under regular review and is envisaged to be temporary until such time that the economy has started to return to pre-virus levels (see appendix 2).

Single Person Discount and e-Billing Development

- 4.11. The majority of the taxbase changes described in 4.5 are directly attributable to Covid-19. However, the increase in single person discount follows a trend of yearly increases pre-dating the virus. In October 2020, 26,376 properties were in receipt of single person discount (34.7% of the property stock). In October 2015, 24,852 properties benefitted from the discount (33.4% of the property stock at that time). The current cohort of single person discount claimants amount to £7.6m foregone council tax.
- 4.12. Single person discount is invaluable to eligible households. In the interest of financial stewardship and fairness to all taxpayers, the Council needs to continuously assure itself that those in receipt of the discount remain fully eligible. Every £1 foregone is £1 that cannot be invested into local communities. The Council is introducing a new system in 2021/22 which will require households in receipt of the discount to confirm they remain eligible on an ongoing basis. This will be supported by tools the Council has at its disposal to identify and detect instances where it appears multiple adults potentially liable for council tax are living at a property in receipt of the discount. The overarching aim is to ensure households pay their fair share towards the much-valued services provided and enabled by the Council.
- 4.13. The Council is also progressing a move to e-billing, with residents invited to register their interest when they receive their 2021/22 bill.

Council Tax Support Scheme 2021/22

- 4.14. The current estimated cost of the council tax support discount is £7.3m overall. This cost has come down in recent years because of the changes to the scheme. The effect of the discount is a reduction to the council tax base and therefore the amount of council tax the area can raise for a given level of council tax. The cost of the scheme falls upon the council and its major precepting bodies. The CTSS proposed for 2021/22 is the same scheme as approved for 2020/21 subject to adjustments to reflect national benefit changes and any potential changes arising from point 4.9.

Empty Property Surcharge

- 4.15. Properties which have been empty for longer than two years are subject to an empty property premium of 100% surcharge. This was introduced as an incentive to reduce the number of long-term empty properties, to encourage them back in to use and fully occupied, in recognition that long term empty properties stifle success in our aim of having flourishing communities.
- 4.16. The Council has flexibility for if it wishes to go further and sharpen the incentive for properties empty for longer than five years (200% premium) or empty for longer than ten years (300% premium). These flexibilities are enabled through the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.
- 4.17. This report proposes that the current empty property premium be maintained for 2021/22. Principally, the emergence of Covid-19 has impacted how the Council has been able to work with impacted owners in resolving the long-term empty status of their properties. Instead, it is intended the wrap around advisory service be strengthened before reconsidering the need for further flexibilities in twelve months' time.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1. The Council must calculate the tax base each year in accordance with The Local Government Finance Act 1992 and The Local Authorities (Calculation of Tax Base) Regulations 2012.
- 5.2. Changes to the taxbase reduce the tax base by 0.5% from the 2020/21 base, reflecting a basic loss of resource of £0.4m in 2021/22 at the current North Lincolnshire Council band D level of tax.
- 5.3. The actual amount collected in any year may differ from the estimate so that a surplus or deficit can arise on the Collection Fund. This surplus or deficit is shared between the council and the major precepting authorities and is applied in the following year as required by legislation. If long-term collection rates fall below that assumed, there is a risk that a deficit may arise on the fund, which would need to be made up in a subsequent year. However, the fund has a track record of high long-term collection rates, fund surpluses and low levels of council tax write offs suggesting moderate risk.

5.4. There are no implications for staffing, property, or IT.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1. Not applicable.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1. No impact assessment is required for the purpose of this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1. No consultation is required on the Council Tax Support Scheme as no changes are proposed.

9. RECOMMENDATIONS

9.1. That the council taxbase for grant purposes is noted (appendix 1).

9.2. That the council taxbase for the Council and other precepting bodies in 2021/22 be set at 49,640.3 band D equivalents (appendix 2 and 3).

9.3. That the revised assurance processes set out in respect of single person discount be endorsed.

9.4. That the current levels of council tax support scheme, discretionary relief and empty property surcharge be maintained.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

Church Square House
High Street
Scunthorpe
North Lincolnshire
DN15 6NL

Author: Adam Hopley

Date: Wednesday 13th January 2021

Background Papers used in the preparation of this report

Local Government Finance Act 1992, 2003, 2012

The Local Authorities (Calculation of Council Tax Base Regulations 1992, 1994 and 2012)

Local Government and Public Involvement in Health Act 2007 - The North Lincolnshire Council (Reorganisation of Community Governance) Order 2017

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

CTB (October 2020) Submission to MHCLG

COUNCIL TAX BASE FOR GRANT PURPOSES

Appendix 1

Data Extracted from CTB1 Form	Band A (disabled relief)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	TOTAL
Number of dwellings equivalents	189.8	30,769.0	14,212.8	10,286.3	7,192.3	3,630.5	1,497.5	487.3	11.0	68,276.3
Ratio to band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
Total number of band D equivalents	105.4	20,512.7	11,054.4	9,143.3	7,192.3	4,437.3	2,163.1	812.1	22.0	55,442.6
Band D equivalents in lieu (MOD Properties)										12.4
Tax base for Grant Purposes										55,455.0

Council Tax Base Calculation Summary	Note	Band D Equivalents	Council Tax Yield £000
Gross Properties	1	61,427.9	93,166
National Discounts and Exemptions:			
Exempt properties	2	(956.0)	(1,450)
Disabled reduction		(90.4)	(137)
Single person discount	3	(4,987.6)	(7,565)
50% disregards		(92.6)	(140)
Family annex discount		(10.2)	(16)
Council Tax Support Scheme:			
Pensioner	4	(2,872.4)	(4,356)
Working Age	5	(1,960.8)	(2,974)
Technical Increases to Taxbase:			
Empty property premium	6	152.2	231
MoD properties		12.0	18
Taxbase Adjustments & Assumptions:			
Property growth	1	293.1	445
Natural reduction in CTSS recipients	4	50.0	76
General non-collection adjustment	7	(1,324.8)	(2,009)
Council Tax Base		49,640.3	75,288

Memo: 2020/21 band D rate (general rate & ASC precept) £1,516.67

Analysis of Council Tax Base

The table below provides further information around the supporting information, trends or other information which form the basis for the taxbase setting assumptions.

Note	Commentary
1	<p>The Valuation Office Agency (VOA) maintain a list of domestic properties, which the Council must then bill from. The VOA report weekly changes to the rating list, incorporating additions and deletions, and other changes.</p> <p>On the rating list at 13/09/2020, the Council had 76,069 properties which converts to 61,427.9 band D properties. This means the average property in North Lincolnshire is either a band B or C property.</p> <p>Properties will continue to be added to the list through the remainder of 2020/21 and during 2021/22. This is assumed in the taxbase, matching income to the timing of property completions.</p>
2	<p>1.6% of the gross property stock are currently eligible for an exemption. There are various exemptions, such as students who do not pay council tax or some charity owned properties. This tends to fluctuate during the year.</p>
3	<p>Single person discount is the most expensive discount for the Council, with 26,376 properties claiming a 25% discount worth roughly £7.6m in total. The number of properties claiming the discount has continued to increase year on year. For context, there were 25,422 single adult person properties in 2018.</p> <p>This represents a large cost which is increasing year-on-year. On an ongoing basis, the Council will require each household currently in receipt of the discount to confirm that they remain eligible for the discount.</p> <p>The Council will also utilise tools to identify instances where it appears multiple potentially liable adults are living at a property in receipt of single person discount. The overarching aim is to ensure households are paying their fair share towards the much-valued services provided and enabled by the Council.</p>
4	<p>Council tax support helps pensioner and working age households to varying extents. The number of pensioners in receipt of council tax support continues to naturally reduce year-on-year, with a further reduction forecast in 2021/22.</p>
5	<p>The number of working age households in receipt of council tax support is roughly the same as it was last year, despite the impact of Covid-19. It is envisaged that the number of claimants will increase in 2021/22 – linked to employment forecasts – and this is reflected in a higher non-collection estimate (see point 7) which has the same effect on the taxbase.</p>
6	<p>The Council introduced an empty property premium two years ago for properties empty for longer than two years, designed to increase the incentive for property owners to resolve their properties' long-term empty status.</p> <p>The number of properties empty for more than two years has increased year on year, which means the package of measures need to be reviewed so that the Council works towards success in this aim. It remains in the interest of the Council to increase the number of occupied properties in North Lincolnshire.</p>
7	<p>The percentage collected in year has been marginally and incrementally reducing year on year, which reflects; increased council tax rates, changed CTSS contribution levels required for working age households and the interrelation with national benefits.</p> <p>This shift means the Council must collect increasing liabilities after the year-end, as it sets a budget on the long-run collection rate it expects to achieve. For 2017/18 debt, 96.2% was collected in the financial year, with 98.5% collected by August 2020.</p> <p>Covid-19 presents a new challenge for households, with impacts to health, jobs, and incomes. Last year, the Council set a long-term collection target of 98.1%. This year, it has been reduced to 97.4% and reflects the significant and inherent uncertainty.</p>

COUNCIL TAX BASE BY PARISH 2021/22

Appendix 3

Parish/Town or Area	Tax Base after discounts	Allowance for Non-Collection	MOD Properties	Tax Base 2021/22
Alkborough	167.9	(4.4)		163.5
Amcotts	79.2	(2.1)		77.1
Appleby	236.2	(6.1)		230.1
Ashby Parkland	246.5	(6.4)		240.1
Barnetby le Wold	552.1	(14.4)		537.7
Barrow on Humber	1,060.3	(27.6)		1,032.7
Barton on Humber	3,742.0	(97.3)		3,644.7
Belton	1,205.0	(31.3)		1,173.7
Bonby	195.2	(5.1)		190.1
Bottesford	3,680.4	(95.7)		3,584.7
Brigg	1,747.1	(45.4)		1,701.7
Broughton	1,675.8	(43.6)		1,632.2
Burringham	220.7	(5.7)		215.0
Burton Stather	981.9	(25.5)		956.4
Cadney cum Howsham	154.5	(4.0)		150.5
Crowle	1,591.5	(41.4)		1,550.1
East Butterwick	43.3	(1.1)		42.2
East Halton	208.8	(5.4)		203.4
Eastoft	146.2	(3.8)		142.4
Elsham	173.7	(4.5)		169.2
Epworth	1,608.1	(41.8)		1,566.3
Flixborough	538.8	(14.0)		524.8
Garthorpe & Fockerby	141.7	(3.7)		138.0
Goxhill	823.9	(21.4)		802.5
Gunness	650.8	(16.9)		633.9
Haxey	1,713.8	(44.6)		1,669.2
Hibaldstow	812.3	(21.1)		791.2
Horkstow	60.0	(1.6)		58.4
Keadby with Althorpe	502.3	(13.1)		489.2
Kirmington & Croxton	132.0	(3.4)		128.6
Kirton Lindsey	1,095.9	(28.5)	12.0	1,079.4
Luddington & Haldenby	122.9	(3.2)		119.7
Manton	43.6	(1.1)		42.5
Melton Ross	73.9	(1.9)		72.0
Messingham	1,362.8	(35.4)		1,327.4
New Holland	255.4	(6.6)		248.8
North Killingholme	92.4	(2.4)		90.0
Owston Ferry	468.1	(12.2)		455.9
Redbourne	161.2	(4.2)		157.0
Roxby cum Risby	159.0	(4.1)		154.9
Saxby all Saints	90.9	(2.4)		88.5
Scawby cum Sturton	814.2	(21.2)		793.0
Scunthorpe	16,583.4	(431.2)		16,152.2
South Ferriby	217.2	(5.6)		211.6
South Killingholme	314.0	(8.2)		305.8
Thornton Curtis	103.1	(2.7)		100.4
Ulceby	565.9	(14.7)		551.2
West Butterwick	283.4	(7.4)		276.0
West Halton	118.2	(3.1)		115.1
Whitton	88.3	(2.3)		86.0
Winteringham	343.1	(8.9)		334.2
Winterton	1,395.2	(36.3)		1,358.9
Wootton	184.5	(4.8)		179.7
Worlaby	208.0	(5.4)		202.6
Wrawby	527.5	(13.7)		513.8
Wroot	189.0	(4.9)		184.1
Tax Base 2021/22	50,953.1	(1,324.8)	12.0	49,640.3

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

PROPOSED CHANGES TO COUNCIL'S CONSTITUTION PART D: FINANCIAL REGULATIONS AND CONTRACT PROCEDURE RULES

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To introduce updated Financial Regulations and Contract Procedure Rules for consideration and approval by Council.
- 1.2 The key points in this report are:
 - The mandatory procedures on how procurement should be conducted are set out in Contract Procedure Rules (CPRs) which form part of the council's constitution.
 - The proposed changes are required to ensure that they continue to reflect: the Council's priorities, outcomes and Organisation Development (OD) Plan; service needs for modern, responsive and flexible processes that meet professional standards; legislative requirements; e-systems changes and evolving government procurement policy guidance following EU transition.
 - Minor changes to Financial Regulations to reflect business application, alignment with CPRs and update to references.

2. BACKGROUND INFORMATION

- 2.1 Part D of the Council's Constitution 'Rules of Procedure' includes the Financial Regulations and Contract Procedure Rules. In line with good practice, the rules of procedures are periodically reviewed. The Financial Regulations have been updated to reflect business practice in respect of authorisation of debt write-off (D6.11).
- 2.2 The mandatory procedures governing how the procurement of supplies, services and works should be carried out by officers and elected members are set out in Contract Procedure Rules (CPRs). CPRs form an integral part of the council's constitution, they were last updated by Full Council in September 2019 (minute 2668 refers).
- 2.3 Since the CPRs were last amended several developments have occurred at EU, national and local levels:

- European Union – The UK has officially left the EU and whilst procurement practices continue to be governed by existing UK legislation there are technical changes relating to publication of opportunities and awards.
- Central government – a green paper titled “Transforming Public Procurement”, has been published for consultation, which sets out the governments proposed changes to public procurement; in the interim, further guidance has been issued to set out options for reserving below threshold procurements by supplier operational location and organisation size/type.

2.4 The following key changes to Part D Rules of Procedure are proposed to ensure that they continue to reflect best practice and enable the achievement of the council’s goals, priorities and outcomes:

A) Part D Rule 6 Financial Regulations (paragraph 11)

- i) To reflect business practice, the write off of debt to be determined by the Director of Governance and Partnerships and for single debtor exceeding £10,000 write off to be in consultation with the finance portfolio cabinet member.
- ii) That proposals to waive all types of legal charge on property, lodged by the council shall be determined by the Director: Governance and Partnerships, in consultation with the Director of the service affected.
- iii) To increase delegation to budget holders and streamline the system. The limit for Head for Service approval for budget transfers to increase from £10,000 to £50,000.
- iv) To reduce duplication the limit for the write off of stock or inventory items is to be removed and will instead reference the procedure in the Corporate Procurement Rules.

B) Part D Rule 7 Contract Procedure Rules: Format

- i) Recognising the increasing complexity of procurement processes, the style and layout of the document is changed to clearly set out all aspects of the procurement processes. This will enable both officers, elected members and potential providers to better understand and navigate through the various procurement processes. Consultation with key users has confirmed that this simplified format for CPRs is more user-friendly and therefore preferred.
- ii) New simplified tables set out the governance requirements and approvals to assist service users to easily identify what is required and by when, including where a Key Decision at the beginning of a procurement exercise (CPR 1.4).
- iii) New procedural tables identify minimum requirements for processes, timescales, evaluation methodology and publication of awards with separate tables for goods and services, works and transport services. In addition, the tables set out for each threshold when advice and guidance from the Procurement Team and Legal Services must be obtained. All minimum requirements support budget holder responsibility and best practice whilst ensuring compliance with legislation (CPR 2.2).

C) Part D Rule 7 Contract Procedure Rules: (general)

- i) All procurement processes must take account of key local policy initiatives such as the Council Plan, Finance Manual and Social value Charter (CPR1.2.4).
- ii) Maintained Schools shall undertake all procurement exercises in accordance with the Scheme for Financing Schools and Public Contract Regulations 2015 (CPR 1.2.3)
- iii) References to EU treaty principles are replaced with UK legislation and new UK procurement publication services such as Find a Tender.
- iv) Reflecting guidance in Procurement Policy Note 11/20 Reserving Below Threshold Procurements, allowing for reserved contracts. On a case-by-case basis, certain contracts (at defined thresholds) can be limited to SME's, Voluntary, Community and Social Enterprises and/or based on supplier location. This is to assist the Council to further meet its objectives (CPR 1.5.6).
- v) The Council standard terms and conditions must be used except where there is a Council Wide Contract; there is an established Framework Agreement or DPS; any contract is under the value of £25,000 or the Director in consultation with the Head of Legal and Democracy has confirmed it is appropriate to use alternative terms and conditions (CPR1.6.1).
- vi) Directors may seek to delegate the execution of contracts under the value of £100,000 with copy of any such delegation provided to the Service Manager, Democracy and following the Authorisation of Order levels in the Council's Finance Manual (CPR 1.6.4).
- vii) Where contracts do not require the affixation of the Common Seal, they can be executed electronically in accordance with the Council's Electronic Signature Process (CPR 1.6.7).

D) Exceptions to Normal Procedures (CPR 3.1 to 3.6)

- i) Directors (or authorised officers with delegated authority) to approve all exceptions to the CPRs where the value is under £189,330 (threshold level). All exceptions above this value are to be approved by the Director of Governance and Partnerships (CPR3.1).
- ii) All authorised exceptions to be submitted to the Procurement Team for reporting and monitoring purposes (CPR 3.3).
- iii) Removal of the need for an authorised exception to access a framework – this is a compliant route to market and there are sufficient safeguards in relation to threshold covered elsewhere in CPRs.
- iv) New exception approval required where contract is to be reserved – as a new provision that specifies use on a case-by-case basis, this allows for appropriate Procurement and Legal support, reporting and assurance (CPR 3.4.8).

- v) Clarification of exceptions for procurement exercises or contract variations that fall within specific exclusions under the Public Contract Regulations 2015 requiring advice from the Monitoring Officer (CPR 3.4.11 and 3.4.12).
- vi) Contract modification or variation which is likely to be above the threshold level and subject to the Public Contract Regulations services areas must seek advice from the Procurement Team and Legal Services to ensure any exception is compliant with legislation and fully documented (CPR 3.5 and 3.6).

3. OPTIONS FOR CONSIDERATION

A copy of the proposed new set of CPRs is attached at Appendix 1:

- 3.1 Option 1: Approve the updated Financial Regulations and new CPRs within the Council's Constitution.
- 3.2 Option 2: Do not approve the proposed changes to the Financial Regulations and new CPRs.

4. ANALYSIS OF OPTIONS

- 4.1 The proposed changes will assist the council in continuing to comply with public procurement policy and legislation. They reflect advice received from relevant legal, professional and technical advisors together with the feedback from key users.
- 4.2 To not approve the new CPRs would mean that the rules in place do not reflect best practice guidance and align with legislative changes.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 The proposed changes will continue to support the council to achieve better value for money and outcomes from its annual expenditure on supplies, services and works and to align it to current best working practice.
- 5.2 A council-wide communication message will be issued detailing the changes. The corporate procurement training programme will be updated, and specific briefing presentations will be given to staff with procurement responsibilities utilising existing procurement resource.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 None

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An Integrated Impact Assessment has been completed with no adverse findings identified.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 Feedback and advice has been sought from relevant internal advisors and key users of CPRs.

9. **RECOMMENDATIONS**

9.1 That the proposed changes to the Council's Constitution Rules of Procedure: Financial Regulations and Contract Procedure Rules are approved and incorporated.

9.2 That any consequential changes required to the Officer Scheme of Delegation are delegated to the Monitoring Officer to update.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

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Date: 11 January 2021

Background Papers used in the preparation of this report:

Contract Procedure Rules 2019 and proposed Contract Procedure Rules 2021
Full Council Report: September 2019

Part D Rule 7: Contract Procedure Rules

January 2021

Contents

Procurement Frequently Asked Questions	2
1. Contract Procedure Rules	3
1.1. Introduction	3
1.2. Compliance and Application	3
1.3. Confidentiality and Conflicts of Interest.....	5
1.4. Governance Requirements.....	6
1.5. Pre-Procurement Requirements.....	10
1.6. Contract Templates, Signing, Extending and Modification	14
1.7. Award Letters	16
2. North Lincolnshire Borough Council Procurement Requirements	17
2.1. General Requirements	17
2.2. Procurement Process, Timescales and Evaluation.....	19
2.3. Tender Documentation.....	25
3. Exceptions.....	26

Procurement Frequently Asked Questions

- Do CPRs apply – page 3,4
- Is it a Key Decision – page 6 and process tables on page 8,9
- Do I need an exception – page 26
- Where can I find an exception request form – TopDesk
- Where can I get further guidance? – Procurement “Ask Us” TopDesk
- What is the process for Supplies and Services
 - Up to £100k – table on page 20, Self-service Checklist on TopDesk
 - £100k-£189k – table on page 21
 - Over £189k – table on page 22

1. Contract Procedure Rules

1.1. Introduction

- 1.1.1. The Local Government Act 1972 section 135 requires the Council to have standing orders setting out for how it will enter into contracts. These Contract Procedure Rules (CPRs) are the framework of mandatory procurement procedures that must be followed by officers and members when entering into contracts on behalf of the Council. They form an integral part of the Council's Constitution.
- 1.1.2. These CPR's govern **ALL** purchases of works, goods, services and supplies across the whole Council, which must be adhered to by Council officers, duly authorised third persons and members.
- 1.1.3. All Council procurements **MUST** demonstrate; true and fair competition, public accountability, an open, fair and transparent process, seek to prevent bribery and corruption, whilst ensuring probity. All procurements **MUST** demonstrate a full audit trail.
- 1.1.4. If the Council fails in this duty to adhere to these CPR's and legislative requirements, a potential supplier may have justifiable cause for complaint. The Council may be required to pay compensation if such a complaint were upheld. In addition, a contract or framework agreement may be rendered ineffective, either in whole or in part, and civil financial penalties may be imposed on the Council. Officers and members also have a personal responsibility to comply with these CPRs. Procurement practices are scrutinised by bidders and government (The Public Procurement Review Service).
- 1.1.5. These CPRs:
 - help the Council obtain value for money so that, in turn, value for money services may be provided to the public;
 - ensure the Council complies with the law governing spending of public money and the policy on transparency regarding Council expenditure;
 - provide a legal and auditable framework for the Council's procurement activities;
 - protect Council officers and members from undue criticism or allegation of wrongdoing; and
 - support the delivery of commissioning strategies.

1.2. Compliance and Application

- 1.2.1. These CPR's DO apply to:
 - 1.2.1.1. all contracts for the supply of works, goods or services (including consultancy) to the Council, regardless of value, including where the spend has been provided by way of a grant to the Council;
 - 1.2.1.2. partnership and collaborative arrangements with other public bodies;
 - 1.2.1.3. concession contracts;
 - 1.2.1.4. development agreements to which the Public Contract Regulations 2015 ("the **Procurement Regulations**") apply;

- 1.2.1.5. in-house providers;
 - 1.2.1.6. any acceptance of a “community right to challenge” under the Localism Act 2011;
 - 1.2.1.7. and any substantial modification of an existing contract except where the modification has clearly been provided for in the original contract terms or has been approved in writing by the Council’s Monitoring Officer.
- 1.2.2. They do NOT apply to:
- 1.2.2.1. where requirements are sourced and delivered internally;
 - 1.2.2.2. academies (unless the Council is leading a procurement which an academy is participating);
 - 1.2.2.3. where a Council acts for another non-regulated body;
 - 1.2.2.4. a contract with a Council-owned company which the Council’s Monitoring Officer advises falls outside the scope of procurement in accordance with the Procurement Regulations;
 - 1.2.2.5. contracts for the acquisition or disposal of land and buildings;
 - 1.2.2.6. contracts of employment;
 - 1.2.2.7. where the Council awards a grant to an external organisation;
 - 1.2.2.8. contracts for local bus services, where the de-minimis provisions of the Transport Act 1985 and regulations made under it apply provided that they are awarded in accordance with those regulations and criteria approved by the Council’; and
 - 1.2.2.9. contracts, which the Council’s Monitoring Officer, in conjunction with the service area lead advises in writing falls within the provisions of section 91 of the Transport Act 1985.
- 1.2.3. Maintained Schools shall procure or purchase goods, works, suppliers or services in accordance with the Scheme for Financing Schools and the Procurement Regulations (when appropriate).
- 1.2.4. All procurement of services and contracts shall comply with:
- 1.2.4.1. these CPR’s;
 - 1.2.4.2. the Council’s Finance Manual;
 - 1.2.4.3. the Council Plan;
 - 1.2.4.4. the Council’s Social Value Charter;
 - 1.2.4.5. where applicable the Procurement Regulations and UK Legislation;
 - 1.2.4.6. the Best Value Statutory guidance;
 - 1.2.4.7. any Public Procurement Policy Notes (where appropriate and upon advice from Procurement Team and Legal Services); and
 - 1.2.4.8. where applicable the UK Steel Charter.
- 1.2.5. An audit trail for all procurements should be maintained and where they are over the threshold level (identified within paragraph 1.5.1) specific decisions and verifications must be recorded and be available throughout the procurement and after the contract has been awarded in line with the Procurement Regulations and UK Legislation requirements.

- 1.2.6. No member or officer of the Council acting without proper authority shall enter, either orally or in writing, into any contract in the Council's name.
- 1.2.7. Where a partner organisation acts on behalf of the Council and needs to purchase or assign goods or services, any such assignment must be undertaken in line with these CPR's unless otherwise exempted in writing by the Head of Legal and Democracy.
- 1.2.8. Where the Council is procuring jointly with North East Lincolnshire Borough Council, this must be done in accordance with the terms of the Joint Procurement Agreement. A Joint Project Initiation Document must be completed and signed by both authorities at the beginning of the procurement exercise.
- 1.2.9. Where the Council is procuring with any other body (such as any other Council or a Clinical Commissioning Group or other health body), then a legally binding agreement must be entered into with that body to secure the actions or contributions of all parties, such terms of the agreement must be approved by the Monitoring Officer.
- 1.2.10. Where there is a conflict between these CPR's and the Procurement Regulations, the Procurement Regulations shall prevail.
- 1.2.11. These CPR's may be reviewed and/or amended:
 - by the Monitoring Officer in accordance with the Council Scheme of Delegation; or
 - by the Monitoring Officer where such amendments are required due to an emergency or as appropriate in accordance with Council Constitution; or
 - at any time, where considered appropriate, in accordance with the Council's Constitution.

1.3. Confidentiality and Conflicts of Interest

- 1.3.1. Subject to the Council's obligations under the Freedom of Information Act 2000, codes of practice and local policy requirements, any information provided by economic operators that is designed as confidential which has been forwarded to the Council by economic operators shall not be disclosed to any other third party or person.
- 1.3.2. The Council shall, when undertaking a procurement, take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in accordance with the Council's Officer's Code of Conduct.
- 1.3.3. A procurement includes:
 - preliminary market consultations;
 - developing procurement documentation.
 - deciding on the scope or structure of the procurement;
 - choice of award procedure;
 - selection of tenderers;
 - mini competitions through Framework Agreements or Dynamic Purchasing Systems;

- award of the contract; and
 - contract management.
- 1.3.4. A conflict of interest includes, but is not limited to, where any Council officer or member has:
- a direct or indirect financial, economic, or other personal interest which might be perceived to compromise their impartiality and independence; and
 - accepts or has accepted gifts or hospitality from organisations or suppliers that the Council has dealings with.
- 1.3.5. All members and Council officers are to complete the Council's Conflict of Interest Form prior to starting any procurement exercise.
- 1.3.6. Conflicts of interest must be proactively monitored throughout the procurement process, documented, risk assessed and where a conflict is identified, notified to the Monitoring Officer. Records must be available on request and will form part of the Regulation 84 report for all contracts procured in accordance with the Procurement Regulations.

1.4. Governance Requirements

- 1.4.1. The Council's Constitution requires all officers, to obtain the necessary approvals before commencing a procurement exercise and upon award of a contract.
- 1.4.2. The type of approval will vary depending on the value of the procurement exercise/contract as identified below (the values stated below are accumulated spend over the lifetime of the contract, including any extensions).
- 1.4.3. A key decision is an executive decision that is likely to:
- Result in the council incurring expenditure or the making of savings (including the receipt or loss of income) over £350,000.
 - Have significant effects on communities living or working in an area comprising of two or more electoral wards or electoral divisions in the area of the local authority.
- 1.4.4. The government has not defined the term 'significant'. Each council is free to make its own arrangements for decisions within the definition of a 'key decision'.
- 1.4.5. Where a procurement exercise or contract is below the value of £350,000 but may have effect on community living as identified in paragraph 1.4.3. above, the Service Area Lead must seek written confirmation from the relevant Director (in conjunction with Democratic Services) as to whether a Key Decision is required.
- 1.4.6. For any procurement exercises or contract, where a Key Decision is required, the Key Decision Notice should be obtained prior to undertaking any of the steps identified within paragraph 2 of these CPR's.
- 1.4.7. In accordance with paragraph 1.3 of the Council's Scheme of Delegation to Officers a Director may delegate their powers under these CPRs to another officer, either fully or in part and subject to such limitations as considered reasonable by the Director, providing such delegation is in writing and signed and dated by the Director and a copy of such delegation is supplied to the Service Manager Democracy. It is recommended that before any such delegation takes place, the written advice of the Service Manager: Democracy is obtained.

Value (Whole Life including extensions)	Type/level of approval	Action Required Pre- Procurement	Action required Post Award
<p>Below £350,000*</p> <p>*Please also consider paragraphs above regarding Key Decision if applicable</p>	<p>Director approval to commence procurement exercise and award contract within delegations.</p>	<ul style="list-style-type: none"> • Officer Decision Record to commence procurement to be signed by the relevant Director and/or authorised officer and recorded accordingly on a timely basis. • Approval to award may be delegated to another officer at this stage, but such delegation must be in writing and a copy provided to the Service Manager: Democracy. 	<ul style="list-style-type: none"> • Officer Decision Record signed by the relevant Director for the award of the contract after a successful procurement exercise. • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy. • Any Officer Decision Record that relates to a decision to award a contract that is over £100,000, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Partnerships, must be recorded and published via Democratic Services in accordance with the arrangements specified in the Council's Constitution.

Value (Whole Life including extensions)	Type/level of approval	Action Required Pre- Procurement	Action required Post Award
£350,000 - £1,000,000	Key Decision and Director approval to commence procurement exercise and award contract within delegations.	<ul style="list-style-type: none"> • Key Decision Notice to be signed by the Director: Governance and Partnerships and published on the council’s website via Democratic Services for a minimum of 28 days prior to the officer decision to commence the procurement. (General exception and special urgency provisions are available in exceptional circumstances) • The Key Decision is then taken and published any reasonable time after the 28 days. At which point elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is implemented after the 2 workings days if not called in. • Officer Decision Record to commence procurement to be signed by relevant Director and/or authorised officer and published on the council’s website via Democratic Services on a timely basis (with any accompanying report, unless the report contains exempt commercially sensitive and related financial information – both should still be sent to Democratic Services). 	<ul style="list-style-type: none"> • An Officer Decision Record to award must be signed by the Director and recorded and published via Democratic Services in accordance with the arrangements specified in the Council’s Constitution, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Partnerships. • If approval to award has been delegated by a Director to another officer, then an Officer Decision Record must be completed by that officer and a copy of the written delegation provided to the Service Manager: Democracy.

Value (Whole Life including extensions)	Type/level of approval	Action Required Pre- Procurement	Action required Post Award
<p>£1,000,000 plus</p>	<p>Key decision and Cabinet Member decision to commence procurement exercise.</p> <p>Director decision to award contract with award report to reference cabinet member notification of procurement outcome.</p>	<ul style="list-style-type: none"> • Cabinet Member report and minute to be made and published on the Council’s website via Democratic Services on a timely basis. • Key Decision Notice to be signed by the Director; Governance and Partnerships and published on the council’s website via Democratic Services for a minimum of 28 days prior to the Cabinet Member Decision to commence the procurement. (General exception and special urgency provisions are available in exceptional circumstances) • The Key Decision is then taken and published any reasonable time after the 28 days. At which point elected members have 2 working days to call-in the decision to be considered by the relevant scrutiny panel (meeting to be held within 5 working days of call in being received). The Decision is implemented after the 2 workings days if not called in. 	<ul style="list-style-type: none"> • An Officer Decision Record to award must be signed by the Director and recorded and published via Democratic Services in accordance with the arrangements specified in the Council’s Constitution, save those contracts relating to placements for individuals care and support or such other categories of contract that are exempted by the Director: Governance and Partnerships. • The Director should inform the relevant Cabinet Member of the outcome of the procurement exercise and the decision to award.

1.5. Pre-Procurement Requirements

1.5.1. Calculating the Contract Value and Procedural Thresholds

- 1.5.1.1. It is important to ensure that the correct procedure is adopted and where there is a risk of a requirement falling above a threshold, the process for the higher threshold should be applied. Any procurement exercise or contract valued within 10% of the relevant threshold, the Service Area Lead should consider following a tendering process in accordance with the Procurement Regulations.
- 1.5.1.2. The thresholds that apply will be those advised by the Cabinet Office, as detailed below and as may be amended from time to time. The current thresholds set out below are valid from 1 January 2020:

Public Sector Contracting Authorities (excluding Schedule1 authorities)						
Supplies	Services	Light Touch Regime	Concessions	Works	Utilities (Works)	Utilities (Services)
£189,330	£189,330	£663,550	£4,733,252	£4,733,252	£4,733,252	£378,660

- 1.5.1.3. In determining which threshold applies, the whole-life costing including the cost of maintenance, spares, upgrades, decommissioning, and disposal but excluding VAT of the proposed contract or framework agreement must be considered. Any option to extend and potential future modifications to a contract must also be considered as to whether the thresholds would be exceeded with the extension value included, even if the option to extend or the foreseen modifications is not eventually exercised.
- 1.5.1.4. Where the duration of the contract is unknown or uncertain, its total cost over a four-year period should be estimated and the relevant procedure then followed to award the contract. Where requirements include a mix of supplies, services and/or works elements, advice should be sought from The Procurement Team as to which threshold is applicable and to determine the process to be followed.
- 1.5.1.5. The Council must not Disaggregate or sub-divide like or similar works by procuring multiple smaller or charter contracts to avoid the requirements of these CPRs, the Procurement Regulations or UK Legislation.
- 1.5.1.6. All monetary thresholds referred to in this document exclude VAT but include all other applicable taxes and charges.

1.5.2. Planning and Approvals

- 1.5.2.1. Service Area Leads must allow sufficient time to carry out a procurement exercise in order to be compliant with these CPR's and the Procurement Regulations.
- 1.5.2.2. For any procurement exercise or contract that is over the value of £189,330.00 Service Area leads are advised to establish a project team based on the complexity and risk. As a minimum it is advised that the following is to be included within the

project team:

- the Services Area Lead responsible for the managing and delivering the procurement exercise and contract;
- a representative from the Procurement Team;
- a representative from Legal Services;
- a representative from Finance; and
- a representative from Human Resources

1.5.2.3. Prior to commencing any procurement exercise the relevant approval should be obtained in accordance with the governance requirements set out at paragraph 1.4 above.

1.5.2.4. A timetable, for all procurement exercises, should be established and must take into account all mandatory timeframes, set out in paragraph 2 of these CPR's. It should also cover all pre-procurement planning, which includes everything from governance approval up to award of the contract.

1.5.2.5. The Service Area are responsible for the delivery of the procurement exercise, including ensuring contract management once the contract has been awarded.

1.5.3. Pre-Market Consultation

1.5.3.1. The Council encourages all Services Areas to consider undertaking Pre-Market Consultation, prior to defining the specification requirements of any procurement exercise where there is a need for:

- market research; and/or
- benchmarking; and/or
- a new approach to service delivery; and/or
- developing or evolving service delivery need.

1.5.3.2. Undertaking Pre-Market consultation with the market can help inform the specification, the evaluation criteria, and conditions of contract to ensure the Council's objectives can be best met by the market.

1.5.3.3. In all pre-market consultations, full regard should be had to the principles of equal treatment, transparency, proportionality, and non-discrimination to ensure an effective competition can take place once the procurement has commenced.

1.5.4. Identifying the right procedure and form of contract

It is important to ensure that any procurement exercise is undertaken under the most appropriate procedure for the Council to achieve the best possible outcome to meet its needs. The paragraphs below set out the procedures and contracts that can be used or followed, as appropriate, with advice from the Procurement Team and Legal Services.

1.5.5. Council-wide Contracts and established Frameworks or DPS

Where a Council-Wide Contract exists for supplies, services or works, it must be used except in the following circumstances where the requirement;

- cannot be obtained through a council-wide contract; or

- cannot be obtained in the required timescale through a council-wide contract;
 - or cannot be obtained with the required specification through a council-wide contract.
- 1.5.5.1. The following categories of supplies, services or works are managed on a council-wide basis:
- Building Works, Accommodation & Facilities Management
 - Civil Engineering & Non-Building Construction Works
 - Cleaning Services
 - Energy, Fuel & Water
 - Financial & Leasing Services
 - ICT Supplies & Services
 - Legal Services
 - Leisure
 - Printing Services
 - Public Health
 - Social or Personal Care services & Placement Activity
 - Training & Development Services
 - Transport Services
 - Vehicles & Fleet
 - Waste Disposal & Recycling
- 1.5.5.2. Advice and approval should be obtained from the Procurement Team should a departure from the use of council contracts be considered.
- 1.5.5.3. For higher value purchases through a council-wide contract (£5k+) the value for money benefit of wider competition should be considered.
- 1.5.5.4. Where possible Framework Agreements or Dynamic Purchasing Systems (“DPS”) either established by Central Purchasing Bodies or other contracting authorities (as defined by the Procurement Regulations) must be used.
- 1.5.5.5. Prior to calling off under any established Framework Agreement or DPS, advice from the Procurement Team must be sought and the terms and conditions must also be approved by Legal Services.

1.5.6. Reserved Contracts

- 1.5.6.1. Certain contracts can be reserved so that the competition is not available to the wider market and is limited to certain types of providers, such as SMEs and Voluntary, Community and Social Enterprises, and/or based on supplier location, in order to allow the Council to further meet its objectives.
- 1.5.6.2. The threshold values for a reserved contract are £122,976 for supplies and services and £4,733,252 for works. The list of ‘qualifying organisations’ which can be subject to reserved contracts is prescribed and is predominately made up of health, social care or education services. Advice must be sought from the Procurement Team where there is an intent to reserve a contract and an exception should be obtained in accordance with paragraph 3 of these CPR’s.

1.5.7. Dynamic Purchasing Systems

- 1.5.7.1. A DPS is a completely electronic system which may be established to purchase commonly used supplies, services or works and must operate for a defined duration.

It does not guarantee any services to the providers who may be admitted to it.

1.5.7.2. Advice from the Procurement Team must be sought should a DPS be established.

1.5.8. Framework Agreements

1.5.8.1. A Framework Agreement is a closed list of providers who have been ranked following a tender exercise and can be awarded contracts in line with the framework terms.

1.5.8.2. All Framework Agreements must comply with the following:

- maximum length of 4 years (unless exceptional and approved by the Monitoring Officer in writing)
- identify all Contracting Authorities that can access the agreement; and
- provide an estimated value of all potential call-offs by all contracting authorities

1.5.8.3. No contractual commitment attaches from the creation of a framework itself, however contracts are formed when requirements are called-off under a purchase order or a call-off contract.

1.5.8.4. Any Framework Agreement must be established in accordance with the requirements of these CPRs and/or the Procurement Regulations. Service Areas must not disaggregate purchases to avoid them and guidance should be sought from the Procurement Team and Legal Services.

1.5.9. Light Touch Regime

1.5.9.1. The light-touch regime (“LTR”) is a specific set of rules for certain service contracts that tend to be of low interest to potential tenderers. Those service contracts mainly centre around social, health and education services.

1.5.9.2. The use of LTR must be undertaken on the advice of The Procurement Team.

1.5.10. Concession Contracts

1.5.10.1. Concession contracts are governed by the Concession Contracts Regulations 2016. They are used where the Council engages a third party to provide a service or works, with or without a fee payable by the Council.

1.5.10.2. Consideration for the service is in the form of the concessionaire being given a right to charge for the services being provided.

1.5.10.3. Advice from the Procurement Team must be sought before engaging in any procurement exercise relating to a concession contract.

1.5.11. Open, Competitive Dialogue, Negotiated Procedures, and Innovation Partnerships

1.5.11.1. The Open procedure should be used for all contracts and procurement exercises where the Service Area can clearly identify its requirements and the requirements can be suitably be met by the market.

1.5.11.2. The use of Competitive Dialogue can be used for procurement exercises where there are complex service requirements, and the preferred delivery option cannot be determined from preliminary market consultation.

1.5.11.3. The Negotiated Procedure can be used in limited circumstances, principally where it is not clear at the outset that the Council cannot adequately specify its requirements

as they need to be developed with the market.

1.5.11.4. The use of Innovation Partnerships can be for inherently innovative development such as core research or new technical advancement.

1.5.11.5. part two of these CPR's sets out the process for undertaking an Open procurement exercise (except for the supply of Works over £100,000 up to the relevant threshold) and the advice of the Procurement Team and Legal Services should be sought where the Service Area wishes to use any of the other procedures as set out above.

1.5.12. Transfer of Undertaking (Protection of Employment) Regulations 2006 (as amended) (TUPE)

1.5.12.1. Careful consideration must be given as to whether TUPE shall apply at commencement of any procurement exercise.

1.5.12.2. Where a procurement exercise may involve the TUPE transfer of Council officers, the advice of the Strategic HR Lead and Legal Services must be obtained prior to the start of the procurement.

1.5.12.3. Any procurement exercise involving the TUPE transfer of Council officers must be approved by the relevant Director on the advice of the Director Governance & Partnerships.

1.5.12.4. The application of TUPE should also be considered in respect of staff employed by existing contractor(s) when the Council is looking to re-procure the service currently provided by such contractor(s). Written guidance should be sought from the Legal Services.

1.5.12.5. An anonymised table of TUPE information and, where relevant, pension information, must be available for release with the tender documentation, using the TUPE matrix template which is available from the Procurement Team or Topdesk. Further information can be shared with interested parties on the successful completion of the appropriate non-disclosure agreement.

1.6. Contract Templates, Signing, Extending and Modification

1.6.1. In all instances the Council's standard terms and conditions must be used except where:

1.6.1.1. a Council Wide Contract is being used;

1.6.1.2. an established Framework Agreement or DPS is being used;

1.6.1.3. any Contract under the value of £25,000; or

1.6.1.4. the relevant Director, in consultation with the Head of Legal Democracy, has confirmed it is appropriate for alternative terms and conditions to be used.

1.6.2. The Council's standard terms and conditions for contracts with a value of up to £100,000, can be accessed via the Procurement Team portal on Topdesk. Advice from Legal Services should be sought for:

1.6.2.1. contracts over the value of £100,000;

- 1.6.2.2. Framework Agreements and DPS (where they are not established);
- 1.6.2.3. IT contracts; and
- 1.6.2.4. low value contracts, where there is a specific need or bespoke requirement.
- 1.6.3. Pursuant to paragraph 2.6 of the Council's Scheme of Delegation, all Directors are authorised to sign contracts that do not exceed the value of £100,000, provided that:
 - 1.6.3.1. the conditions set out in paragraph 2.6 of the Council Scheme of Delegation have been complied with; and
 - 1.6.3.2. it does not require the affixation of the Common Seal.
- 1.6.4. Directors may seek to delegate their authority to sign contracts (as set out at paragraph 1.6.3) provided such delegation is undertaken in writing in accordance with the Council's Constitution, a copy of such delegation is provided to the Service Manager, Democracy and follows the Authorisation of Orders levels set out in the Council's Finance Manual.
- 1.6.5. The Head of Legal and Democracy is authorised to sign contracts that exceed the value of £100,000 and unless they determine otherwise, such contracts shall be executed by way of deed, under the Common Seal of the Council.
- 1.6.6. The Head of Legal and Democracy is authorised to affix the Common Seal of the Council to such contracts.
- 1.6.7. Contracts that do not need to be executed by way of deed, under the Common Seal of the Council, can be signed electronically in accordance with the Council's Electronic Signature Process which can be found on the Procurement Team Portal on Topdesk.
- 1.6.8. A Contract can be extended provided that:
 - 1.6.8.1. the original contract included a specific provision to allow for it to be extended in both duration and value; and
 - 1.6.8.2. it is appropriate to do so given the performance of the contract which has been identified through contract management by the Service Area.
- 1.6.9. Any Contract extension or variation during its term cannot cause:
 - 1.6.9.1. the aggregated value of the contract to breach the thresholds set out at paragraph 1.5.1.2, where it was procured as a below threshold:
 - 1.6.9.2. a breach of UK Legislation (such as the Procurement Regulations); and/or
 - 1.6.9.3. the value would exceed what was original advertised by more than 50%.
- 1.6.10. Where the Contract does not include an extension advice should be sought from the Procurement Team and Legal Services.
- 1.6.11. Under limited circumstances, the Procurement Regulations permit contract modifications during their term (regulation 72) and must be within the scope, or similar to the original specification and contract. Advice must be sought from the Procurement Team and Legal Services in the first instance.
- 1.6.12. Changes to contracts and/or terms and conditions must be authorised by the relevant Director and substantial (i.e. material) changes to contracts and/or terms and conditions must be authorised by the relevant Director following consultation with the Head of Legal & Democracy.

1.7. Award Letters

- 1.7.1. All contracts let that are valued 10% under the relevant threshold (as identified at paragraph 1.5.1.2 above) are to be awarded on Yortender using the contract details page. There is no specific requirement to issue an additional award notice to the tenderers who were unsuccessful, but this can be done should the Service Area consider it to be appropriate.
- 1.7.2. All contracts let on or over the relevant threshold (as identified at paragraph 1.5.1.2 above):
 - 1.7.2.1. must be awarded on Yortender using the contract details page;
 - 1.7.2.2. all candidates and/or tenderers must be issued with a Pre-Award Letter and Notice via Yortender; and
 - 1.7.2.3. a standstill period must be applied.
- 1.7.3. All Pre-Award Letters and Notices must:
 - 1.7.3.1. be on the Council's standard template; and
 - 1.7.3.2. approved and signed by the Head of Legal and Democracy.
- 1.7.4. The Head of Legal and Democracy will not authorise or sign any Pre-Award Letters without first seeing the Decision to Award.
- 1.7.5. Where a request for further feedback or a potential challenge to a Pre-Award Letter is received advice from the Procurement Team and/or Legal Services must be obtained.

2. North Lincolnshire Borough Council Procurement Requirements

The Council is required to comply with these CPR's and the Procurement Regulations when undertaking a procurement exercise. All procurement exercises must have a full audit trail, obtain value for money, and achieve efficient delivery of Council Services. The paragraphs below set out the processes, including their minimum requirements for each separate value, to achieve this.

2.1. General Requirements

- 2.1.1. All procurement exercises are to be compliant with the requirements set out in this part 2 and consideration should also be given to the following with advice from the Procurement Team:
- 2.1.1.1. economic development/environmental/sustainability implications;
 - 2.1.1.2. policy implications;
 - 2.1.1.3. risk management; and
 - 2.1.1.4. any other service delivery commitments
- 2.1.2. Advertising of Tenders
- 2.1.2.1. All procurement exercises over the value of £100,000 must be advertised and let using the Council electronic purchasing system YORtender.
- 2.1.2.2. The Procurement Team and/or the Services Area will:
- publish details of all contracts let over £5,000 via YORtender on the Council's live Contracts Register (e-tendering system)
 - report annually to the relevant Cabinet Member for procurement on all contracts let over £5,000 (via YORtender) in the previous 12 months.
- 2.1.2.3. Service Area Leads must notify the Procurement Team when, they have awarded a procurement exercises or entered into a contract over the value of £25,000, so that the Procurement Team can advertise these on Contracts Finder.
- 2.1.2.4. It is at the discretion of the relevant Director as to whether any procurement exercises/opportunities are advertised using web-based media, such as twitter and the council website. Any advertisement shall:
- specify the nature and purpose of the contract;
 - outline how to submit a compliant tender;
 - state the last date and time when tenders will be accepted; and
 - comply in all respect with the requirements of UK Legislation.
- 2.1.3. Compliance
- Any tenderer who fails to complete all the documentation and/or comply with the tender instructions and submission requirements set out in the Invitation to Tender may be deemed to be non-compliant and, subject to the discretion of the Council, acting reasonably, have their tender rejected. Advice must be sought from the Procurement Team and Legal Services prior to rejecting any tender submission.

2.1.4. Late Tender or e-Sourcing Suite Access Errors

2.1.4.1. The Council will not accept any late tender, other than where:

- the tenderer can prove that a system access error has accrued;
- Yortender have provided a system report confirming that the site was unavailable on the submission deadline; and/or
- the Crown Commercial Services have provided a report from their Services e-Sourcing Suite system confirming that there was an error at the time of the submission deadline

2.1.4.2. Any acceptance of a late tender shall be approved by the relevant Director in consultation with the Procurement Team and Legal Services.

2.1.5. Omissions, Ambiguities and Inconsistencies

2.1.5.1. All clarifications, by the Council or tenderers, must be raised via YORtender. Guidance from the Procurement Team is recommended in all circumstances but mandated where the issue, error, omissions, or inconsistency is linked to price or potentially creates a material change.

2.1.5.2. Where there is an omission, ambiguity, or inconsistency in a tender (including an arithmetical error), the Council reserves the right to contact the tenderer in writing via YORtender, setting out the ambiguous or inconsistent part and the alternative interpretations of it.

2.1.5.3. The tenderer will be required to clarify within an appropriate time limit, via YORtender, which of the interpretations are correct and submit or complete relevant information or documentation, provided that such requests are made in compliance with the principles of equal treatment and transparency. Clarification is not an opportunity to alter or improve a bid it is only to clarify submissions.

2.1.6. Abnormally low tenders

Where a tender has been received and it is considered by the Service Area to be abnormally low, explanations from tenderers must be sought. The Council may reject the tender where the explanation does not satisfy the concern/s.

2.1.7. Prevention of corruption and the Bribery Act 2010

Requests for quotations and invitation to tenders must inform prospective tenderers of the Council's whistle blowing policy.

All contracts must contain a clause to the effect that the Council will be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if:

- the contractor, his employees, or agents, shall have offered or given or agreed to give to any persons any gift or consideration of any kind as an inducement or reward in any way relating to the contract or any other contract with the Council; or
- in relation to any contract with the Council, the contractor, his employees, or agents,

shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, Section 117 of the Local Government Act 1972 and the Bribery Act 2010.

- 2.1.8 Under the Bribery Act 2010 the following offences have particular relevance for the award of public contracts:
- bribing a person to induce or reward them to perform a relevant function improperly;
 - requesting, accepting, or receiving a bribe as a reward for performing a relevant function improperly; and
 - failing to prevent bribery

2.2. Procurement Process, Timescales and Evaluation

- 2.2.1. The table below sets out the minimum requirements for each tender process depending on its value, once all the pre-procurement requirements set out within part 1 of these CPR's have been considered/undertaken and approval to proceed has been obtained (as set out in paragraph 1.4.1).
- 2.2.2. Advice should be sought from the Procurement Team and Legal Services as indicated in the tables below.

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Supplies/Services/ Works</p> <p>Up to £100,000 (this does not include aggregate spend for one-off purchases)</p>	<p>The Self-service guidance which can be found within the Procurement Portal on Topdesk must be followed</p> <ul style="list-style-type: none"> Typically, securing minimum of 3 written quotations based on a specification is an effective way of demonstrating competition and value for money. You must use YORtender and/or replacement system introduced to help you comply with these requirements. Your requests of bidders should be proportionate to the value and complexity of your requirement Treating all potential suppliers equally and fairly is crucial for securing a successful outcome and minimising the risk of a challenge. 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. The return of submissions should be a minimum of 10 calendar days and is to be shared with all potential tenderers (except where approved otherwise by the Budget Holder or Director). 	<ul style="list-style-type: none"> The evaluation of requests for quotation or bids should be based on objective, transparent criteria and fully disclosed to bidders in advance of them submitting their bids. The criteria should be either: <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full; (requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. 	<ul style="list-style-type: none"> Decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. All the Council’s expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £25k must be published on Contracts Finder in accordance with paragraph 2.1.2 above. Decision to award to be published using the contract details page on Yortender.

Value (Whole life including extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Supplies/Services £100,000 - £189,330 (Threshold Level)*</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p> <p>*Where the spend is within 10% of the relevant threshold (as identified within paragraph 1.5.1 above) and the Procurement Regulations have been applied, the publishing and award process for above threshold should be followed and advice from the Procurement Team or Legal Services should be sought</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Indicative contract values to be published as an open advert on Yortender and on Contracts Finder. Tender documentation to be published on Yortender. All tender submissions must be kept confidential, opened by an officer of appropriate seniority, independent and non-conflicted. Only fully compliant tenders should be accepted No negotiation with the existing or potential providers is permitted At least two tender responses must be received. The acceptance of the successful tender is concluded after evaluation 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. Request for quote or tender documentation must be advertised for a minimum of 10 calendar days but can be increased if appropriate. Sufficient time must be given to evaluate all request for quote/tender submissions. 	<p>The evaluation criteria to be set will depend on the on level of complexity and need based on the desired outcome. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full (where requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. The split should be 60% price and 40% quality and advice from the Procurement Team should be sought if this split is not considered appropriate 	<ul style="list-style-type: none"> Decision to award must be obtained and published in accordance with the relevant section of paragraph 1.4.1 depending on value. All the Council’s expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £25k must be published on Contracts Finder in accordance with paragraph 2.1.2 above. A notification of award must be advertised on the contracts register via YORtender . The decision to award must be published using the contract details page on Yortender.

Value (Whole life incl extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Supplier/Services Over £189,330 and Works over £4,733,252 (Threshold Levels)</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Project managers should ensure that procurement is undertaken in line with the Council's agreed project management framework, as appropriate. Be advised using the Council's standard tender documentation. A suite of construction frameworks has been developed to meet the majority of the Council's Works requirements and should be considered. An open formal tender procedure must be used Where only one bid is received, advice should be sought from the Procurement Team or Legal Services should be obtained prior to evaluation. 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification, obtain relevant approvals as set out at 1.4.1 above. Tender documentation must be advertised for a minimum of 35 calendar days but can be decreased in certain circumstances with advice from the Procurement Team. Sufficient time must be given to evaluate all request for quote/tender submissions 	<p>The evaluation criteria to be set will depend on level of complexity and need based on the desired outcome. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest "compliant" price; compliant meaning ability to meet the specification in full (where requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. The split should be 60% price and 40% quality and advice from the Procurement Team should be sought if this split is not considered appropriate. 	<ul style="list-style-type: none"> Contract notice must be published on Find a Tender Services prior to going out to tender. All the Council's expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £25k must be published on Contracts Finder in accordance with paragraph 2.1.2. Decision to award must be obtained and published depending on value in accordance with paragraph 1.4.1. Pre-Award Letters must be sent to all tenderers/candidates using Yortender and a 10-day standstill period must be applied. Post Award Letters must be sent to all tenderers/candidates using Yortender once the 10-day standstill period above has expired. If a potential challenge or formal challenge is received support and advice must be obtained from Legal Services and extension of the standstill period considered. Contract Award Notice must be published on Find a Tender Services.

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Value (Whole life incl extensions)	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Works £100,000 to £4,733,252</p>	<ul style="list-style-type: none"> Adhere to the council governance frameworks for project management and produce a procurement timetable. Restricted process to be followed, except where determined otherwise by the Service Area. Indicative contract values to be published as an open advert on Yortender and on Contracts Finder. Tender documentation to be published on Yortender. All tender submissions must be kept confidential and opened by an officer of appropriate seniority who is independent and non-conflicted. Only fully compliant tenders should be accepted. At least six tender responses must be received. The acceptance of the successful tender is concluding after evaluation. NEC form of contract to be used, except where determined otherwise in accordance with these CPR's. 	<ul style="list-style-type: none"> Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. Tender documentation must be advertised for a minim of 10 calendar days but can be increased if appropriate <p>Sufficient time must be given to evaluate all request for quote/tender submissions</p>	<p>The evaluation criteria to be set will depend on the level of complexity and need based on the desired outcome and relevant legislation. Advice from the Procurement Team should be sought if the Service Area Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be either</p> <ul style="list-style-type: none"> Lowest “compliant” price; compliant meaning ability to meet the specification in full; or (where requirements are well defined); or Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. The Price quality should be 60% price and 40% quality and advice from the Procurement Team should be sought if this split is not considered appropriate 	<ul style="list-style-type: none"> Decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. All Council's expenditure over £500 is published externally and open to audit and public scrutiny. Any spend over £25k must be published on Contracts Finder portal in accordance with paragraph 2.1.2 above. A notification of award must be advertised on the contracts register via YORtender. The decision to award must be published using the contract details page on Yortender.

Value - all	Process/minimum requirements	Timescales	Evaluation	Publishing and Award
<p>Local Bus Services, Education Transport Bus and Taxis (including where subsidised)</p> <p>Support and advice from the Procurement Team and Legal Services should be sought throughout this process</p>	<ul style="list-style-type: none"> • Invitations to tender should be made pursuant to section 89-91 of the Transport Act 1985 and all other relevant regulations and legislation. • Minimum subsidy contracts are deemed Concession Contracts and should be procured under the Concession Contracts Regulations 2016. • Invitations to tender should be advertised using the Council’s standard tender documentation which include: <ul style="list-style-type: none"> ○ a statement that the Council are not obligated to accept the cheapest tender. ○ a statement that, provided it is accompanied by a fully complaint bid, a tenderer may propose an alternative approach to meeting the transport requirement set out in the tender. ○ a statement to the effect that when deciding whether to accept a tender the Council has a statutory duty to consider the effect on competition in the local market, and a combination of economy, efficiency and effectiveness. • Tender documentation to be published on Yortender 	<ul style="list-style-type: none"> • Sufficient time must be given prior to going out to tender to finalise specification and to obtain relevant approvals as set out at paragraph 1.4.1 above. • Request for quote or tender documentation must be advertised for a minimum of 35 calendar days which can be decreased upon advice from the Procurement Team. 	<p>Evaluation criteria depend on the level of complexity and need based on the desired outcome and relevant legislation. Procurement Team advice should be sought if the Service Lead is unsure which criteria is the most suitable.</p> <p>The criteria should be</p> <ul style="list-style-type: none"> • Lowest “compliant” price; compliant meaning ability to meet the specification in full; (where requirements are well defined); or • Most Economically Advantageous (MEAT) – a mix of price and quality, setting out the % weighting allocated to price/quality and any sub criteria used. 	<ul style="list-style-type: none"> • Contract notice must be published on Find a Tender Services prior to going out to tender. • All Council’s expenditure over £500 is published externally and open to audit and public scrutiny. • Any spend over £25k must be published on Contracts Finder in accordance with 2.1.2 above. • decision to award must be obtained in accordance with the relevant section of paragraph 1.4.1 depending on value. • Pre-Award Letters are to be sent to all tenderers/candidates using Yortender and a 10-day standstill period must be applied. • Post Award Letter are to be sent to all tenderers/candidates using Yortender once the 10-day standstill period has expired. • If a potential challenge or formal challenge is received, support and advice must be obtained from Legal Services and extension of the standstill period considered. • Contract Award Notice must be published on Find a Tender Services.

2.3. Tender Documentation

- 2.3.1. For all procurement exercises under the value of £100,000, the Council's standard tender documentation templates are to be used. The templates can be found on the Procurement Team portal on Topdesk as part of the **Procurement under £100,000 checklist**.
- 2.3.2. For all procurement exercises over the value of £100,000, the Council's standard tender documentation templates are to be used. The templates can be obtained from the Procurement Team via the **Ask Us** portal on Topdesk.
- 2.3.3. The tender documentation for all procurement exercises, except those under the value of £100,000 or where the Procurement Team advises differently should include:
- the national Standard Supplier Questionnaire ("SSQ") template for services and supplies (which can include additional supplier suitability questions);
 - the Supplier Questionnaire PAS 91 for works contracts;
 - clear instructions for the submission of pricing quotations;
 - a clear written specification;
 - a form of tender including anti-collusion certificate;
 - freedom of information declaration;
 - a pricing schedule;
 - Method statements;
 - insurance limits requirements; and/or
 - the approved terms and conditions
- Service Area Leads should obtain advice from the Procurement Team with regards to what documentation is required when appropriate.
- 2.3.4. The Council must accept submissions of the information requested in the SSQ made via the European Single Procurement Documentation ("ESPD") and accept e-certis as a means of proof when certification is requested. It is mandatory for a potential supplier to complete Part 1 and Part 2 of the SSQ, or the ESPD template, for all procurements above the thresholds set out at paragraph 1.5.1.
- 2.3.5. All tender documentation must indicate the Council's obligation to publish commercial and other data provided by tenderers in accordance with Freedom of Information Regulations and the Local Government Transparency Code 2015, as amended.

Financial Requirements

- 2.3.6. Minimum standards of financial standing and financial appraisals are subject to the advice of the Head of Financial Services, but the requirements must not exceed a turnover of twice the whole-life contract value.
- 2.3.7. Minimum standards of financial standing at award stage should be considered for all procurement exercises and contracts where, the estimated contract value exceeds the thresholds set out at paragraph 1.5.1, any relevant UK legislation and/or where other risk is identified, including where there would be a significant effect on the delivery of Council services in the event of provider default or cessation of supply or service.

- 2.3.8. Where considered appropriate following a financial appraisal of a potential provider against the Council's minimum standards of financial standing, the potential contractor may be required to provide a Parent Company Guarantee ("PCG") or a Performance Bond ("Bond") in a form acceptable to the Council for the duration of the contract (including any extension period). All financial requirements should be published up front, including the possibility of a Bond or PCG. Any such PCG or Bond shall only be required where it is deemed that there is a specific ascertainable risk or where group company financial information forms part of the financial appraisal.

3. Exceptions

- 3.1. These CPR's are to be followed, at all times except in certain circumstances. A Service Area should seek approval from the following should they wish to deviate from these CPR's;
- 3.1.1. the relevant Director (or authorised officer who has been delegated this authority in accordance with the Council's Constitution) if the value is under £189,330; or
- 3.1.2. the Director of Governance & Partnerships following authorisation by the relevant Director (or authorised officer who has been delegated this authority in accordance with the Council's Constitution) if the value if above £189,330.
- 3.2. All requests for exception must be on the standard template that is available on Topdesk.
- 3.3. For the avoidance of doubt, an exception request does need to be completed where the value of the contract is below £189,330, and all authorised exceptions should be submitted to the Procurement Team via TopDesk for reporting and monitoring purposes.
- 3.4. There may be exceptions to the requirements of the CPRs in the following circumstances:
- 3.4.1. where important urgent repairs are required to maintain and ensure efficient and continuous service delivery due to the breakdown, or other failure, of buildings, plant, appliances, machinery or ICT equipment or software. Where the urgent repair relates to a repairs & maintenance item, and where the value exceeds £5,000, a retrospective request for exception is acceptable;
- 3.4.2. where renewals, repairs and upgrades to buildings, plant, appliances, machinery, vehicles or ICT equipment or software can only be efficiently carried out and most economically supplied with regards to time, cost and speed of delivery by the original contractor or supplier (or their successors or other sole specialists);
- 3.4.3. where urgent alternative arrangements are required to maintain the delivery of critical services due to the failure of an existing service provider or supplier;
- 3.4.4. where an emergency exists as defined in the Council's Emergency Plan;
- 3.4.5. when the Council is properly required to adopt other procedures in accordance with the relevant regulations;
- 3.4.6. works orders placed with utility companies (e.g. For re-routing cables or pipework);
- 3.4.7. where there is only one potential supplier of the required supplies, services or works due to market factors and/or service exigency;

- 3.4.8. where the contract is reserved so that the competition is not available to the wider market and is; limited to certain types of providers, such as SMEs and Voluntary, Community and Social Enterprises, and/or based on supplier location
 - 3.4.9. where contracts are extended beyond their specified term;
 - 3.4.10. where contract are to be modified during their specified term;
 - 3.4.11. for contracts which the Council's Monitoring Officer advises through authorised exception fall within the scope of regulation 32 of the Procurement Regulations;
 - 3.4.12. for contracts which the Council's Monitoring Officer advises falls within the specific exclusions set out in regulation 10 and regulation 14 of the Procurement Regulations; and
 - 3.4.13. where there are other exceptional circumstances.
- 3.5. Where the Services Area believes one of the above apply and/or the contract or modification is likely to be above the threshold set out at paragraph 1.5 above or is subject to the Procurement Regulations, advice must be sought from the Procurement Team and Legal Services before any exception request is submitted for approval.
- 3.6. In all instances a written request for exception, clearly documenting the reasons (including reference to previous exceptions if applicable and how value for money can be evidenced) must be provided in advance to the approving officer before the exception can be approved. All authorised exceptions should be submitted to the Procurement Team via TopDesk for reporting and monitoring purposes.

DEFINITIONS AND GLOSSARY

Academy/Academies	A school that is directly funded by central government and independent of local authority control
Regulation 84	Is Regulation 84 of the Public Contracts Regulations 2015 which sets out the decisions made throughout the procurement process which must be recorded and retained
Budget Holder	The manager with responsibility for the budget concerned and with delegated authority to award the contract
Cabinet Member	Elected member of the Council who is responsible for the Cabinet Portfolio under which the service area sits
Central Purchasing Bodies	A contracting authority (as defined by the Procurement Regulations) providing centralised purchasing activities and ancillary activities
Commissioning Strategy	The document by which the Council's Commissioning and Procurement Team sets out its priorities and objectives, and how it will achieve them
Concessions	A Concession Contract is where the Council grants a Service Provider the right to provide a service and rather than pay the Service Provider for providing the service. The Council transfers the opportunity of the market to the Service Provider, along with the demand risk in relation to the level of the market. Revenue from fees paid by service users is kept by the Service Provider and used to meet the costs incurred in delivering the service and potentially to make a profit
Constitution	The set of legal, administrative, and legislative principles by which the Council is governed, especially in relation to the rights of the people it governs.
Contract	Document setting out various particulars for the provision of supplies, services and works
Contracts Finder	An online database which enables suppliers to search for contract opportunities, across the nation and sectors.
Council Plan	The document by which the Council sets out its priorities and objectives, and how it will achieve them
Council	Refers to North Lincolnshire Borough Council unless otherwise specified
CPR	Contract Procedure Rule
Director	Officer who is responsible for a Service Area or grouping of services of the Council
Disaggregate	The splitting down of requirements into lower value packages
ESPD	European Single Procurement Document consists of a self-declaration as preliminary evidence of certification

Finance Manual	
Framework Agreement	An overarching agreement with a supplier where prices, specifications and terms are pre-agreed, but where there is no obligation to purchase. Requirements are “called off” as and when required over a specified timeframe.
Key Decision	Definition available at http://democracy.northlincs.gov.uk/meetings/key-decisions/
Maintained School	Primary and secondary schools funded by central government via the local authority, not charging fees to students
Monitoring Officer	The Monitoring Officer ensures the lawfulness and fairness of Council decision making and serves as the guardian of the Council's Constitution and the decision-making process. Responsibilities include advising the Council on the legality of its decisions, providing guidance to councillors and officers on the Council's Constitution and its powers and assisting the Standards Committee in its role of promoting and maintaining high standards of conduct and probity within the Council.
Risk Management	The identification of potential risks and the arrangement of contingency plans to manage or minimise those risks
Service Area	An area of the Council that is responsible for specific service delivery
Service Area Lead	Means the lead officer responsible for the procurement exercise or contract within the Service Area
SME	Means Small and Medium sized Enterprises and is defined as: Any business with fewer than 250 employees and either an annual turnover below £45m or a total balance sheet less than £40m.
UK Legislation	means any applicable Act of Parliament, subordinate legislation within the meaning of Section 21(1) of the Interpretation Act 1978, exercise of the royal prerogative, enforceable community right within the meaning of Section 2 of the European Communities Act 1972, regulatory policy, guidance or industry code, judgment of a relevant court of law, or directives or requirements
VAT	Value Added Tax
YORtender	Supplier Contract Management System (or equivalent e-tendering system) web portal by which the Council effectively advertises and manages quotations and tenders

ELL PROSPEROUS CONNECTED

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NORTH LINCOLNSHIRE COUNCIL

COUNCIL

PERIODIC ELECTORAL REVIEW

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update Council on progress of the periodic electoral review of North Lincolnshire being undertaken by the Local Government Boundary Commission for England ('LGBCE').
- 1.2 To seek approval to the establishment of a cross party elected member Electoral Review Working Group and associated Terms of Reference, to oversee the review and make recommendations to full Council thereon.

2. BACKGROUND INFORMATION

- 2.1 In October of last year the LGBCE notified the Council of its intention to carry out a periodic electoral review of North Lincolnshire.
- 2.2 The LGBCE is under a statutory duty to carry out an electoral review of every principal local authority 'from time to time'. The last electoral review of the Council was carried out in 2001.
- 2.3 The purpose of an electoral review is to consider the total number of councillors elected to a council, the names, number and boundaries of the wards and the number of councillors to elect to each ward.
- 2.4 On the 2 November 2020 all members were invited to a briefing by LGBCE officers on the review process and timetable, which is attached at Appendix 1. Essentially the review comprises of two main phases: firstly to determine the council size in terms of the number of councillors to be elected to the Council and secondly the warding arrangements in terms of numbers, names, boundaries and the number of councillors to be elected to each ward. The first phase of the review requires the Council to submit its proposals on council size by 25 February 2021.
- 2.5 Since this briefing and in line with the practice adopted for the 2001 review, a cross party, politically balanced elected member Electoral Review Working Group has been established to oversee the review and make recommendations to full Council for decision pursuant to the review process.

An officer working group has also been established to support the Electoral Review Working Group and substantial progress has already been made in collating the prescribed information required by the LGBCE.

2.6 The Electoral Review Working Group has established its Terms of Reference, as attached at Appendix 2, and as it will be making recommendations to full Council, it is appropriate that full Council receives and endorses these at its first opportunity to do so.

3. OPTIONS FOR CONSIDERATION

3.1 The Council is under a duty to respond to the electoral review and through full Council make appropriate submissions following recommendations by the Electoral Review Working Group.

4. ANALYSIS OF OPTIONS

4.1 The establishment of the Electoral Review Working Group follows the practice adopted for the last electoral review of the Council in 2001 and is recognised by the LGBCE as a form of internal governance adopted by many councils in responding to electoral reviews.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no direct resource implications associated with consideration of this report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 There are no other relevant implications.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 No conflicts of interest have been identified or declared.

8.2 The LGBCE is responsible for leading on the public consultation aspects of the electoral review process.

9. RECOMMENDATIONS

- 9.1 Council notes the contents of this report and approves the establishment of the Electoral Review Working Group and its Terms of Reference as attached at Appendix 2.

DIRECTOR OF GOVERNANCE AND PARTNERSHIPS

Church Square House
30-40 Church Square
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Will Bell

Date: 11 January 2021

Background Papers used in the preparation of this report:

LGBCE Electoral Reviews Technical Guidance April 2014

Appendix 1

LGBCE Review timetable for North Lincolnshire

Stage	Action	Duration
Preliminary Period	Informal dialogue with local authority. Focus on gathering preliminary information including electorate forecasts and other electoral data. Commissioner-level involvement in briefing group leaders on the issue of council size. Meetings also held with officers, group leaders, full council and, where applicable, parish and town councils. At the end of this process, the council under review and its political groups should submit their council size proposals for the Commission to consider.	October 2020 to 25 February 2021
Council size decision	Commission analyses submissions from local authority and/or political groups on council size and takes a 'minded to' decision on council size.	16 March 2021
Formal start of review		
Consultation on future warding/division arrangements	The Commission publishes its initial conclusions on council size. General invitation to submit warding/division proposals based on Commission's conclusions on council size.	18 May 2021 to 26 July 2021
Development of draft recommendations	Analysis of all representations received. The Commission reaches conclusions on its draft recommendations.	21 September 2021
Consultation on draft recommendations	Publication of draft recommendations and public consultation on them.	5 October 2021 to 13 December 2021
Further Consultation (if required)	Further consultation only takes place where the Commission is minded to make significant changes to its draft recommendations and where it lacks sufficient evidence of local views in relation to those changes.	Up to 5 weeks
Development of final recommendations	Analysis of all representations received. The Commission reaches conclusions on its final recommendations and publishes them.	1 March 2022
Order made and laid before Parliament	Order subject to the negative resolution procedure.	Summer 2022
Order confirmed and elected upon	Order confirmed and will form the basis for the next elections.	May 2023

Appendix 2

Periodic Electoral Review of North Lincolnshire

Electoral Review Working Group - Terms of Reference

- a) To oversee the provision of information required by the Local Government Boundary Commission for England (LGBCE) in carrying out its electoral review of North Lincolnshire, including any consultation arrangements with electors or other stakeholders;
- b) To update full Council on the progress of the electoral review;
- c) To make recommendations to full Council on proposed submissions to the LGBCE relating to:
 - i) The total number of councillors for North Lincolnshire;
 - ii) The total number of wards and boundaries within North Lincolnshire;
 - iii) The number of councillors to be elected to each ward within North Lincolnshire;
 - iv) The name of any ward within North Lincolnshire.
- d) To provide such further advice and support as may be requested by the Council relating to, or arising from, the electoral review.

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NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

23 SEPTEMBER 2020

PRESENT:- Councillor N Sherwood (Chair)

Councillors Evison (Vice-Chairman), Bainbridge, J Davison, and Grant.

Councillor(s) Briggs and Waltham MBE attended the meeting in accordance with Procedure Rule 37(b).

This was a Microsoft Teams Virtual Online Meeting

2040 **DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)**

The following member declared that they had been lobbied:-

Councillor N Sherwood
Application PA/2020/252 Minute 2042(i)

2041 **MINUTES – Resolved** – That the minutes of the proceedings of the meeting held on 29 July 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2042 **MAJOR APPLICATIONS** – The Group Manager – Development Management submitted a report containing details of major applications for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

(i) PA/2020/252 by Partner Construction & Acis Group for planning permission to erect 24 dwellings comprising 12 rent to home buy, 6 shared ownership and 6 open market dwellings at land to the east of Hillside Road, Broughton.

Three objectors spoke against the applicant on behalf of a number of residents who had raised concerns with them with regard to the proposed development. In addressing the committee the areas of concerns covered the following areas: they felt it was unacceptable for the area and outside the current development boundary within the local plan, problems with drainage and surface water flooding, visitor parking and on street parking would cause major issues in an already congested area, traffic flow would be disrupted with potential safety issues. They also went into great detail about the wildlife habitat within the area and how this would be put at risk, they referred to the last submission that was

Planning Committee
23 September 2020

refused and felt there was no change to this application, therefore, this application should also be refused.

The agent replied to the concerns, and in doing so highlighted that following refusal of the last application a great deal of work had been carried out with officers, and a great deal of the problems and since been resolved. He said there was a fresh view on the scheme and the officer's had recommended approval. Drainage issues would be resolved with appropriate conditions attached to any approval, and there were no ecology or highways issues. He also stated that a local needs assessment had been carried out which proved a need for the development within the area.

The Chairman read out a letter from the local MP Andrew Percy in which he raised concerns received from a number of residents, and highlighted the issue of the proposal being outside the development boundary and detrimental to the area.

Cllr Waltham spoke as the local Ward member and urged the committee to refuse the application on the same policies and principles it was refused on previously. He stated it would be detrimental to the area, the environment, the wildlife habitat and was not in the right location for this kind of development. He said there were already 160 currently coming off that highway and drainage system and the development would have a major impact on safety and the infrastructure.

Cllr Evison felt that the proposal submitted was similar to the one before that was refused and felt it should be refused on similar grounds once again.

Cllr Bainbridge having read the report felt it was a robust analysis of the proposal, but could see it was a contentious application being outside the development limit. However, she felt there was a need for the development within the area and the affordable properties.

Cllr Grant stated that bio diversity and highways were issues with the development, but also stated that whilst it was outside the development boundary, it was an exception site that was allowed outside the development boundary so that part should be removed if refusing the application.

The Group Manager – Development Management and Building Control updated the committee, and advise them that if they were to refuse the application on similar grounds to the previous refusal then the first reason should be removed as a Local Needs Assessment has been provided with this application to demonstrate the need for affordable housing in Broughton. The second reason for refusal related to impact upon the character of the area and could remain.

Cllr Davison agreed with the previous speakers that it was an exception site and it being outside the boundary was not a reason for refusal, but felt it should be

Planning Committee
23 September 2020

refused on the blight it would cause to local residents, the highways issues it would cause, and the detrimental affect it would have on the area.

It was moved by Cllr Evison and seconded by Cllr J Davison –

That planning permission be refused for the following reasons –

1.

The local planning authority is not convinced that Hillside Road is a suitable width to provide a satisfactory access to serve the proposed development and that this road can cater for the significant additional vehicle movements, including construction traffic, that the development would generate. Consequently, it is considered that the proposal would result in increased hazards to users of the local highway network to the detriment of highway safety. Accordingly, the proposal is contrary to policies T2 and H5 of the North Lincolnshire Local Plan.

2.

The proposal would introduce a significant amount of built form on a greenfield site outside the identified development boundaries of Broughton that would urbanise the existing rural landscape to the detriment of the scenic quality and local character of the landscape. The proposal is therefore contrary to policy CS2 of the North Lincolnshire Core Strategy and policies RD2 and LC7 of the North Lincolnshire Local Plan.

Motion Carried.

2043 **PLANNING AND OTHER APPLICATIONS** – The Group Manager – Development Management submitted a report incorporating a schedule containing details of applications for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members’ questions as requested.

(i) PA/2019/1026 by Mrs N Bell for planning permission to erect a detached dwelling with associated works at 182 Westgate Road, Westgate, Belton, DN9 1QB

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(ii) PA/2020/774 by Keadby Developments Ltd for planning permission to retain water abstraction infrastructure at land west of pumping station, East Road, Keadby

Planning Committee
23 September 2020

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(ii) PA/2020/803 by Mr Mark Snowden, Keigar Homes Ltd for planning permission to erect 9 dwellings, including associated access and garages at land north of Ferry Road East, Barrow upon Humber.

An objector spoke against the application, and highlighted a number of concerns and reason why he felt the application should be refused. He stated that the proposal was not in line with current planning policies, the safety of pedestrians and vehicle users would be compromised on a busy b road that has limited visibility, school crossing would be very dangerous, and he felt it was a staged incremental schedule to build outside the development plan.

The applicant highlighted that Barrow was a larger rural settlement, with good facilities and transport links, and was identified as a good natural growth area. He said the development was well placed within the local area, and there was a local need for a proposal like this in Barrow, especially bungalows for the aging population.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(iv) PA/2020/817 by Mr Dave Lyons for outline planning permission to erect a dwelling with all matters reserved for subsequent consideration at 21 Wharf Road, Crowle, DN17 4HS

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(v) PA/2020/982 by Mr & Mrs S Stothard for planning permission to erect a dwelling, including demolition of existing garage at land rear of Milkwood, Melton Road, Wrawby, DN20 8SL

The applicant outlined the proposal and stated that there had been concerns about there not be adequate parking on site. She said there was adequate parking for occupiers and visitors suitable for five cars to park, and no vehicles would block the lane. Deliveries would not be on a Tuesday when it is refuse collection day, and all materials would be stored on site.

Cllr Waltham addressed the committee as the Local Ward member as he had been approached by a number of residents who had concerns with regard to the application. He urged the committee to have a look at the site themselves before making a decision.

Resolved – That the application be deferred to the next meeting to allow the committee to visit the site.

Planning Committee
23 September 2020

(vi) PA/2020/1029 by R Aldren for outline planning permission to erect three dwellings, including demolition of existing dwelling, with all matters reserved for subsequent consideration at 47 The Gables, Low Street, Haxey, DN9 2LE

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(vii) PA/2020/1238 by Mrs F Horstwood for planning permission to remove condition 4 of 7/441/86 to allow unrestricted occupation of the dwelling at Westfield, Gainsborough Road, Kirton in Lindsey, DN21 4EN

Resolved – That planning permission be granted in accordance with the recommendations contained within the officers report.

2044 **DIVERSION ORDER 2018, FP47, NEW HOLLAND** – The Director of Operations submitted a report to consider the referral of a proposed Diversion Order 2018, FP47, New Holland to the Planning Inspectorate for determination.

Resolved – That the order be referred to the Planning Inspectorate for determination.

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

21 October 2020

PRESENT:- Councillor N Sherwood (Chair)

Councillors Evison (Vice-Chairman), J Davison, L Foster and Southern.

Councillor(s) England, Hannigan, O’Sullian, Rose and wells attended the meeting in accordance with Procedure Rule 37(b).

This was a Microsoft Teams Virtual Online Meeting.

2045 **DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)**

The following members declared that they had been lobbied:-

Councillor Hannigan

Application PA/2020/603 Minute 2048 (i)

Councillor Marper

Application PA/2020/333 Minute 2049 (ii)

Councillor Rose

Application PA/2020/865 Minute 2049(v)

Councillor C Sherwood

Application PA/2020/1073 Minute 2049(x)

Councillor Wells

Application PA/2020/603 Minute 2048 (i)

2046 **MINUTES – Resolved** – That the minutes of the proceedings of the meeting held on 26 August 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2047 **APPLICATIONS DEFERRED FROM PREVIOUS MEETING** – In accordance with the decisions at the previous meeting, members had undertaken site visits prior to the meeting. The Group Manager - Development Management submitted reports and updated them orally.

(i) PA/2020/982 by Mr & Mrs S Stothard for planning permission to erect a dwelling, including demolition of existing garage at land rear of Milkwood, Melton Road, Wrawby, DN20 8SL.

PLANNING COMMITTEE
21 OCTOBER 2020

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

2048 **MAJOR APPLICATIONS** – The Group Manager – Development Management submitted a report containing details of major applications for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

(i) PA/2020/603 by Mr Mark Snowden, Keigar Homes Ltd for outline planning permission for residential development and associated public open space with all matters reserved for subsequent consideration at land off Ferry Road, Barrow upon Humber.

A number of objectors spoke against the application. In doing so they shared a number of concerns raised by local residents. The concerns were based around the access road proposed for the development being too narrow, with a potential for increased traffic that they felt would increase bottle necks. They stated that the infrastructure was not capable of accommodating the development as the school and doctors were already at capacity, with a poor bus service route. A large degree of concern was based on danger to the local wildlife in the open countryside and the affects the development would have on them.

The application tried to ease some of the objectors concerns and referred to a public consultation process that had taken part earlier in the year, and shaped the application. He stated that Barrow had five of the seven key facilities, it had excellent traffic links, and was identified as a good natural growth area in a sustainable location. He said there was a need for housing development in the area and this provided a good opportunity also to contribute to the five year housing land supply.

Cllr Hannigan spoke as the local ward member and highlighted that in his view the area had already had its fair share of new developments, and there was no requirements for 64 more dwellings in the area. He stated it was out of the development boundary and in the open countryside, and a major concern was the highways infrastructure as the area was already busy and the access proposed would be a great concern.

Cllr Wells also spoke as a local ward member and objection to the application. He stated that there was already water problems in Barrow and the development would have a detrimental affect on residents., it would put extra pressure on a system already unable to cope in some areas. He said Barrow had water table problems, and additional housing would add to the problems.

Cllr Evison had sympathy with the residents ad previous speakers but also stated that if granted there was a number of conditions to protect certain situations and

PLANNING COMMITTEE
21 OCTOBER 2020

if this was to go to appeal and won, those conditions would be lost and leave the development wide open for the developers to ignore any conditions.

Cllr L Foster agreed with the residents and objectors and felt that the application was contrary to policy, and the developers continue to use the lack of a five year housing land supply to support their applications. He stated that the committee needed to consider the local residents and the local infrastructure and what affect this would have on them as he felt it would be detrimental to the area.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

2049 **PLANNING AND OTHER APPLICATIONS** – The Group Manager – Development Management submitted a report incorporating a schedule containing details of applications for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members’ questions as requested.

(i) PA/2019/930 by Mr Mark Wall, NPP Properties Ltd for planning permission to erect a replacement dwelling and two detached dwellings at land south of Tetley House, Tetley, Crowle, DN17 4HY.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(ii) PA/2020/333 by Mr James Tune for planning permission to create a new access (resubmission of PA/1999/0967) at Tyr Fryn, Todds Lane, Burton upon Stather, DN15 9DG.

An objector spoke against the application, and urged the committee to refuse planning permission. He had a number of concerns, including the proposed access route, trees on the development, and the stability of the banks to the boundaries.

Cllr Marper spoke as the local ward member and in doing so also raised concerns with regard the bank and possible subsidence, and the issues of vehicles driving over a public footpath.

Resolved – That the application be deferred to the next meeting to allow the committee to visit the site.

(iii) PA/2020/623 by Mr Steve Burdett, Pentire Properties Ltd for planning permission to erect two detached dwellings with associated car parking (including demolition of existing dwelling) at The Paddocks, King Edward Street, Belton, DN9 1QN.

PLANNING COMMITTEE
21 OCTOBER 2020

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(iv) PA/2020/862 by Mr David Booth for planning application for change of use of land to form residential curtilage, and site annexe in association with Oak Barn at Chapel, High Street, Luddington, DN17 4QY.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report.

(v) PA/2020/865 by Mr J Coggon, Coggon Brothers Ltd for planning permission to erect extensions to an agricultural building comprising a general-purpose agricultural building and potato store, including hard standing and ancillary site works (resubmission of PA/2019/320) at Field 7478, land north-west of North Street, West Butterwick.

The agent spoke on behalf of the agent indicating that the site had been established since 1836 and the buildings are dated and would no longer be viable if not extended. The development would also help alleviate problems with parking on the road, and access improved. The extensions are required to continue with the business and would cause no harm to the area. It would create more local jobs.

Cllr Rose the local ward member spoke in support of the application. He supported the growth of local businesses. He wished for it to be painted green .

It was raised by committee whether there should be a tree planting scheme to add additional screening and minimise the impact on the landscape.

It was moved by Cllr Evison and seconded by Cllr Davison –

That planning permission be granted with the following conditions –

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 1 of 4 – Elevations; 2 of 4 – Floor Plan; 3 of 4 – Proposed Site Plan and 4 of 4 – Proposed Location Plan.

Reason

For the avoidance of doubt and in the interests of proper planning.

PLANNING COMMITTEE
21 OCTOBER 2020

3.

The walls and roof of the building(s) hereby approved shall be finished in Olive Green steel sheeting as shown on drawing no: 1 of 4 – Elevations and shall be retained as such thereafter.

Reason

To protect the character and appearance of the area in accordance with policies DS1, RD2 and LC14 of the North Lincolnshire Local Plan.

4.

No above-ground work shall take place until proposals for a scheme of tree planting have been submitted to and approved in writing by the local planning authority.

Reason

The development site is located within a sensitive landscape and screening of the building(s) is required to satisfactorily mitigate their impact on the character and appearance of the area in accordance with policies DS1, RD2 and LC14 of the North Lincolnshire Local Plan.

5.

The approved scheme of tree planting shall be carried out within 12 months of development commencing (unless a longer period is agreed in writing by the local planning authority). Any trees which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

The development site is located within a sensitive landscape and screening of the building(s) is required to satisfactorily mitigate their impact on the character and appearance of the area in accordance with policies DS1, RD2 and LC14 of the North Lincolnshire Local Plan.

6.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm (including an allowance for climate change) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development so that flood risk, both on and off the site, is not increased.

PLANNING COMMITTEE
21 OCTOBER 2020

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage features in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

7.

The drainage scheme shall be implemented in accordance with the approved submitted details, completed prior to the occupation of the approved building(s), and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage features in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

Additional informatives

1.

Our records indicate that the proposed development site is bounded by, or has running through it, a watercourse (surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance. Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team on 01724 297522, prior to any further construction works being carried out.

Please refer to the Environment Agency's 'Living on the edge – Riverside ownership rights and responsibilities' document which can be found online for further information. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

2.

The proposals indicate new connections into the watercourse. This must be consented by the local Internal drainage board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA drainage team on 01724 297522 or by email to llfadrainageteam@northlincs.gov.uk for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Motion Carried.

PLANNING COMMITTEE
21 OCTOBER 2020

(vi) PA/2020/962 by Mr David Dowbusz, M&J Pido Properties SPV Ltd for planning permission to change the use of a dwelling to a seven-person house in multiple occupation (HMO), including loft conversion, and two-storey and single-storey extensions to rear at 34 Ferry Road, Scunthorpe, DN15 8QE

An objector spoke identifying concerns relating to loss of a family dwelling, loss of privacy and overshadowing of neighbouring properties.

Cllr Sullivan ward member spoke objecting to the application as over development on a small site and the impact it would have on the community.

Cllr Evison had concerns with the application and in particular the detriment it would have on the neighbours. He felt there would be parking problems and went against a number of planning policies.

It was moved by Cllr Evison and seconded by Cllr Davison –

That planning permission be refused for the following reasons –

1.

The proposed development would, as a result of the intensification of residential use, result in an unacceptable level of noise and disturbance to neighbouring residential properties. The proposal is therefore contrary to policies DS1, DS4 and H5 of the North Lincolnshire Local Plan.

2.

There is insufficient off-street parking to cater for the proposed use as a seven-person HMO. As such, the proposal will result in an increase in on-street parking which will exacerbate existing issues of on-street parking in the area, to the detriment of the free and safe flow of vehicles using the local highway network. The proposal is therefore contrary to policies DS1, H5 and T19 of the North Lincolnshire Local Plan.

Motion Carried.

(vii) PA/2020/1017 by Mr Gary Baker, Oak Tree Fishery for planning permission for the permanent siting of a mobile home in connection with a fishing business at Oak Tree Fishery, Station Road, Graizelound, DN9 2NQ.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report

(viii) PA/2020/1035 by Mr Andrew Frost for planning permission to erect a two-storey dormer bungalow and porch at land adjacent to 154 High Street, Burringham, DN17 3LY.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report

PLANNING COMMITTEE
21 OCTOBER 2020

(ix) PA/2020/1062 by Mr G Johnston, Normanby Estate Company Ltd for outline planning permission to erect three dwellings (following the demolition of an existing agricultural outbuilding) with all matters reserved for subsequent consideration at 23 Springhead Farm, High Street, Flixborough, DN15 8RL.

An objector addressed the committee with various concerns and in particular site access and the highway.

The agent spoke supporting the application stating that it was infill with high quality homes, and there was no highway objection.

Cllr Marper spoke as ward member raising whether this was sustainable development.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s report

(x) PA/2020/1073 by Mr Andrew for planning permission to remove garage to rear, erect garage to side and replace conservatory with single-storey rear extension at 2 Atkinson Avenue, Brigg, DN20 8PP.

The agent spoke in favour of the application and Cllr C Shewood addressed the committee as the local ward member.

It was moved by Cllr Evison and seconded by Cllr Davison –

That planning permission be granted subject to the following conditions –

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 2 ATKINSON AVE/200 – Proposed Plans & Elevations and Boundary Treatments; and YHFRQ13742981751580 – Block Plan.

Reason

For the avoidance of doubt and in the interests of proper planning.

Motion Carried.

PLANNING COMMITTEE
21 OCTOBER 2020

(xi) PA/2020/114 by Mrs Karen Durham for outline planning permission to erect a dormer bungalow with all matters reserved for subsequent consideration at Ash Lodge, Barrow Road, Goxhill, DN19 7LN.

Resolved - That planning permission be granted in accordance with the recommendations contained within the officer's report.

(xii) PA/2020/1241 by Mr M Knowles for planning permission to erect replacement dwelling following demolition of existing dwelling at 2 Nethergate, Westwoodside, DN9 2DR.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report.

(xiii) PA/2020/1277 by Mr D Trimm for planning permission to erect a two-storey side and rear extension at 87 Redbourne Road, Hibaldstow, DN20 9NW.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer's report.

**PLANNING COMMITTEE
21 OCTOBER 2020**

NORTH LINCOLNSHIRE COUNCIL

PLANNING COMMITTEE

18 November 2020

PRESENT:- Councillor N Sherwood (Chair)

Councillors Evison (Vice-Chairman), Bainbridge, J Davison and Grant.

Councillor(s) Briggs, Marper, Ogg and Rowson attended the meeting in accordance with Procedure Rule 37(b).

This was a Microsoft Teams Virtual Online Meeting

2050 **DECLARATIONS OF PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS, SIGNIFICANT CONTACT WITH APPLICANTS OR THIRD PARTIES (LOBBYING) AND WHIPPING ARRANGEMENTS (IF ANY)**

The following members declared a personal interest:-

Councillor Briggs

Declared a general interest as a member of the Fire Authority and the Isle of Axholme Water Management Board.

The following members declared that they had been lobbied:-

Councillor Evison

Application PA/2020/538 Minute 2054 (iii)

Cllr Marper

Applications PA/2020/1422 and PA/2020/333 Minutes 2054 (viii) and 2052 (i)

Cllr Ogg

Application PA/2020/1016 Minute 2054 (v)

Cllr N Sherwood

Application PA/2020/538 Minute 2054 (iii)

2051 **MINUTES – Resolved** – That the minutes of the proceedings of the meeting held on 23 September 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

2052 **APPLICATIONS DEFERRED FROM PREVIOUS MEETING** – In accordance with the decisions at the previous meeting, members had undertaken site visits on the morning of the meeting. The Group Manager - Development Management submitted reports and updated them orally.

PLANNING COMMITTEE
18 NOVEMBER 2020

(i) PA/2020/333 by Mr James Tune for planning permission to create a new access (resubmission of PA/1999/0967) at Tyr Fryn, Todds Lane, Burton upon Stather, DN15 9DG.

An objector spoke against the application, and urged the committee to refuse planning permission. He had a number of concerns, including the proposed access route, trees on the development, and the stability of the banks to the boundaries.

Cllr Marper spoke as the local ward member and in doing so also raised concerns with regard the bank and possible subsidence, and the issues of vehicles driving over a public footpath.

Cllr J Davison felt agreed that access was on a steep hill, however he thought the siting seemed fine, no highway problems and therefore stated it should be approved but with a condition for private cars only.

Resolved – That planning permission be granted in accordance with the recommendations contained within the officer’s recommendation, with the addition of the following conditions:

1.

The access hereby approved shall at no time be used for commercial traffic in association with any business use.

Reason

In the interest of highway safety and to protect the amenity of neighbouring properties in accordance with policies DS1 and T2 of the North Lincolnshire Local Plan.

2.

With the exception of the tarmac dressing shown on drawing number RDS 11533/02(A), extending 11.7 metres from the public highway into the site, the access hereby approved shall be constructed using a ‘no-dig’ solution consisting of a cellular system as detailed in paragraph 8.11 of the submitted Arboricultural Report dated 2 September 2020 and there shall be no excavation of the existing earth bank.

Reason

To ensure the proper protection of existing trees on and adjacent to the site, and to ensure that the structural integrity of adjacent land is not compromised, in accordance with policies DS1 and LC12 of the North Lincolnshire Local Plan and policy CS16 of the North Lincolnshire Core Strategy.

PLANNING COMMITTEE
18 NOVEMBER 2020

2053 **MAJOR APPLICATIONS** – The Group Manager – Development Management submitted a report containing details of major applications for determination by the committee, including summaries of policy context, representations arising from consultation and publicity and assessment of the applications.

(i) PA/2019/1414 by L O’Riordan for outline planning permission for residential development of up to 66 dwellings with all matters reserved for subsequent consideration at land to the rear of 99 North Street, Winterton, DN15 9QW.

Three members of the public addressed the committee raising concerns with regard to the application. They did not feel that Winterton had the capacity or infrastructure to support the development, and already had enough development and housing available in the area.

Cllr Rowson also raised her concerns as the ward member against the application, and the Chairman read out a letter from the local MP also raising concerns about the application and urged the committee to refuse the application.

Cllr Evison stated there was nothing positive in the report with regard to the application. He said there was drainage and highway issues, it was outside the development boundary, and out of character with the area.

It was moved by Cllr Evison and seconded by Cllr J Davison:

That planning permission be refused for the following reason:

1.

The proposed development, by virtue of its location outside the defined settlement boundary for Winterton and the scale of development proposed, is considered to have a significant urbanising effect on the northern edge of the settlement by introducing a significant level of built form into the rural landscape, to the detriment of its open character and appearance. In addition, the proposal is considered to be out of keeping with the settlement character in this part of Winterton which is characterised by linear residential development. Therefore, the development is considered contrary to policies RD2, H5 and DS1 of the North Lincolnshire Local Plan, and CS5 and CS8 of the adopted Core Strategy.

Motion Carried.

(ii) PA/2020/545 by Mrs Elizabeth Marrows for outline planning permission for the erection of up to 34 dwellings, following the demolition of existing dwelling and outbuildings (appearance, landscaping, layout and scale reserved for subsequent consideration) at land at 65 Marsh Lane, Barton-upon-Humber, DN18 5JD.

PLANNING COMMITTEE
18 NOVEMBER 2020

Cllr Evison felt it would be beneficial for the committee to visit the site before making a decision to allow them to see the layout, and the existing dwelling.

Resolved – That the application be deferred to the next meeting to allow the committee to visit the site.

(iii) PA/2020/870 by Mr Halmshaw, John Halmshaw Partners for planning permission to erect 16 dwellings with garages, including associated boundary, highway, landscaping and drainage works at warehouse No 5, High Street, Wootton, DN39 6RW.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer's report.

(iv) PA/2020/952 by Keadby Developments Ltd for planning permission for the creation of a biodiversity enhancement area (comprising the use of 70,000 cubic metres of excavated soil) at land north-west and west of Keadby Power Station, Keadby, DN17 3EF (in Keadby, Crowle and Belton Parishes).

The agent addressed the committee in support of the application.

Cllr Briggs spoke as the local ward member, and addressed concerns with the application. He urged the committee to defer the application for more exploration work to be carried out and reported to committee before a decision was taken

Cllr Evison agreed that it would be sensible to defer the application for more ground work to be carried out on the application.

Resolved – That the application be deferred, and brought back to a future committee for consideration.

(v) PA/2020/1015 by Mr Rowe, RS Motorhomes for planning permission for change of use of agricultural buildings to use for the manufacture, fabrication, and sale of motorhomes and associated works at Bull Hassocks Farm, Idle Bank, Westwoodside, DN9 2BQ.

Resolved - That planning permission be approved in accordance with the recommendations contained within the officer's report.

2054 **PLANNING AND OTHER APPLICATIONS** – The Group Manager – Development Management submitted a report incorporating a schedule containing details of applications for determination by the committee including summaries of policy context, representations arising from consultation and publicity and assessment of the applications. The Head of Development Management updated the reports orally where appropriate. Other officers attending gave advice and answered members' questions as requested.

(i) PA/2020/90 by Mr Mashook Ali for planning permission for change of use from a recruitment agency to a taxi office, including alterations to existing

PLANNING COMMITTEE
18 NOVEMBER 2020

window to form window and door openings at 78 Mary Street, Scunthorpe, DN15 7PX.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(ii) PA/2020/382 by Mr Chapman for outline planning permission to erect dwelling with all matters reserved for subsequent consideration at land adjacent to The Retreat, 80 Godnow Road, Crowle, DN17 4EE.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(iii) PA/2020/538 by Mr M Wright for planning permission to erect seven dwellings with associated garages, and vehicular and pedestrian access (including demolition of existing dwelling) at Conway, Thornton Road, Goxhill, DN19 7HN.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(iv) PA/2020/959 by Mr Chris Bingham for planning permission to erect dwelling, including demolition of existing agricultural building at Apple Tree Cottage, Brackenhill Road, East Lound, DN9 2LR.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(v) PA/2020/1016 by Mr Gavin Ogg for planning permission for change of use of land for the erection of four glamping pods at College Farm, Back Street, Alkborough, DN15 9JN.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(vi) PA/2020/1059 by Mr Kevin Hamilton for planning permission to erect a detached dormer bungalow and garage at 18 West Street, Barnetby le Wold, DN38 6JP.

Cllr C Sherwood addressed the committee as the local ward member, and in doing so urged the committee to visit the site before they made a decision, as he has some concerns with the proposals.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer’s report.

(vii) PA/2020/1115 by Infinite Holdings Ltd for planning permission to erect a technical (non-service) crematorium facility, including associated works and infrastructure at Plot 26 Bloom Lane, Normanby Enterprise Park, Scunthorpe, DN15 9GE.

PLANNING COMMITTEE
18 NOVEMBER 2020

The Group Manager Development Management and Building Control gave an update to the committee and requested that the application be deferred following receipt of late information that had been received and required consideration in the report.

Resolved – That the application be deferred, and brought back to a future committee for consideration.

(viii) PA/2020/1422 by Mr Richard Corbert, Trustees of the Elwes Children's 1989 Settlement for outline planning permission to erect three dwellings with appearance, landscaping, layout and scale reserved for subsequent consideration at 36 The Old Hall, North Street, Roxby, DN15 0BL.

Resolved – That planning permission be approved in accordance with the recommendations contained within the officer's report.

NORTH LINCOLNSHIRE COUNCIL

LICENSING COMMITTEE

LICENSING (MISCELLANEOUS) SUB-COMMITTEE

3 December 2020

PRESENT: - Councillor K Vickers in the Chair.

Councillors Armitage, Clark, Rayner and Wells.

The sub-committee met at Church Square House, Scunthorpe.

1720 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND SIGNIFICANT CONTACT WITH APPLICANTS, OBJECTORS OR THIRD PARTIES (LOBBYING) –**

Member
Councillor Armitage

Nature of Interest
Personal Licence Holder

No lobbying was declared.

1721 **MINUTES – Resolved** – That the minutes of the meeting held on 5 March 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

1722 **EXCLUSION OF THE PUBLIC - Resolved** - That the public be excluded from the meeting for consideration of the following items (Minutes 1723 and 1724 refer) on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

1723 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – TOWN POLICE CLAUSES ACT 1847 – APPLICATION TO RENEW A HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS LICENCE** – The Director: Operations submitted a report advising members of an application for the renewal of a Hackney Carriage and Private Hire Vehicle Drivers Licence to be determined by the sub-committee.

The report contained background information on the process for determining such requests, the information to be taken into account and the circumstances in which the sub-committee could revoke a licence.

The options available to the sub-committee when considering such information were:

LICENSING COMMITTEE
Licensing (Miscellaneous) Sub-Committee – 3 December 2020

- To grant the licence as applied for with no additional conditions or restrictions other than those normally applied to such licences.
- To grant the licence subject to additional conditions or restrictions.
- To refuse to grant the licence.

Should the sub-committee revoke the licence or impose additional terms, conditions or restrictions then the licence holder may appeal to the Magistrates Court within 21 days from the date on which they were notified of the decision.

Should the Magistrates uphold the decision of the council, the licence holder had further recourse to the Crown Court.

The procedure for dealing with such requests at meetings of the sub-committee had previously been circulated to members.

The Director: Governance and Partnerships notified the members that the licence holder had informed the Licensing Authority that their legal representative was unable to attend the hearing on this particular date and respectfully requested the item be deferred.

Resolved – That as the licence holder’s legal representative was unable to attend the hearing, the sub-committee agreed to defer consideration of this review to allow another opportunity for the licence holder and his representative to attend.

1724 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – REVIEW OF A PRIVATE HIRE VEHICLE DRIVERS LICENCE** – The Director: Operations submitted a report advising members of a review of a Private Hire Vehicle Drivers Licence to be determined by the sub-committee.

The report contained background information on the process for determining such requests, the information to be taken into account and the circumstances in which the sub-committee could revoke a licence.

The options available to the sub-committee when considering such information were:

- To take no action.
- To warn the licence holder regarding their future conduct.
- To add additional conditions to the licence.
- To suspend the licence for a set period of time.
- To revoke the licence.

LICENSING COMMITTEE
Licensing (Miscellaneous) Sub-Committee – 3 December 2020

Should the sub-committee revoke the licence or impose additional terms, conditions or restrictions then the licence holder may appeal to the Magistrates Court within 21 days from the date on which he was notified of the decision.

Should the Magistrates uphold the decision of the council, the licence holder had further recourse to the Crown Court.

The procedure for dealing with such requests at meetings of the sub-committee had previously been circulated to members.

The Licensing Authority presented the reason for the review being considered by the sub-committee.

The licence holder attended the hearing who made submissions and responded to questions.

Resolved – That the Licensing (Miscellaneous) Sub-Committee considered all the information contained within the agenda bundle. The councillors also listened carefully to the representation made by the Licensing Authority and yourself at the hearing on 3 December 2020. The sub-committee were concerned with the recent pattern of behaviour displayed by yourself. In particular, the fact that 19 warning points had been allocated to your Private Hire Vehicle Driver’s Licence within the last two months. In addition to the existing points, the sub-committee were also concerned that you failed to declare to the Licensing Authority two speeding offences (SP30) at the time they occurred in November 2019 and May 2020. The Licensing Authority were only made aware of these offences when you applied to renew your Vehicle Licence in July 2020.

However, the members gave great consideration to the submission you made at the hearing, in particular:

1. That you had now removed all unauthorised advertising material from your private hire vehicle.
2. That you openly confessed to smoking within the vehicle and accepted the 9 penalty points which had been awarded to your Licence.
3. That you acknowledged you were yet to have paid the amount outstanding on the Fixed Penalty Notice that was issued by the Council in respect of smoking in a vehicle. However, you gave an assurance that you would, after the hearing, seek to pay the outstanding amount on the Fixed Penalty Notice as a matter of urgency, and
4. That, after the hearing, you would seek to remove the alleged illegal licence plates from your private hire vehicle and replace them with new or the original licence plates.

LICENSING COMMITTEE
Licensing (Miscellaneous) Sub-Committee – 3 December 2020

Therefore, the sub-committee agreed to allow your Private Hire Drivers Licence to continue as they considered the Licence Holder to be a fit and proper person under section 51 the Local Government (Miscellaneous Provisions) Act 1976.

However, the sub-committee did agree to impose a condition on your licence that it only be allowed to continue for a period of 12 months from the date of this decision. After the 12 months you would be able to apply for a five-year licence in accordance with the council's Taxi Licensing Policy. The 19 Warning Points would remain on your Private Hire Drivers Licence until they expired.

The sub-committee would also like to remind you that breaches of licensing conditions and traffic offences were considered seriously by the councilors. The safety of the public was the sub-committee's paramount consideration. The sub-committee expected a standard of behavior which provided a positive image of the private hire trade in North Lincolnshire and anticipated that you adhere to this as well as the council's Taxi Licensing Policy and relevant Bylaws at all times.

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

11 November 2020

PRESENT: - Councillor Poole (in the Chair).

Councillors, Bainbridge, O’Sullivan, Robinson, Wells and Yeadon.

Co-opted member - Ms S Wroe

Mr T Forbes – Independent Persons

The committee met via MS Teams

308 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations made at the meeting.

309 **MINUTES - Resolved** – That the minutes of the meeting of this committee held on 16 September 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the chairman.

310 **RENEWAL OF DISPENSATION** - The Director: Governance and Partnerships submitted a report requesting that the Standards Committee consider renewing the dispensation granted to all elected members on 6 November 2015, subsequently renewed annually, concerning motions relating to British Steel (formerly TATA Steel).

The Monitoring Officer explained that the committee had granted a dispensation in November 2015 to enable all members of the council to participate in a motion concerning TATA Steel, now British Steel, at a meeting of full council. This dispensation was extended for a further 12 months by the committee in November 2016, and each subsequent November, to enable all members to discuss and debate issues relating to the steel industry. The terms of the dispensation were set out in the report. As the renewed dispensation was due to expire on 13 November 2020 the committee was asked to consider whether to grant a further dispensation, taking into account the continuing interest in British Steel and the likelihood that the council will continue to discuss relevant issues.

Resolved – That pursuant to section 33 (2) (c) of the Localism Act 2011, the dispensation granted by the committee on 6 November 2015, and subsequently renewed on 23 November 2016, 22 November 2017, 21 November 2018, and 13 November 2019 be renewed for a further twelve month period.

311 **LOCAL GOVERNMENT ASSOCIATION (LGA) DRAFT CODE OF CONDUCT UPDATE** – The Director: Governance and Partnerships gave a short oral update on the LGA’s draft Code of Conduct and related issues.

STANDARDS COMMITTEE
11 November 2020

The Director confirmed that work was still underway at the LGA and a further report will be submitted to the Committee for consideration in the new year.

Members discussed this progress and its possible consequences, before discussing the possibility of running training sessions for town and parish councils during the ongoing pandemic.

Resolved – (a) That the ongoing LGA work on the draft Code of Conduct be noted, and (b) that the Monitoring Officer consider and consult on options to provide alternative standards training to Town and Parish Councils across North Lincolnshire.

312 **COMPLAINTS SCHEDULE** - The Director: Governance and Partnerships submitted a report updating the committee on progress made with complaints received.

The Director updated members on the complaints schedule, confirming that a Hearings Panel and an Assessment Panel were scheduled to meet later that day.

Resolved - That the report be noted.

STANDARDS COMMITTEE

HEARINGS PANEL

11 November 2020

PRESENT: - Councillor Poole (in the chair), O’Sullivan, and Robinson.

Mr T Forbes - Independent Person

The panel met at the Civic Centre, Scunthorpe.

- 313 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests.
- 314 **EXCLUSION OF THE PUBLIC – Resolved** – That the public be excluded from the meeting for consideration of the following item (minute 315 refers) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).
- 315 **COMPLAINT SC/19/21** - In accordance with the council’s published Standards Arrangements, the Panel considered a report by the Investigating Officer, Mrs C Emerson, in respect of the above complaint made by a member of the public against a member of Goxhill Parish Council.

The member of Goxhill Parish Council whom the complaint was made against attended the meeting, along with a witness, and both responded to members’ questions and were invited to comment in accordance with the agreed procedure used for these hearings.

Mr T Forbes (Independent Person) attended the hearing and gave his views on the report, the panel’s findings and proposed sanctions.

Following members’ deliberations during the appropriate stages of the agreed procedure, the Panel -

Resolved - (a) That the member of Goxhill Council whom the complaint was made against breached the interests provision of the Code of Conduct, and (b) that the following sanctions be recommended - (i) the panel write to the member over their conduct, (ii) that the panel recommend that the Parish Council arrange suitable training for members.

HEARINGS PANEL
11 November 2020

STANDARDS COMMITTEE

ASSESSMENT PANEL

11 November 2020

PRESENT: - Councillors Poole (in the chair), O'Sullivan.

Mr T Forbes– Independent Persons

The panel met via MS Teams.

316 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests.

317 **EXCLUSION OF THE PUBLIC - Resolved** - That the public be excluded from the meeting for consideration of the following item (minute 318 to 319 refers) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

318 **LOCALISM ACT 2011 - CODE OF CONDUCT – COMPLAINT BY A MEMBER OF THE PUBLIC AGAINST A MEMBER OF NORTH LINCOLNSHIRE COUNCIL.** In accordance with the council's adopted Arrangements, the panel considered the complaint. The panel had been provided with the complaint details and the response of the subject member.

Mr Forbes (Independent Person) submitted his views on the complaint, which were considered by all members.

Resolved – (a) That no action be taken on the complaint, and (b) that the Monitoring Officer write to the member, setting out the Assessment Panel's views.

319 **LOCALISM ACT 2011 - CODE OF CONDUCT – COMPLAINT BY A MEMBER OF BARROW UPON HUMBER PARISH COUNCIL AGAINST A MEMBER OF BARROW UPON HUMBER PARISH COUNCIL.** In accordance with the council's adopted Arrangements, the panel considered the complaint. The panel had been provided with the complaint details and the response of the subject member.

Mr Forbes (Independent Person) submitted his views on the complaint, which were considered by all members.

Resolved – (a) That no action be taken on the complaint, and (b) the Assessment Panel recommend that the Parish Council arrange and fund suitable mediation between the councillors.

ASSESSMENT PANEL

11 November 2020

STANDARDS COMMITTEE

ASSESSMENT PANEL

15 December 2020

PRESENT: - Councillors Poole (in the chair), Wells and Yeadon.

The panel met via MS Teams.

320 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests, personal or personal and prejudicial interests.

321 **EXCLUSION OF THE PUBLIC - Resolved** - That the public be excluded from the meeting for consideration of the following item (minute 322 to 323 refers) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

322 **LOCALISM ACT 2011 - CODE OF CONDUCT – COMPLAINT BY A MEMBER OF THE PUBLIC AGAINST TWO MEMBERS OF NORTH LINCOLNSHIRE COUNCIL.** In accordance with the council's adopted Arrangements, the panel considered the complaint. The panel had been provided with the complaint details and the response of the subject members.

Mr Johnson (Independent Person) submitted his written views on the complaint, which were considered by all members.

Resolved – That no action be taken on the complaint.

323 **LOCALISM ACT 2011 - CODE OF CONDUCT – COMPLAINT BY A MEMBER OF THE PUBLIC AGAINST A MEMBER OF SOUTH KILLINGHOLME PARISH COUNCIL.** In accordance with the council's adopted Arrangements, the panel considered the complaint. The panel had been provided with the complaint details and the response of the subject member.

Mr Johnson (Independent Person) submitted his written views on the complaint, which were considered by all members.

Resolved – That no action be taken on the complaint.

ASSESSMENT PANEL

15 December 2020

NORTH LINCOLNSHIRE COUNCIL

AUDIT COMMITTEE

23 November 2020

PRESENT: - Councillor K Vickers in the chair.

Councillors Clark, A Davison, Ellerby, T Foster, Wells and Yeadon.

This was a Microsoft Teams Virtual Online Meeting

596 **DECLARATIONS OF DISCLOSABLE PECUNIARY, PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – The following member declared a personal interest –

Member Councillor Wells

Minute Number 600

Nature of Interest Family member was a service user

597 **MINUTES – Resolved** – That the minutes of the proceedings of this committee held on 16 September 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the Vice-Chairman.

598 **COUNTER FRAUD PROGRESS REPORT** – The Director: Governance and Partnerships submitted a report that informed the committee of the key issues arising from the council's counter fraud work.

The committee was informed that the council's framework to combat fraud, corruption and misappropriation was approved by the Audit Committee in April 2018. The framework followed national guidance as laid out in the document 'Fighting Fraud and Corruption Locally - The local government counter fraud and corruption strategy 2016-2019', published by the Chartered Institute of Public Finance and Accountancy (CIPFA) Counter Fraud Centre. It was based upon three key principles:

- Acknowledging and understanding fraud risks
- Preventing and detecting fraud
- Pursue - Being stronger in punishing fraud and recovering losses.

The Director highlighted the work carried out in each of these areas to demonstrate the council's continuing commitment to minimise the risk of fraud. Attached to the report as an appendix was a fraud six-month progress report.

Following the verbal presentation, the Director responded to members questions.

Resolved - That the counter fraud work programme provided a sufficient level of assurance on the adequacy of the council's counter fraud arrangements.

AUDIT COMMITTEE
23 November 2020

599 **GOING CONCERN ASSESSMENT AS AT 31 MARCH 2020** – The Director: Governance and Partnerships submitted a report that summarised the management assessment of the council as it continued to operate as a going concern for the purposes of producing the Statement of Accounts for 2019/20.

The committee was informed that the council was required to compile its Statement of Accounts in accordance with the Code of Practice for Local Authority Accounting as published by the Chartered Institute of Public Finance and Accountancy (CIPFA). In accordance with the Code, the Council’s Statement of Accounts was prepared assuming that the Council would continue to operate in the foreseeable future and that it was able to do so within the current and anticipated resources available. By this, it was meant that the Council would realise its assets and settle its obligations in the normal course of business. As part of this process the Council’s appointed External Auditor required the Section 151 Officer to undertake a going concern assessment and assert if the Council could operate in the foreseeable future as a going concern.

As requested by the Council’s appointed External Auditor Mazars, and as part of the closure of the 2019/20 financial statements, a going concern assessment as at the Balance Sheet date of 31st March 2020 had been completed. Considering the Covid-19 outbreak and the significant additional expenditure, and lost income for the Council as well as the financial support provided by Government, this was increasingly important.

The CIPFA Code (para 2.1.2.9) stated “an authority’s financial statements shall be prepared on a going concern basis; that was, the accounts should be prepared on the assumption that the functions of the authority would continue in operational existence for the foreseeable future (see also paragraph 3.4.2.23 for bodies that followed the Code but may be discontinued without statutory prescription). Transfers of services under combinations of public sector bodies (such as local government reorganisation) did not negate the presumption of going concern”.

The concept of a ‘going concern’ assumed that an authority, its functions, and services would continue in operational existence for the foreseeable future. This assumption underpins the accounts drawn up under the Local Authority Code of Accounting Practice and was made because local authorities carried out functions essential to the local community and were themselves revenue-raising bodies (with limits on their revenue-raising powers arising only at the discretion of central government). If an authority were in financial difficulty, the prospects were that alternative arrangements might be made by central government either for the continuation of the services it provided or for assistance with the recovery of a deficit over more than one financial year.

Where the ‘going concern’ concept was not the case, particular care would be needed in the valuation of assets, as inventories and property, plant and equipment may not be realisable at their book values and provisions may be needed for closure costs or redundancies. An inability to apply the going concern concept would potentially have a fundamental impact on the financial statements.

AUDIT COMMITTEE
23 November 2020

The Director guided the committee through the council's revenue monitoring position 2020/21 (attached at appendix 1 of the report) and the going concern assessment attached at appendix 2.

The Director then responded to questions on aspects of her report.

Resolved – That the going concern assessment set out in Appendix 2 of the report be endorsed.

600 **AUDIT OF ACCOUNTS 2019-20 – MATTERS ARISING FROM THE AUDIT –**
The Director: Governance and Partnerships submitted a report informing the committee that the Accounts and Audit Regulations required the council to publish a statement of accounts each financial year. These accounts were the formal statement of the council's financial performance for the year and its financial position at the end of that period. A financial year ran from April to March.

The legislation relating to the timescale for the production and audit of the accounts was amended for the 2019/2020 financial year due to the Coronavirus Pandemic. These changes were incorporated into the Accounts and Audit (Coronavirus) Amendments Regulation 2020 (SI 2020/404).

The production of the draft accounts deadline moved from 31 May to 31 August 2020. The audit completion date moved from 31 July to 30 November 2020.

The Director confirmed that she approved the council's unaudited accounts on 3 July 2020. This met the statutory requirement that they be approved by 31 August 2020.

The Accounts had been produced under International Financial Reporting Standards (IFRS).

The accounts had since been audited and the external auditors had set out their findings in a report. Members were required to consider the proposed amendments and approve the changes to the accounts that result from it. It was a statutory requirement that this process be concluded by 30 November 2020.

The International Standard on Auditing 260 – 'The Auditor's Communication with Those Charged with Governance (ISA 260)' required auditors to report certain matters arising from the audit of the council's financial statements before giving an opinion on them.

The report from the council's Auditors (Mazars) was attached to the report as an appendix. It set out the matters arising from the audit of the council's 2019-2020 accounts. A copy of the amended accounts was attached as an appendix.

The main findings of the report were:

AUDIT COMMITTEE
23 November 2020

- It was expected that an unqualified opinion on the council's accounts with an Emphasis of Matter paragraph be included in relation to uncertainty around valuations.
- It was expected that an unqualified opinion on the council's arrangements for securing Value for Money would be raised.
- In relation to internal controls the report recommended that:
 - a check was put in place to ensure the Pensionable pay figure within the annual actuarial report was checked to ensure it was the same as the figure provided
 - valuation certificates included arithmetic checks to ensure they were accurate
 - a comparison of new Property, Plant and Equipment valuations to net book values plus in-year depreciation took place at year-end, and
 - the sample checks that were undertaken of authorised signatories on creditor invoices was documented.

The Director confirmed that a manager's response had been provided for each of these areas and processes would be put in place to prevent them from occurring in the future.

- 1 unadjusted misstatement was identified in relation to the Cash Flow statement
 - The cash flow statement included a balancing figure of £311k within the working papers.

The value was investigated but it was decided that no adjustment would be made within the financial statements.

- 1 Adjusted misstatement was identified in relation to the defined benefit liability valuation.
 - The pensionable pay figure was incorrect within the actuary's report

A revised actuary report has been received and the figures had been worked through the statement of accounts attached to the report. It was unclear why the actuary did not use the figures the council had provided to them.

- 5 disclosure amendments were identified:
 - Cash Flow Statement – a small transposition error had occurred
 - Note 18 Financial Instruments – Non-contractual obligations were taken out of the creditors figure (eg. NNDR, Council Tax, National Insurance).
 - Note 31 Officers' Remuneration, Exit Packages – One payment for lieu in notice was omitted in error and a difference between an estimated and actual amount paid was updated.
 - Note 32 External Audit Costs – updated to include the fee for the work on Teachers' Pension Return for the 2019/2020 at the request of the auditors.

AUDIT COMMITTEE
23 November 2020

- Note 31 Officers' Remuneration, Over £50k table – prior to the audit starting this table was amended to split the total between Teachers and Other Staff. As it was a change to the signed draft accounts it had been noted as a change.
- 1 Unadjusted disclosure amendments:
- Due to the error found on the Exit Packages disclosure, the known error was extrapolated and projected an understatement of £22k. This was a projected error only and had not been amended for with the statement of accounts.

International Standard on Auditing 580 'Management Representations' required auditors to obtain written confirmations of appropriate representations from management before the audit report was issued. A proposed letter of representation was attached to the report as an appendix, which the Committee was asked to approve and authorise the Vice-Chairman of the Audit Committee and the Director: Governance and Partnerships to sign.

Additionally, IAS 570 required a specific statement on the applicability of the 'Going Concern' concept to the council. The accounts had been prepared on a going concern basis. A review of the applicability of the concept to the council was considered and approved previously (minute 599 refers).

The Chairman invited representatives of Mazars, the council's external auditors, to comment on the ISA 260 report. Mazars guided members through the ISA 260 report, paying particular attention to the outstanding work to be completed. To conclude, Mazars publicly thanked council officers from the Accountancy Team for their co-operation and partnership approach to the closedown of the council's accounts.

Members commented on particular aspects of the council's Statement of Accounts 2019-2020 and ISA 260 Report to which the Director: Governance and Partnerships and representatives of Mazars responded to.

Resolved – (a) That the Statement of Accounts for 2019-20, prepared on a going concern basis and as amended in line with the auditor's findings, be received and approved; (b) that the contents of the External Auditors Completion Report (ISA 260) be noted; (c) that the signing of the Letter of Representation by the Vice-Chairman of the Audit Committee and the Director: Governance and Partnerships be endorsed; (d) that the Vice-Chairman of the Audit Committee and Director: Governance and Partnerships be authorised to approve the audited set of accounts on behalf of the committee following the completion of all audit work, and (e) that all council officers who had contributed towards the closedown of the council accounts be congratulated for their commitment and professionalism towards achieving the 30 November 2020 statutory deadline. *

* *The Director: Governance and Partnerships received confirmation on 30 November 2020 that Mazars had now completed its work on the outstanding items and, as a result of the findings, had amended the ISA 260 report.*

AUDIT COMMITTEE
23 November 2020

Therefore, following receipt of the amended ISA 260 report, the council's external auditors had now given the council's accounts a clean opinion, prior to the statutory deadline of 30 November 2020.

NORTH LINCOLNSHIRE COUNCIL

HEALTH SCRUTINY PANEL

8 December 2020

PRESENT:- Councillor Mitchell in the Chair.

Councillors Armiger and Wilson.

Councillor Hannigan attended the meeting in accordance with Procedure Rule 37(b).

The panel met via MS Teams.

- 556 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests or personal or personal and prejudicial interests.

No whip was declared.

- 557 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 558 **DISCUSSION WITH REPRESENTATIVES FROM NHS ENGLAND AND NORTH LINCOLNSHIRE CLINICAL COMMISSIONING GROUP** – The Chairman welcomed Dr Faisal Baig, Chairman, and Alex Seale, Chief Operating Officer, North Lincolnshire CCG, and Geoff Day, Head of Primary Care (North Yorkshire & Humber), NHS England, to the meeting.

The Chairman explained that the representatives from the CCG and NHS England had been invited to discuss the current and planned situation regarding primary care in North Lincolnshire, in relation to the Covid-19 pandemic.

Geoff explained that primary care remained open to business, albeit with noticeable changes for many patients. There had been a number of changes to accessibility of services, and various arrangements had been put in place to deal with Covid cases and to minimise the risk to patients, clinicians and other staff.

Dr Baig highlighted that there had been a significant rise in remote appointments, but that face-to-face appointments were available where there was a clinical need or where remote access wasn't possible.

The panel described a number of incidents that local people had raised which had potentially led to poor levels of care. The witnesses explained that these could be investigated, and that primary care, like all health and care services, were under significant pressure. This required a change in accessibility, but there were inevitable issues with adapting at speed to new systems. Members asked a range of other questions, including how GP and others were being supported by NHS England, clinical prioritisation, extended access, and whether patients were delaying seeking help from their GP about other conditions.

HEALTH SCRUTINY PANEL
8 December 2020

Resolved – (a) That Dr Faisal Baig, Alex Seale and Geoff Day be thanked for their attendance and for providing answers to members’ questions; (b) that the situation be noted, and (c) that the panel maintain an oversight of the impact of the pandemic on local health and care services.

559 **ADDED ITEM** – There was no added item for consideration at the meeting.

NORTH LINCOLNSHIRE COUNCIL

HEALTH SCRUTINY PANEL

14 December 2020

PRESENT:- Councillor Mitchell in the Chair.

Councillors Armiger and Wilson.

The panel met via MS Teams.

- 560 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declaration of disclosable pecuniary interest or personal or personal and prejudicial interests.

No whip was declared.

- 561 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 562 **DISCUSSION WITH COMMISSIONERS AND PROVIDERS OF HEALTHWATCH NORTH LINCOLNSHIRE** – The Chairman welcomed Helen Grimwood, Deputy Chief Officer, and Carrie Butler, Delivery Manager, Meeting New Horizons, and Jason Whaler, Head of Council Strategy, Information Governance, and Outcomes, and Tracey Worboys, Service Manager – Voluntary and Community Sector, to the meeting.

The Chairman explained that the representatives from the council and Meeting New Horizons had been invited to discuss the role, commissioning and operation of Healthwatch North Lincolnshire.

A joint presentation was delivered, which described the history and operation of Healthwatch, and highlighted opportunities for closer working. Carrie described how day to day work was currently focussed on supporting local people during the pandemic, and that engagement and improvement work continued.

Members asked a number of questions, including work programming, governance and leadership, the use of volunteers, and areas of work that had led to improvements for local people. Carrie and Helen responded accordingly.

Resolved – (a) That Helen Grimwood, Carrie Butler, Jason Whaler and Tracey Worboys be thanked for their attendance and for providing answers to members' questions; (b) that the situation be noted, and (c) that the panel consider methods of improved co-operation and joint working with Healthwatch North Lincolnshire.

- 563 **ADDED ITEM** – There was no added item for consideration at the meeting.

HEALTH SCRUTINY PANEL
14 December 2020

NORTH LINCOLNSHIRE COUNCIL

GOVERNANCE SCRUTINY PANEL

26 November 2020

PRESENT: - Councillor Robinson in the chair.

Councillors Gosling (Vice-Chair) and Mitchell.

This was a Microsoft Teams Virtual Online Meeting.

50 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

No whip was declared.

51 **MINUTES – Resolved** – That the minutes of the proceedings of the meeting held on 23 September 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

52 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

53 **FINANCIAL SUPPORT DURING THE PANDEMIC** – Further to Minutes 43 and 48, the Chairman welcomed Jason Whaler, the council’s Head of Council Strategy, Information and Outcomes and Richard Catlyn, the Local Taxation and Benefits Shared Services Manager to the meeting. Mr Whaler and Mr Catlyn had been invited to the meeting to discuss with the panel the financial support that the council had provided during the Covid-19 pandemic.

Mr Whaler delivered a presentation to the members, assisted by Mr Catlyn. The presentation covered the support available –

- To residents in receipt of Universal Credit, Working Tax Credit and Housing Benefit.
- To residents paying Council Tax and those individuals in receipt of Council Tax Support.
- To residents facing financial hardship.

Mr Whaler and Mr Catlyn also guided members through two example case studies that detailed the support that was available to individuals.

Following the conclusion of the comprehensive presentation, the Chairman facilitated a discussion on the financial support provided to residents by the council during the pandemic.

GOVERNANCE SCRUTINY PANEL
26 November 2020

The Panel also discussed the free school meals campaign that was initiated by Marcus Rashford MBE, and how the council had responded to the initiative.

Resolved – (a) That the presentation be received with thanks; (b) that the council’s Head of Council Strategy, Information and Outcomes and Local Taxation and Benefits Shared Services Manager be thanked for their attendance, presentation and for answering members’ questions, and (c) that the Panel acknowledged and congratulated Marcus Rashford MBE on his campaign to challenge and highlight the issue of child hunger in the United Kingdom.

54 **ADDED ITEM** - There was no added item for consideration at the meeting.

NORTH LINCOLNSHIRE COUNCIL

GOVERNANCE SCRUTINY PANEL

10 December 2020

PRESENT: - Councillor Robinson in the chair.

Councillors Gosling (Vice-Chair) and Armiger.

This was a Microsoft Teams Virtual Online Meeting.

55 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

No whip was declared.

56 **MINUTES – Resolved** – That the minutes of the proceedings of the meeting held on 26 November 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chairman.

57 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

58 **SUPPORT FOR INDIVIDUALS WHO ARE OR ARE AT THREAT OF BEING HOMELESS OVER THE WINTER PERIOD** - The Chairman welcomed Liz Webster and James Jellinek to the meeting, the Council’s Group Manager – Environmental Health and Housing and the Council’s Assistant Group Manager – Housing Advice and Support respectively.

The Group Manager and Assistant Group Manager had been invited to the meeting to answer member’s questions on the following –

- What help was available from the Council and other responsible authorities to support people who are homeless or at risk of becoming homeless?
- How does the council intend to promote this support?
- Whether a rough sleeper count had been undertaken in North Lincolnshire in 2020 and if so, what support had the council offered to those individuals?
- What support was available from the council to those individuals who require emergency accommodation?
- Support provided to individuals as a result of the pandemic.

The Assistant Group Manager delivered a presentation to members, before the Chairman facilitated a discussion on homelessness between the Scrutiny Panel and the Group Manager and Assistant Group Manager.

GOVERNANCE SCRUTINY PANEL
10 December 2020

Resolved – (a) That the Group Manager – Environmental Health and Housing and Assistant Group Manager – Housing Advice and Support be thanked for their attendance, presentation and for answering scrutiny panel members questions, and (b) that Council officers be invited to a future meeting to provide a further update.

- 59 **FINANCIAL SUPPORT DURING THE PANDEMIC** – Further to Minute 53, the Chairman circulated a briefing paper that the council’s Head of Council Strategy, Information and Outcomes had prepared following the panel meeting held on 26 November 2020.

The Chairman then facilitated a discussion on the briefing paper.

Resolved – That the briefing paper presentation be received with thanks.

- 60 **ADDED ITEM** - There was no added item for consideration at the meeting.

NORTH LINCOLNSHIRE COUNCIL

PLACES SCRUTINY PANEL

28 October 2020

PRESENT: - Councillor Evison in the chair.

Councillors Swift (Vice-Chair) and Allcock.

This was a Microsoft Teams Virtual Online Meeting.

- 44 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests, or personal or personal and prejudicial interests.

No whip was declared.

- 45 **MINUTES – Resolved** – That the minutes of the proceedings of this panel held on 6 October 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.

- 46 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 47 **HUMBERSIDE FIRE AND RESCUE SERVICE CONSULTATION – “YOUR SAFETY, YOUR FIRE AND RESCUE SERVICE”** – The Chairman welcomed Ros Barbour to the meeting, Humberside Fire and Rescue Service Communications Supervisor. Miss Barbour had been invited to the meeting to discuss with the Panel the Humberside Fire and Rescue Service consultation “your safety, your fire and rescue service”.

The Panel was informed that the Fire and Rescue Services Act 2004 required a Fire and Rescue national framework for England to be put in place that set out the Governments priorities and objectives for Fire and Rescue Authorities (FRA) in connection with the discharge of their functions. The Act also required that FRA’s had regard to the Framework in exercising their functions.

The Framework stipulated that every FRA in England must produce an Integrated Risk Management Plan (IRMP), that identified and assessed all fire and rescue related risks that could affect their communities, including those of a cross-border, multi-authority and/or national nature. The Plan must have regard to the Community Risk Register produced by each Local Resilience Forum (LRF) and any other appropriate local risk analysis.

The Panel heard that on Wednesday 9 September, Humberside Fire and Rescue Service launched its public consultation on the IRMP, and the Strategic Plan. This was a third (and final) year refresh of the IRMP 2018/21 and Strategic Plan 2018/21.

PLACES SCRUTINY PANEL
28 October 2020

They explained the Service's aims and objectives and how it assessed risk and kept its communities, businesses and those who visited the four local authorities; Hull, East Riding of Yorkshire, North and North East Lincolnshire safe.

The consultation ran from 12noon 9 September to 12noon on 11 November 2020.

As part of the consultation process, Humberside Fire and Rescue Service were contacting Local Authority Scrutiny Committees to invite elected members to contribute to the consultation.

Miss Barbour delivered a presentation to the Scrutiny Panel, before inviting members to comment on the Fire Service aims, objectives, priorities and how it kept communities safe.

Resolved – (a) That Miss Barbour be thanked for her attendance, presentation and for answering members' questions, and (b) that the Scrutiny Panel comments and observations on the consultation be considered by Humberside Fire and Rescue Service when considering the refresh of the Integrated Risk Management Plan and Strategic Plan.

48 **ADDED ITEM** - There was no added item for consideration at the meeting.

NORTH LINCOLNSHIRE COUNCIL

PLACES SCRUTINY PANEL

25 November 2020

PRESENT: - Councillor Evison in the chair.

Councillors Swift (Vice-Chair) and Clark.

This was a Microsoft Teams Virtual Online Meeting.

- 49 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests, or personal or personal and prejudicial interests.

No whip was declared.

- 50 **MINUTES – Resolved** – That the minutes of the proceedings of this panel held on 28 October 2020, having been printed and circulated amongst the members, be taken as read and correctly recorded and signed by the chairman.

- 51 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 52 **LOCAL ACTION TAKEN TO MANAGE FLOOD RISK IN NORTH LINCOLNSHIRE** - The Chairman welcomed Mike Simpson, Group Manager – Highways Operations, Sam Cross, Highways Development and Strategic Flood Risk Manager, Mike Brown, Highways Asset Manager and Mick Johnson, Highways Operations Manager, to the meeting. The Chairman explained that the officers had been invited to the meeting to discuss with the Panel current and planned work across North Lincolnshire to minimise and manage the risk of flooding.

The Panel received a detailed presentation from the witnesses, which covered the following issues:

- NLC Highways Structure
- Roles and Responsibilities in Flooding
- Works and Projects
- Liaison and Meetings
- Statutory Duties
- Emergency Response
- Local Flood Risk Management Strategy
- Flood Study – November 2019
- Highway Development and Sustainable Development Specifications

PLACES SCRUTINY PANEL
25 November 2020

The Chairman then led a comprehensive discussion on issues that arose in the presentation and related matters. This included consideration of remote monitoring of pumps, links between services involved in managing flood risk and the planning system, the role and operation of the Flood Risk Management Board, and existing works in Barton, South Ferriby, Crowle, and elsewhere.

Resolved – (a) That Mike Simpson, Sam Cross, Mike Brown and Mick Johnson be thanked for their attendance, presentation and for answering members' questions; (b) that the situation be noted and the officers thanked for their ongoing work to minimise flood risk in the community, and (c) that a further meeting be convened to discuss the management of flood risk with the Environment Agency and the water authorities.

53 **ADDED ITEM** - There was no added item for consideration at the meeting.

NORTH LINCOLNSHIRE COUNCIL
CHILDREN AND EDUCATION SCRUTINY PANEL

16 December 2020

PRESENT:- Councillor T Foster in the Chair.

Councillors Yeadon (Vice-Chair), Armiger, Clark, Evison and Wells.

Statutory Co-opted Member: P Whittaker (Parent Governor Representative)

Councillor Poole attended the meeting in accordance with Procedure Rule 37(b).

The panel met via MS Teams.

- 37 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – There were no declarations of disclosable pecuniary interests or personal or personal and prejudicial interests.

No whip was declared.

- 38 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 39 **ANNUAL REPORT OF LOCAL ARRANGEMENTS TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN & YOUNG PEOPLE 2019/20.** The Chairman welcomed Mick Gibbs, Director: Children and Community Resilience, Chief Superintendent Darren Wildbore, Humberside Police, Clare Linley, Director of Nursing Quality, and Nikki Alcock, Lead Officer, Children’s Multi-Agency Resilience and Safeguarding (MARS), to the meeting. The Chairman explained that the lead representatives of the three statutory safeguarding organisations had been invited to present the Annual Safeguarding report (2019/20) to the panel.

Nikki and the Leads provided a detailed presentation to the panel, covering governance, significant achievements, and progress against the MARS priorities. An update was also provided on the impact of Covid 19 on local safeguarding arrangements, and what steps had been taken to mitigate these.

The Chairman initiated a discussion on relevant issues, with members asking questions about transitional arrangements, support for children in care, mental health services, and school workers.

Resolved – (a) That Mick Gibbs, Clare Linley, Chief Superintendent Wildbore, and Nikki Alcock be thanked for their attendance and for answering members’ questions, and (b) that the situation be noted.

- 40 **ADDED ITEM** – There was no added item for consideration at the meeting.

CHILDREN AND EDUCATION SCRUTINY PANEL
16 December 2020

NORTH LINCOLNSHIRE COUNCIL
CHILDREN AND EDUCATION SCRUTINY PANEL

22 December 2020

PRESENT:- Councillor T Foster in the Chair.

Councillors Yeadon (Vice-Chair), Armiger, Clark, Evison and Wells.

Statutory Co-opted Member: P Whittaker (Parent Governor Representative)

The panel met via MS Teams.

- 41 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** – Mrs Whittaker declared a personal interest as a North Lincolnshire foster carer.

No whip was declared.

- 42 **PUBLIC REQUESTS TO SPEAK** – There were no requests received.

- 43 **EXCLUSION OF THE PUBLIC - Resolved** - That the public be excluded from the meeting for consideration of the following item (Minute 44 refers) on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1 and 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

- 44 **WEST STREET CHILDREN’S CENTRE.** The Chairman welcomed Stuart Minto, Principal Officer – Safer Neighbourhoods, Tom Hewis, Head of Early Help and Protection, North Lincolnshire Council, and Chief Superintendent Wildbore and Inspector Mirfin, Humberside Police, to the meeting.

The Chairman explained that the representatives from the council and police had been invited to discuss instances of alleged anti-social behaviour in the vicinity of the West Street Children’s Centre.

A detailed discussion took place which involved mitigation measures, the number of alleged instances, safeguarding and crime reduction, and enforcement action.

Resolved – (a) That Stuart Minto, Tom Hewis, Chief Superintendent Wildbore, and Inspector Mirfin be thanked for their attendance and for answering members’ questions, and (b) that the situation be noted.

- 45 **ADDED ITEM** – There was no added item for consideration at the meeting.

CHILDREN AND EDUCATION SCRUTINY PANEL
22 December 2020

NORTH LINCOLNSHIRE COUNCIL

HEALTH AND WELLBEING BOARD

16 November 2020

PRESENT: - Councillor Waltham MBE in the Chair

Dr Faisal Baig (Vice-Chair), Nikki Alcock, Jilla Burgess-Allen, Carrie Butler, Mick Gibbs, Simon Green, Cllr Hannigan, Becky McIntyre, Karen Pavey, Cllr Rose, and Alex Seale.

Cllrs Ellerby, O’Sullivan and Wilson attended the meeting in accordance with Procedure Rule 37(b).

Dean Gillon was also in attendance.

The meeting was held virtually via MS Teams.

330 **WELCOME AND INTRODUCTIONS** - The Chairman welcomed all those present to the meeting and invited all attendees to introduce themselves.

331 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

332 **MINUTES - Resolved** - That the minutes of the meeting of the Health and Wellbeing Board, held on 14 September 2020, be approved as a correct record.

333 **FORWARD PLAN AND FORTHCOMING ACTIONS – UPDATE ON THE NHS PHASE 3 RECOVERY PLAN BY THE CHIEF EXECUTIVE, NORTH LINCOLNSHIRE CCG** – The Chief Operating Officer, North Lincolnshire CCG, tabled a report providing the Health and Wellbeing Board with an overview of the final Phase 3 planning submission for the Humber Health and Care system, and setting out the priorities for the remainder of 2020/21 including how the system planned to respond to local challenges and the associated risks.

The Chief Operating Officer described the priorities below:

- Accelerating the return to near-normal levels of non-Covid health services, making full use of the capacity available in the ‘window of opportunity’ between now and winter.
- Preparation for winter demand pressures, alongside continuing vigilance in the light of further probable Covid spikes locally and possibly nationally.
- Doing the above in a way that takes account of lessons learned during the first Covid peak; locks in beneficial changes; and explicitly tackles fundamental challenges including: support for our staff, and action on inequalities and prevention.

HEALTH AND WELLBEING BOARD
16 November 2020

The Chief Operating Officer discussed the Recovery Plan in greater detail, outlining current and future actions, and the challenges that were likely to arise.

Resolved – (a) That the Health and Wellbeing Board note the updated phase 3 plan for the Humber Health and Care system and the associated risks, and (b) that the Forward Plan and Forthcoming Actions report be noted.

334 **QUESTIONS FROM MEMBERS OF THE PUBLIC** – There were no questions from members of the public.

335 **INTEGRATED WORKING – ADULTS. ADULT SOCIAL CARE WINTER PLAN AND STRATEGIC COMMISSIONING PLAN** – The Director: Adults and Community Wellbeing submitted a report and presentation on the Adult Social care Winter Plan. The purpose of the report was to:

- Inform Health and Wellbeing Board members of the publication of the Department for Health and Social Care policy paper ‘Adult social care: Our COVID-19 winter plan 2020 to 2021’.
- Provide assurance that the expectations set out in the Department of Health & Social Care Winter Plan have been incorporated within existing North Lincolnshire integration plans, and
- Inform Health and Wellbeing Board members that this approach has been taken in collaboration with people who need care and carers, North Lincolnshire CCG, local NHS organisations, care providers and the voluntary and community sector.

The Director explained that this winter was likely to place unique pressures on the health and care system. COVID-19 would be co-circulating with seasonal flu and other viruses, and transmission may increase over the winter period. These pressures create risks to the health and wellbeing of both people who need care and support and the social care workforce, including unpaid carers and social care providers, which may impact on capacity. As such, it was essential that local partners work closely together to ensure a level of preparedness for the additional pressures that may be faced this winter.

The Director set out the three overarching priorities within the DHSC Winter Plan for holistic support to the sector which were:

- Ensuring everyone who needs care or support can get high-quality, timely and safe care throughout the autumn and winter period
- Protecting people who need care, support or safeguards, the social care workforce, and carers from infections including COVID-19
- Making sure that people who need care, support or safeguards remain connected to essential services and their loved ones, whilst protecting individuals from infections including COVID-19.

The Director then gave a detailed presentation on the Integrated Adults Partnership’s Strategic Commissioning Plan 2020/24. This set out the integrated approach and

HEALTH AND WELLBEING BOARD
16 November 2020

commissioning intent in relation to meeting the health and social care needs of the adult population of North Lincolnshire. The presentation covered all relevant issues, such as workforce development, the Strategic Framework, Organisational Model, and outcomes and priorities.

The Board discussed the Winter Plan and the Strategic Commissioning Plan, highlighting the importance of both in responding to forthcoming challenges, and to ensuring effective services were planned, commissioned, and delivered for local people.

Resolved - (a) That the Health and Wellbeing Board note the requirement for local partners to work together to ensure a preparedness for the additional pressures that adult social care may face this winter, ensuring everyone who needs care or support can get high-quality, timely and safe care throughout the autumn and winter period; (b) that the Health and Wellbeing Board note that the expectations set out in the national winter plan policy have been incorporated within existing North Lincolnshire integration plans, and (c) that the Health and Wellbeing Board encourage the review of the Health and Wellbeing Strategy to incorporate the request of the people with lived experience and their carers.

- 336 **INTEGRATED WORKING – CHILDREN. CHILDREN’S COMMISSIONING STRATEGY 2020/24** – The Director: Children and Community Resilience submitted a report informing the Health and Wellbeing Board about the Children’s Commissioning Strategy 2020/24. The Director explained that the commissioning strategy clarified the integrated ‘One Family Approach’ and commissioning intent in relation to health, social care and education for children, young people and families.

The Children’s Commissioning Strategy 2020/24 had been developed through the Integrated Children’s Trust to enable education, health and social care services working with children and families to have a shared understanding and ambition for children in North Lincolnshire. The strategy would form the work of, and be monitored by, the Integrated Children Trust and provide a conduit between the integrated care partnership arrangements and the Health and Wellbeing Board.

The strategy signalled an intent to work together and integrate both services and commissioning functions where these improve outcomes for children and families and to prioritise those where they have additional need.

Resolved - That the Health and Wellbeing Board note the North Lincolnshire Children’s Commissioning Strategy 2020/24

- 337 **COVID-19 OUTBREAK MANAGEMENT AND PREVENTION** - The Director of Public Health submitted a report updating the Board on progress on the seven themes within the North Lincolnshire Outbreak Prevention and Management Plan and discussing key areas for focus for the forthcoming period. The update also outlined North Lincolnshire’s position in relation to risk alert levels and restrictions imposed.

HEALTH AND WELLBEING BOARD
16 November 2020

The Director explained that North Lincolnshire Council was committed to working with our local people to keep them safe, well, prosperous and connected. Successful prevention and management of local outbreaks was therefore vital to break the chains of COVID- 19 transmission and enable people to return to and maintain a more normal way of life.

New national restrictions were introduced on 5 November 2020. These new measures would apply nationally for four weeks up to Wednesday 2 December. At the end of the period, the government would look to return to a regional approach based on the latest data. At the point of the national restrictions being introduced North Lincolnshire was in the alert level 'high' tier.

The Director stated that North Lincolnshire Council remained the lead organisation for local outbreak prevention and management, within a national framework and with the support of NHS Test and Trace, PHE and other government departments. The North Lincolnshire Outbreak Prevention and Management Plan set out the collaborative and preventive approach and confirmed that key staff continue to monitor case data on a daily basis and target resources as appropriate to prevent and reduce transmission across the area.

The Director then gave updates on each of the seven themes, as outlined within their report, including care homes, educational settings, testing, and contact tracing.

The Board discussed the report, including scenario planning and how care and nursing homes can be supported more efficiently, with the Director responding accordingly.

Resolved - That the Health and Wellbeing Board note the Outbreak Prevention and Management activity as outlined in the report.

338 **ANNUAL REVIEW OF LOCAL ARRANGEMENTS TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN AND YOUNG PEOPLE 2019/20** – The Director: Children and Community Resilience submitted a report requesting that the Health and Wellbeing Board note the publication of the Annual Report of Local Arrangements to safeguard and promote the welfare of children and young people 2019/20 and to consider the review in relation to planning, commissioning and budget setting. The report demonstrated that the Children’s Multi Agency Resilience and Safeguarding (MARS) Local Arrangements:

- effectively met statutory obligations
- was effective in providing help and protection to children
- benefitted from strong and consistent leadership
- had made good progress against its areas of focus
- listened and responded to the voices of children and young people
- had swiftly and confidently responded to the challenges posed by COVID-19

The Director explained that, in North Lincolnshire, children, young people, families and communities were at the heart of what we do and across the partnership. The arrangements were aspirational and committed to improving outcomes for children, so they can achieve their potential and be in their families, in their schools and in their

HEALTH AND WELLBEING BOARD
16 November 2020

communities. Through our Children's MARS Local Arrangements, the overarching aim was to effectively help and protect children and families across the early help and safeguarding system.

There was a statutory requirement to publish an annual report, which set out what has been done as a result of local arrangements and described how effective these arrangements had been in practice. The 2019/20 annual report had been endorsed by the Children's MARS Board on behalf of the three safeguarding partners from North Lincolnshire Council, North Lincolnshire Clinical Commissioning Group and Humberside Police. The annual report was then required to be distributed through relevant governance routes across the three safeguarding partner organisations and relevant partnership arrangements also to be considered in relation to planning, commissioning and budget setting.

The annual report provided a review of activity and impacts in respect of Children's MARS functions, including funding, performance, voice and stakeholder engagement, training, scrutiny and assurance and child safeguarding practice reviews.

The Board discussed the contents of the annual review and report, asking a number of relevant questions, which the Director responded to.

Resolved – That the Health and Wellbeing Board receive the Annual Report of Local Arrangements to safeguard and promote the welfare of children and young people 2019/20 and consider this where relevant in relation to planning, commissioning and budgets setting processes.

- 339 **HEALTH AND WELLBEING BOARD GOVERNANCE AND MEMORANDUM OF UNDERSTANDING UPDATE** - The Director: Governance and Partnerships submitted a report requesting that the Health and Wellbeing Board consider possible revisions to the Memorandum of Understanding to ensure that the Board's governance arrangements are compatible with outbreak management requirements. The report also contained potential further measures that would ensure that local arrangements are robust, ensure suitable oversight, and minimise the risk of Covid-19 outbreak.

The Director explained that the Health and Wellbeing Board acted as the local member-led and democratically accountable body for local arrangements to prevent outbreaks of Covid-19. The operational and technical implementation and delivery of the Outbreak Management arrangements is the responsibility of the Health Protection & Outbreak Management Group, which meets weekly. A number of further proposed measures to strengthen local arrangements were outlined, including the Board meeting more regularly and extending its membership.

Resolved – (a) That the proposed amendments set out in the Memorandum of Understanding be accepted and implemented, and (b) That the Board extend the frequency of its meetings, making such arrangements as necessary.

- 340 **DATE AND TIME OF NEXT MEETING** – The Director: Governance and Partnerships confirmed that Board members would be informed of the date of the next meeting in due course.

HEALTH AND WELLBEING BOARD
16 November 2020

NORTH LINCOLNSHIRE COUNCIL
HEALTH AND WELLBEING BOARD

21 December 2020

PRESENT: - Councillor Waltham MBE in the Chair

Statutory (voting) Members - Dr Faisal Baig (Vice-Chair), Carrie Butler, Mick Gibbs, Simon Green, Karen Pavey

Non-Statutory Members - Foluke Ajayi, Pete Allman, ACC Paul Anderson, Jilla Burgess-Allen, Cllr Hannigan, Tom Hewis, Denise Hyde, Dr Peter Reading, Cllr Reed, and Alex Seale.

Cllrs Davison, L Foster, O’Sullivan and Wilson attended the meeting in accordance with Procedure Rule 37(b).

Dean Gillon was also in attendance.

The meeting was held virtually via MS Teams.

341 **WELCOME AND INTRODUCTIONS** - The Chairman welcomed all those present to the meeting and invited all attendees to introduce themselves.

342 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

343 **MINUTES - Resolved** - That the minutes of the meeting of the Health and Wellbeing Board, held on 16 November 2020, be approved as a correct record.

344 **FORWARD PLAN AND FORTHCOMING ACTIONS** – The Director: Governance and Partnerships confirmed that the Forward Plan was up to date, and that all forthcoming actions were timetabled.

Resolved – That the situation be noted.

345 **QUESTIONS FROM MEMBERS OF THE PUBLIC** – There were no questions from members of the public.

346 **COVID-19 OUTBREAK PREVENTION AND MANAGEMENT UPDATE**– The Deputy Chief Executive and Executive Director: Commercial submitted a report and presentation on progress against each of the seven themes in the North Lincolnshire Outbreak Prevention & Management Plan. This included key areas of focus for the outbreak prevention and management in North Lincolnshire for the forthcoming period, and an outline of North Lincolnshire’s position in relation to risk alert level and local restrictions.

HEALTH AND WELLBEING BOARD
21 December 2020

The Deputy Chief Executive and Executive Director: Commercial explained that North Lincolnshire Council was committed to working with local people to keep them safe, well, prosperous and connected. Successful prevention and management of local outbreaks was vital to break the chains of COVID-19 transmission and enable people to return to and maintain a more normal way of life.

On 23 November 2020 Government published the COVID-19 Winter Plan. This plan set out the programme for suppressing the virus, protecting the NHS and the vulnerable, keeping education and the economy going and providing a route back to normality. The Government's objectives were to:

- Suppress the virus – bring the R number below 1 and keep it there. Measures included the use of restrictions.
- Finding new and more effective ways of managing the virus and enabling life to return closer to normal. This included:
 - Vaccines – following approval of the Pfizer BionNTech vaccine a UK wide vaccination programme commenced on 8 December 2020.
 - Treatment – effective treatments would continue to be vital to manage the virus even as vaccines are rolled out
 - Mass community testing – strengthened targeted community testing would support the identification and isolation of people who do not have symptoms but are unintentionally spreading the virus.
- Minimise damage to the economy and society, jobs and livelihoods. This meant ensuring the right support is available for jobs and that early year's settings, schools, further education providers and universities continued their excellent work in ensuring a safe environment for students to learn.

A detailed presentation was then delivered on the epidemiological situation in North Lincolnshire. This included the total number of cases, comparison date, the current R Value, and the rolling 7-Day Case Rate.

Resolved - That the Health and Wellbeing Board note the presentation and the Outbreak Prevention and Management Update.

347 **COVID-19 VACCINATION PROGRAMME** – The Chief Operating Officer, North Lincolnshire CCG, submitted a report updating the Health and Wellbeing Board on the latest position of the Covid-19 Vaccination Programme. The report covered the phase 1 model of the programme including the early priority cohorts and how they would be managed.

The Chief Operating Officer explained that all GP practices had been asked to collaborate to identify one suitable premises from which their Primary Care Network (PCN) Grouping would be capable of delivering the requirements of the Covid Vaccination Enhanced Service. It was anticipated that 3 further PCN sites which had been approved by NHS England would come online quickly to support the further roll-out of the vaccine. These sites would provide good geographic coverage locally.

HEALTH AND WELLBEING BOARD
21 December 2020

The Chief Operating Officer provided more up-to-date information on the roll-out, including locations and operational plans. The Deliver Manager, Healthwatch North Lincolnshire, confirmed that they were supporting the roll-out and that initial feedback was very positive.

The Board discussed the report further, highlighting the need for consistent, effective communications, and thanking the front-line staff for their efforts.

Resolved - That the Health and Wellbeing Board note the contents of the Vaccination Programme report.

- 348 **INTEGRATED WORKING – CHILDREN. WINTER GRANT SCHEME.** The Head of Early Help and Protection submitted a report updating the Health and Wellbeing Board on the local implementation of the government’s recently announced COVID Winter Grant Scheme. A decision on implementing the Winter Grant Scheme had been taken by the Children and Families Cabinet Member on 9 December 2020.

The Head of Early Help and Protection explained that the government had announced the introduction of the £170 million COVID Winter Grant Scheme - a package of extra targeted financial support for those in need over the winter period. The funding allocation for North Lincolnshire was £532,566, which was released in the first week of December 2020 and which would run until the end of March 2021.

Government guidance issued by the Department for Work and Pensions stated that ‘the objective of the COVID Winter Grant Scheme was to provide support to vulnerable households and families with children particularly affected by the pandemic throughout the winter period where alternative sources of assistance may be unavailable’. The clear focus of the Scheme was to help those in most need with the cost of food, energy, water bills and other essentials.

Considerable flexibilities had been given to Local Authorities in determining their own local eligibility framework and approach, with the ability to deliver the scheme through vouchers or grants, or other mechanisms. As such, the Head of Early Help and Protection described how the council had working with schools, the local voluntary sector, and other local organisations to deliver the Scheme, and to use local knowledge and data to identify and prioritise support for specific vulnerable groups.

Cllr Reed spoke to support the scheme, stating that it was very good news for local people and it was an excellent example of organisations working together to benefit local communities.

Resolved – That the Health and Wellbeing Board note and support the local implementation of the COVID Winter Grant Scheme.

- 349 **INTEGRATING CARE: NEXT STEPS FOR BUILDING STRONG AND EFFECTIVE INTEGRATED CARE SYSTEMS ACROSS ENGLAND** – The Director of Strategic Transformation / Locality Director of Humber, Coast and Vale Integrated Care System (ICS) introduced the paper and consultation document,

HEALTH AND WELLBEING BOARD
21 December 2020

explaining that place-based partnerships allowed improvements in collaboration and service delivery. The Director confirmed that the approach taken by the Humber, Coast and Vale ICS was very closely aligned with that set out in the documents.

The Board discussed the paper in detail. The Chairman expressed a view that, whilst there was an acceptance that some commissioning and service development and delivery may benefit from a wider footprint, the concept of ‘place’ was understood locally as North Lincolnshire. This view was echoed by other Board members, stating that the place of North Lincolnshire must always take primacy, in order to allow for local accountability, the retention of resources, local knowledge, and to build upon the excellent work that occurs within the North Lincolnshire geographic boundary.

Board members also expressed the view that there must be a greater understanding that genuine integrated care must go significantly beyond traditional NHS service planning and delivery.

The Director of Strategic Transformation agreed with the views expressed, highlighting examples where wide collaboration with a range of partners and sectors was already taking place, and stating that North Lincolnshire was absolutely recognised as a ‘place’.

Resolved – That suitable submissions be drafted and returned, reflecting the view that local organisations will support partnerships which add value, whilst ensuring the continued recognition of North Lincolnshire as a place which works for local communities.

350 **DATE AND TIME OF NEXT MEETING** – The Chairman confirmed that the next Board meeting was on 18 January 2021 at 3pm, to be conducted via MS Teams.