

NORTH LINCOLNSHIRE COUNCIL

14 December 2021

- Present -

THE MAYOR - Councillor Peter Clark

Ali, Armiger, Bainbridge, J Briggs, J Davison, Ellerby, England, L Foster, T Foster, Gosling, Grant, Hannigan, Kirk, Lee, Longcake, Marper, Mitchell, O'Sullivan, Ogg, Poole, Rayner, Robinson, Rose, Ross, Rowson, Saunby, C Sherwood, N Sherwood, Swift, K Vickers, P Vickers, Walshe, R Waltham MBE, Wilson and Yeadon

The Council met at The Pods, Ashby Road, Scunthorpe.

2807 **MAYOR'S REMARKS**

The Mayor welcomed all members and officer to the meeting and briefly summarised recent charity and community events he had attended.

2808 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS**

Declarations of personal interests were indicated as follows –

Councillor M Ali

Licence Holder with schools transport contract.

Crosby Community Association – Trustee

Councillor T Ellerby

Scunthorpe and Gainsborough Water Management Board – Member

2809 **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD ON 11 OCTOBER 2021**

That the minutes of the Ordinary Meetings of the Council held on 11 October 2021, having been circulated amongst the members, be taken as read and correctly recorded and be signed by the Mayor.

2810 **CALCULATING THE COUNCIL TAX BASE 2022/2023**

The Director: Governance and Partnerships submitted a report requesting the council 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. The key points in the report were to note the council tax base for grant purposes as submitted to as submitted to the Department for Levelling Up, Housing and Communities (DLUHC), to set a tax base for setting Council Tax for the council, local parishes and major precepting authorities, and to consider strengthening the empty property surcharge for properties empty for longer than five years.

The Director in her report explained the above key points, analysed options, addressed financial implications and set out associated information in

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appendices 1, 2 and 3.

Resolved – (a) That the council tax base for grant purposes set out in Appendix 1 of the report be noted; (b) that the council tax base for the council, parishes and other precepting bodies in 2022/23 be set at 50,801.0 Band D equivalents as detailed in Appendix 2 and 3 of the report; (c) that the empty property surcharge be increased to 200% for properties empty for longer than five years from 2022/23.

2811 TREASURY MANAGEMENT MID-YEAR REPORT 2021/22

The Director: Governance and Partnerships submitted the treasury management mid-year report for the financial year 2021-22. The report attached as an appendix provided an overview of the council's treasury performance during the first six months of 2021-22 and set out national factors that affect the council's treasury activity.

The report fulfilled the authority's legal obligation under the Local Government Act to have regard to both the CIPFA Code and the Department for Levelling Up, Housing and Communities (DLUHC), previously Ministry of Housing, Communities & Local Government, Investment Guidance. The CIPFA Code required that Council received a report at the start of the financial year, mid-year and year end. The Audit Committee also received regular updates regarding treasury activity, providing assurance on the effectiveness of the council's treasury management arrangements.

The Director highlighted the key points of the mid-year report stating that –

- Investment returns remained at near zero due to the impact of the Covid 19 pandemic. The Council had continued to take a cautious approach to investing.
- Borrowing remained comfortably within the control levels set and no new borrowing was undertaken, and
- Treasury activity was compliant with the Prudential Indicators set for the financial year.

Resolved – That the Treasury Management Mid-Year Report 2021/22 be received and noted.

2812 PERIODIC ELECTORAL REVIEW

Further to minute 2782, the Director: Governance and Partnerships submitted a report updating Council on progress of the periodic electoral review of North Lincolnshire being undertaken by the Local Government Boundary Commission for England (LGBCE) and requested members to consider the recommendation of the Electoral Review Working Group on a proposed response/representation to the LGBCE's consultation on its 'Draft Recommendations for the New Electoral Arrangements for North Lincolnshire Council'.

The Director in her report explained that at its special meeting on 26 July 2021, the Council approved by majority a phase 2 submission to the LGBCE

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on 'warding arrangements' which was submitted as the council's submission to the LGBCE. The submission set out proposed numbers, names, boundaries and the number of councillors to be elected in each ward. Submissions on warding arrangements addressed 'electoral quality', 'community identities and interests', and 'effective and convenient local government' in accordance with LGBCE criteria. The LGBCE in phase 1 of the electoral review had already concluded that the appropriate council size continues to be 43 councillors for North Lincolnshire.

The LGBCE from 26 July to 21 September 2021 had analysed all phase 2 submissions received from residents, key stakeholder groups and organisations, town and parish councils and North Lincolnshire Council and concluded its draft recommendation on new electoral arrangements for North Lincolnshire Council. These draft recommendations were published on 5 October and the LGBCE initiated consultation on them from residents and the above groups/organisations until 13/14 December 2021. The LGBCE's draft recommendation were included as appendix 1 of the report.

The Director confirmed that the Electoral Review Working Group had met on 29 November 2021 to consider a proposed response/representations to the LGBCE's consultation on its 'Draft Recommendations for the New Electoral Arrangements for North Lincolnshire Council'. Its proposed response/representation was attached as appendix 2 and by majority recommended it be submitted to council for it to consider and approve as the council's response to the LGBCE. The LGBCE would again analyse all responses/representations received and would only consult further (within five weeks) where it was minded to make significant changes to its draft recommendations and where it 'lacks sufficient evidence of local views in relation to those changes'. The LGBCE would then reach conclusions on its final recommendations and publish them by 1 March 2022. In the summer of 2022, an order would be made and laid before parliament and following confirmation form the basis of the next North Lincolnshire Council elections in May 2023. The electoral review timetable was detailed in Appendix 3 of the report.

Moved by Councillor R Waltham MBE and seconded by Councillor N Poole –

“(a)That the recommendations of the Electoral Working Group at Appendix 2 of the report having been considered, be received, and (b) that the electoral Working Group's recommendations be adopted as the council's submission to the LGBCEs draft recommendations on new electoral arrangements at Appendix 1 of the report.”

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 motion are as follows –

FOR: *Councillors Armiger, Briggs, Clark, J Davison, England, T Foster, Hannigan, Lee, Longcake, Marper, Mitchell, Ogg,*

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Poole, Robinson, Rose, Ross, Rowson, Saunby, C Sherwood, N Sherwood, K. Vickers, P Vickers, Walshe and Waltham MBE.

AGAINST: *Councillors Ali, Bainbridge, Ellerby, L Foster, Gosling, Grant, Kirk, O’Sullivan, Rayner, Swift, Wilson and Yeadon.*

ABSTAINING: *Nil*

Motion Carried

2813 MEMBERS' CODE OF CONDUCT

The Director: Governance and Partnerships submitted a report inviting Council to consider approving minor amendments to the Members’ Code of Conduct (Code of Conduct) following recommendation by the Standards Committee.

The Director in her report explained that ‘The Committee on Standards in Public Life’ published its report ‘Local Government Ethical Standards’ in January 2019. As part of its conclusions the Committee recommended that “The LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.” The LGA began work on drafting a model councillor code of conduct in 2019, consulting on this in mid-2020. The council’s Standards Committee submitted its views as part of this work, and all town and parish councils within North Lincolnshire were encouraged to consider and respond to the consultation.

The report stated that the LGA first published its model councillor code of conduct (LGA Code) in December 2020, and since then three further versions had been published. The stated aim of the LGA was to provide a code that “is a template for local authorities to adopt in whole and/or with amendments to take into account local circumstances.” Supporting guidance to the LGA Code was published by the LGA on 8 July 2021 with the aim of promoting understanding and consistency of approach towards the LGA Code, but also in terms of standards issues generally.

Initial consideration by the Standards Committee at its meeting on 15 September 2021 (minute 380 refers) agreed that the LGA Code and associated guidance were largely aligned with current arrangements in North Lincolnshire and wholesale changes to the Council’s Code of Conduct were not considered necessary. Despite this, the Committee agreed that some minor amendments and improvements could be made to the Code of Conduct and resolved to request that the Monitoring Officer review the Code of Conduct in light of the LGA guidance and emerging sector practice and suggest potential changes. This review had been completed and was reported to the Standards Committee on 10 November 2021. The Committee endorsed the proposed amendments to the Code of Conduct as set out in bold at Appendix 1 of the report with a recommendation that they be referred to full Council for approval.

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Resolved – That Option 2 as set out in the report be approved and the revised Code of Conduct as detailed in Appendix 1 be adopted.

2814 NORTH LINCOLNSHIRE YOUTH JUSTICE PLAN 2021-2023

The Interim Director: Children and Community Resilience submitted a report requesting Council to approve the updated North Lincolnshire Youth Justice Plan 2021 – 2023 which was attached as an appendix.

The Interim Director in her report explained that Section 40 of the Crime and Disorder Act 1998 set out responsibilities placed upon the youth offending partnership in relation to the production of an annual Youth Justice Plan. It stated that it was the duty for each local authority, after consultation with the partner agencies, to formulate and implement an annual plan setting out:

- How youth justice services in the area were provided and funded, and
- How the Youth Justice Partnership was composed and funded, how it operated, and the functions it carried out.

The North Lincolnshire Youth Justice Plan was a two-year plan (2021 - 2023). The Youth Justice Board requirement was that the plan be submitted to them by 30th June 2021. The revised plan was presented to and approved by the Youth Justice Strategic Partnership Board on 13 May 2021 and was signed off by the board chair. The plan was aligned with North Lincolnshire's One Family Approach. The plan reviewed the progress and successes achieved and how the partnership would continue to deliver improved outcomes for some of the most vulnerable young people with a focus on reducing anti-social behaviour and offending.

The plan had also been presented to and scrutinised by the North Lincolnshire Places Scrutiny Panel on 4th October 2021.

Resolved – That the updated North Lincolnshire Youth Justice Plan, which is a key document in the delivery of youth justice services in the area be supported and approved.

2815 STATEMENT OF LICENSING POLICY - LICENSING ACT 2003

The Deputy Chief Executive submitted a report requesting Council to approve the Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003.

The report stated that the Statement of Licensing Policy, which was attached as an appendix was required to be reviewed every five years following consultation with stakeholders. The results of the consultation and the revised policy had been considered by the Licensing Committee and it had recommended to council that the revised Statement of Licensing Policy be approved and adopted.

Resolved – That the Statement of Licensing Policy be approved and adopted.

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2816 STATEMENT OF PRINCIPLES - GAMBLING ACT 2005

The Deputy Chief Executive submitted a report requesting Council to approve the Statement of Principles - Gambling in accordance with section 349 of the Gambling Act 2005.

The report stated that the Statement of Principles, which was attached as an appendix was required to be reviewed every three years following consultation with stakeholders. The results of the consultation and the revised policy had been considered by the Licensing Committee and it had recommended to council that the revised Statement of Principles be approved and adopted.

Resolved – That the Statement of Principles - Gambling be approved and adopted.

2817 EXTERNAL AUDIT PROCUREMENT PROCESS

The Director: Governance and Partnerships submitted a report informing Council that it was required to reprocore an external audit provider at the end of the current five-year contract on 31 March 2023. The procurement options had been considered by Audit Committee on 3 November 2021 and it had recommended to council that it agree to opt into the arrangements allowing Public Sector Audit Appointments Ltd (PSAA) to appoint the Council's external auditor on its behalf.

The Director in her report explained that Public Sector Audit Appointments (PSAA) was set up as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. In 2017 the Council opting into the scheme, and consequently Mazars was appointed as its external auditor. Prior to the end of the current contract on 31 March 2023 the Council would need to reprocore external audit services and the above Regulations required the appointing person to set the duration of each appointing period, the maximum duration being five years. The Council had until December 2022 to make an external audit appointment. However, the Council was required to indicate whether it wished to continue with the PSAA Framework arrangement by 11th March 2022. The options available to the Council were –

- Option 1: To adopt the recommendation of the Audit Committee and continue with the PSAA framework, or
- Option 2: To not adopt the Audit Committee recommendation and to pursue alternative procurement arrangements.

Resolved – That the Audit Committee's recommendation to opt into the PSAA framework be approved and adopted.

2818 ADOPTION OF WORLABY PARISH NEIGHBOURHOOD PLAN

The Director: Economy and Environment submitted a report informing

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Council that the Worlaby Parish Neighbourhood Plan met the requirements of the Planning and Compulsory Purchase Act 2004 and recommending therefore, that it be adopted by North Lincolnshire Council. (The 'Final Decision Statement' attached as an appendix refers).

The Director in her report explained that Neighbourhood planning enabled communities to play a much stronger role in shaping the areas in which they lived and worked and in supporting new development proposals. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Worlaby Parish Neighbourhood Plan had been developed by a core of Working Group members led by the Parish Council. The Plan could be accessed through the link: [Worlaby Parish Neighbourhood Plan - Final Plan](#). The local community was engaged throughout the process during several consultation events, questionnaires, surveys, and Visioning Day. Following submission of the final Draft Neighbourhood Plan to North Lincolnshire Council it was advertised and published for a six-week consultation and subsequently submitted for examination.

In his report on the Neighbourhood Plan the Examiner stated that the Plan and supporting material was the result of a great deal of work on the part of the local community led by the Working Group and the Parish Council. The Plan was a clear, concise, and professional document which would provide an effective guide to future development within the Parish. Worlaby was to be congratulated for the collaborative approach to working with North Lincolnshire Council and the effective manner in which the local community had been encouraged to express its aspirations and concerns about the future of the village. The Examiner made recommendations to modify policies and text to ensure the Plan meets legal requirements. Once modified, the Plan should proceed to referendum. The Plan was taken to referendum where local people were asked to vote on whether they agreed with the following statement: "Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?". The referendum met the requirements of the Localism Act 2011.

At the referendum more than 50 per cent of those who voted were in favour of the above statement. As such, and in accordance with the Planning and Compulsory Purchase Act 2004, the Council must now 'make' (formally adopt) the Neighbourhood Plan. Although a Neighbourhood Plan comes into force as part of the statutory development plan once it has been approved at referendum, an Order must be made by the local authority before it has effect. However, Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft Neighbourhood Plan for the purpose of it being used to help determine planning applications.

The council's Planning Committee of 17 November 2021 resolved to recommend the Worlaby Parish Neighbourhood Plan for adoption by Council

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in line with the Final Decision Statement attached at appendix 1.

Resolved – (a) That the report be noted, and (b) that the Worlaby Parish Neighbourhood Plan be approved and adopted.

2819 **STATUTORY CO-OPTED MEMBERS (CHILDREN AND EDUCATION SCRUTINY PANEL) - APPOINTMENT PARENT GOVERNOR REPRESENTATIVES (PGRS) (HAVING RECENTLY BEEN ELECTED BY NORTH LINCOLNSHIRE SCHOOL PARENT GOVERNORS AS PGRS FOR A THREE-YEAR TERM OF OFFICE 2021-2024) -**

That Mr Colin Howsam of Barrow-upon-Humber and Mr Jamie Mitcheson of Scunthorpe be appointed as Statutory Co-opted Members - Parent Governor Representatives for their term of office 2021-2024.

2820 **MINUTES OF COMMITTEE, PANELS AND BOARD - PLANNING COMMITTEE**

Resolved - That the minutes of the meetings of the Planning Committee held on 8 and 22 September, 20 October and 17 November 2021 be received, approved and adopted.

2821 **LICENSING COMMITTEE**

Resolved - That the minutes of the meetings of the Licensing Committee held on 23 September, 11 and 18 November and 2 December 2021 be received, approved and adopted.

2822 **AUDIT COMMITTEE**

Resolved – That the minutes of the meeting of the Audit Committee held on 3 November 2021 be received, approved and adopted.

2823 **STANDARDS COMMITTEE**

Resolved – That the minutes of the meeting of the Standards Committee held on 10 November 2021 be received, approved and adopted with the exception of minute 38 –

2824 **STANDARDS COMMITTEE - CODE OF CONDUCT ARRANGEMENTS -**

With regard to the excepted portion it was –

Moved by Councillor N Poole and seconded by Councillor J England -

That the minute be received.

Motion Carried

2825 **HEALTH SCRUTINY PANEL**

Resolved – That the minutes of the meeting of the Health Scrutiny Panel held on 5 October 2021 be received.

2826 **GOVERNANCE SCRUTINY PANEL**

Resolved – That the minutes of the meetings of the Governance Scrutiny Panel held on 5 and 19 November 2021 be received.

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2827 PLACES SCRUTINY PANEL

That the minutes of the meetings of the Places Scrutiny Panel held on 4 October and 10 November 2021 be received.

2828 CHILDREN AND EDUCATION SCRUTINY PANEL

Resolved – That the minutes of the meetings of the Children and Education Scrutiny Panel held on 25 October and 4 November 2021 be received.

2829 HEALTH AND WELLBEING BOARD

Resolved – That the minutes of the meeting of the Health and Wellbeing Board held on 27 September 2021 be received.