

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **NATIONAL PORTFOLIO ORGANISATION:**

Wards Affected: **All Wards**

Key Decision: **Yes** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

1. That approval of the inclusion of £651,993 revenue grant funding per annum into the Council's Budget for 2023/24 and Medium-Term Financial Plan for 2024/25 and 2025/26 be recommended to Council;
2. That (subject to Council approving the budget) that approval be given for the Council to be the accountable body for the National Portfolio Organisation funding award, acceptance of the grant and approval of delegated authority to agree the grant terms and conditions to the Assistant Director Economic Growth;
3. That the future use of Sutton on Sea Colonnade as a Cultural Hub be approved and any necessary in-kind contributions to support the delivery of the funded programme;
4. That approval be given for Magna Vitae, the Council's delivery partner for Culture, to be commissioned to manage delivery of the funded programme;
5. That delegation be agreed for the Assistant Director Economic Growth in consultation with the relevant Portfolio Holders to establish a Culture Board and agree its Terms of Reference;
6. That the Activity Plan (attached at Appendix B) be noted and delegation be authorised to the Assistant Director Economic Growth in consultation with the relevant Portfolio Holders to modify and approve future plans.

**Reason for the Decision:**

To meet Arts Council England requirements to access annual funding allocations through the National Portfolio Organisation funding, and to establish a Culture Board.

**Alternative options considered:**

The application to Arts Council England was a competitive process and the funding award is based on the commitment to deliver the Activity Plan. Funding would not be awarded, or could be withdrawn if the Council did not support the proposals.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **6**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **ANNUAL BUDGET REPORT 2023/24, MEDIUM TERM FINANCIAL STRATEGY, CAPITAL PROGRAMME AND CAPITAL STRATEGY, TREASURY MANAGEMENT STRATEGY, PAY POLICY STATEMENT AND ANNUAL DELIVERY PLAN:**

Wards Affected: **All Wards**

Key Decision: **Yes** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That the following recommendations be approved for onward referral to Full Council on 1st March 2023:

1. The Revenue Estimates for the General Fund for 2023/24 (Appendices 1, 1a and 1b) be approved;

2. That the Council Tax for a Band A property in 2023/24 be set at £107.76 (£3.30 per annum increase on 2022/23 levels) and band D £161.64 for 2023/24 (a £4.95 per annum increase on 2022/23 levels);
3. The additions to and use of reserves (as detailed at Appendix 1) be approved;
4. The Medium Term Financial Strategy (at Appendix 1) be approved;
5. The Capital Programme and Capital Strategy (Appendices 1 and 2) be approved;
6. The Treasury Management Policy 2023/24 (Appendix 3a) and Treasury Management Strategy, including the Minimum Revenue Provision Policy and Annual Investment Strategy 2023/24 (Appendix 3b) be approved;
7. The Annual Delivery Plan for 2023/24 (Appendix 4) be approved;
8. That Executive Board notes the results of the Budget Consultation process at Appendix 5 (to follow);
9. That Full Council delegates approval to the Deputy Chief Executive Corporate Development (S151), to account as required for any s31 grant and reserve transactions required in respect of the Collection Fund;
10. That delegated authority be given to the Deputy Chief Executive Corporate Development (S151), in consultation with the Portfolio Holder for Finance, to make any necessary amendments to the budget prior to Council due to late notifications.

**Reason for the Decision:**

To comply with the budgetary and policy framework.

**Alternative options considered:**

None were considered.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **7**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **CARBON FOOTPRINT 2021:**

Wards Affected:

Key Decision: **No** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

- 1) That the findings of the Carbon Footprint for 2021 in line with the Partnership's commitment to reducing its carbon emissions to net zero by 2040 be noted;
- 2) That approval be granted for the addition of upstream scope 3 emissions to the baseline year and subsequent footprint reports in line with Carbon Trust recommendations as required to meet a net zero target.

**Reason for the Decision:**

To ensure that members are kept abreast of progress towards our net zero targets and provide an understanding of the factors which have impacted this progress. To bring ELDC in line with developments in footprint reporting which will also ensure consistency in approach across the South and East Lincolnshire Councils Partnership.

**Alternative options considered:**

None - local authorities have a legal obligation to adapt to and mitigate climate change in line with the provisions of the Climate Change Act 2008. The Council has also made a commitment to reduce its carbon emissions to net zero by 2040 with a minimum emissions reduction of 45% by 2027.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **8**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **LINCOLNSHIRE DISTRICT COUNCILS' HEALTH AND WELLBEING STRATEGY:**

Wards Affected: **All Wards**

Key Decision: **No** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That the Lincolnshire Districts Health and Wellbeing Strategy be adopted as a document, which provides the Council with the framework for improving health and wellbeing in the South and East Lincolnshire Partnership Sub-Region, and to commit to engaging fully in both the further development of this strategy and the delivery of the actions outlined.

**Reason for the Decision:**

The Strategy is an overarching document, developed through engagement with agencies across Lincolnshire within the health system. It gives a solid strategic framework and high-level objectives to use to further develop the Healthy Living Action Plan for the South & East Lincolnshire Partnership to drive local delivery in addressing health inequalities.

It demonstrates a clear commitment to shared objectives to improving the health and wellbeing of local residents through district action.

**Alternative options considered:**

Not to adopt the strategy – not recommended.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **9**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **DRAFT LITTER AND FLY-TIPPING ENGAGEMENT AND ENFORCEMENT STRATEGY:**

Wards Affected: **All Wards**

Key Decision: **No** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That the Litter and Fly-Tipping Engagement and Enforcement Strategy and Action Plan be approved, with the commitment to review and carry out consultation in six months.

**Reason for the Decision:**

To enable the Council to take forward the Strategy and Action Plan to tackle the issues of Litter and Fly-tipping. A review will be carried out in six months to consider the impact that the Strategy and Action Plan are having on the issues of litter and fly-tipping.

**Alternative options considered:**

Do nothing.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **10**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **CONFIRMATION OF ARTICLE 4(1) DIRECTION:**

Wards Affected: **Louth Trinity**

Key Decision: **No** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That confirmation of Option 5 be approved - To confirm the Article 4(1). To remove permitted development rights for Class B (Any building operation consisting of the demolition of a building), and Class C (Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure) of Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), concerning Land at Former Douglas Electronic Industries Ltd, 55 Eastfield Road, Louth LN11 7AL

**Reason for the Decision:**

A number of objections were received with regard to an application for Prior Approval for the demolition of the Former Douglas Electronic Industries Ltd, 55 Eastfield Road, Louth LN11 7AL. Application reference: N/105/01648/22. The objections raised identified the building as a heritage asset, worthy of proper consideration in the planning process. Having reviewed the information available which is set out later in this report, the Council agreed that the building is a non-designated heritage asset and as such should be a material planning consideration.

Prior Approval does not give the council the ability to consider the proposal against local and national planning policy. Nor can it prevent the demolition. For the site to be considered against policy, permitted development rights would need to be removed in order to require a full application for the demolition.

A number of options were available to restrict permitted development rights but given the time constraints associated with the Prior Approval only one option, Article 4(1) with immediate effect was achievable. Prior approvals must be determined in 28 days. Therefore, an Executive decision was made using emergency powers to impose an Article 4(1) with immediate effect on 15th September 2022.

Unlike regular Article 4 Directions which require consultation in advance of implementation, a Direction with immediate effect requires this consultation to be carried out, for a minimum of 6 weeks after it is imposed, but expires at the end of 6 months (March 2023) if not confirmed.

This report seeks to confirm the Direction to allow the requirement for planning permission to remain. 6 weeks of consultation were carried out from the 15th September until the end of October 2022. Consultation included a press notice, direct notification of the owner, LCC and the Secretary of State, site notices, and a copy of the Direction and Report was available online on the Council's website and as a hard copy in the reception of Tedder Hall.

No responses were received. However, the owner's agent was in regular contact with the Planning Officer and acknowledged that a planning application would now be required and have begun pre-app discussions for the site.

The Louth Civic Trust were pivotal in requesting the council step in to prevent demolition, but did not submit formal comments during the consultation period. They have however kept in touch with the Council for updates and support the continuation of the Article 4 Direction. It may be useful to note that the Louth Civic Trust have also submitted the site for listing. This application was rejected. Had it of been successful there would not have been any need to confirm the Article 4 Direction, as listed buildings do not benefit from permitted development for demolition, and in addition require Listed Building Consent for alterations or extension. However, the Civic Trust have appealed this decision and are currently awaiting a response. This may take months.

#### **Alternative options considered:**

1. Do nothing let the Article 4 Direction expire – reverting to Prior Approval for future demolition after 15th March 2023
2. Serve a "Building Preservation Notice" under Section 3 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) - spot list
3. Submit for Listing [normal process] - in process with appeal submitted by Louth Civic Trust
4. Extend Louth Conservation Area under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) – to be considered in future
5. Confirm Article 4(1) under Schedule 3, Article 4(1) 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Preferred option is Option 5 to confirm the Article 4(1) Direction. The listing process (Option 2 and 3) is already in motion but looks unlikely to be implemented. Extending the Conservation Area (Option 4) to include the building remains an option but one which needs more time to consider as it would involve included a number of other properties as well, and further consultation is required.

Therefore Option 5 is considered the most appropriate response to this matter.



The need for planning permission does not prevent demolition, but requires an application for planning permission to be submitted and can be determined having had full consideration of any representations received and the local and national planning policies.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **14**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **SUSTAINABLE WARMTH DELIVERY - NEXT PHASE:**

Wards Affected: **All Wards**

Key Decision: **Yes** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That the recommendations contained in the Exempt Report be approved.

**Reason for the Decision:**

As contained within the Exempt Report.

**Alternative options considered:**

As contained within the Exempt Report.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Agenda No. **15**

Not Confidential

Decision Notice From: **Executive Board**

Date: **15 February 2023**

Title: **COMMERCIAL PROPERTY PORTFOLIO 006:**

Wards Affected: **Skegness Scarborough & Seacroft**

Key Decision: **No** Implementation Date: **27 February 2023**

Urgent Decision: **No**

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**DECISION:**

That the recommendations contained within the Exempt Report be approved.

**Reason for the Decision:**

As contained within the Exempt Report.

**Alternative options considered:**

As contained within the Exempt Report.

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A

**East Lindsey District Council**

Not Confidential

Decision Notice From:

Date:

Title:

Wards Affected:

Key Decision:

Implementation Date:

Urgent Decision:

**DECISION:**

**Reason for the Decision:**

**Alternative options considered:**

**Conflict of interest declared:**

None.

**Dispensations granted in respect of a conflict of interest:**

N/A