

If you would like any further information or have any special requirements in respect of this Meeting, please contact Ann Good, Democratic Services Manager on (01507) 613420

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Date: Tuesday, 6 June 2023

Dear Councillor,

Executive Board

You are invited to attend the **Executive Board** Meeting to be held at **The Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH** on **Wednesday, 14th June, 2023** at **6.00 pm**, for the transaction of the business set out in the attached Agenda.

The public and the press may access the meeting via the following link <https://bit.ly/ELDCYT> where a livestream and subsequent recording of the meeting will be available or by attending the Meeting.

Yours sincerely,



Robert Barlow
Chief Executive

Membership

Councillors Craig Leyland (Chairman), Graham Marsh, Tom Ashton, Sarah Devereux, Martin Foster, Richard Fry, William Gray, Adam Grist and Steve Kirk

EXECUTIVE BOARD AGENDA

Wednesday, 14 June 2023

Item	Subject	Page No.
1.	<u>APOLOGIES FOR ABSENCE:</u>	
2.	<u>DISCLOSURE OF INTERESTS (IF ANY):</u>	
EXEMPT INFORMATION		
To consider excluding the public and press for the following items and if appropriate the Chairman to move:-		
That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item on the grounds that, if they were present, there could be disclosed to them exempt information as defined in paragraph(s) 3 of Part 1 of Schedule 12A of the Act (as amended).		
3.	<u>MINUTES:</u> To confirm Open and Exempt Minutes of the Meeting held on 22 nd March 2023.	1 - 10
4.	<u>ACTION SHEETS:</u> To confirm Actions following the Meeting held on 22 nd March 2023.	11 - 14
KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE BOARD		
None.		
KEY DECISIONS - ITEMS TO BE RECOMMENDED TO THE COUNCIL		
None.		
NON KEY DECISIONS		
5.	<u>PERFORMANCE AND GOVERNANCE FRAMEWORK:</u> To consider the quarterly report covering performance and risk monitoring information for Quarter 4 End of Year of 2022/23 (as at March 2023).	15 - 38
6.	<u>APPOINTMENTS TO OUTSIDE BODIES:</u> To consider appointment of representatives to the various outside bodies within the remit of the Executive Board, as	39 - 54

required by the Council's Constitution.

7. DATE OF NEXT MEETING:

The programmed date for the next Meeting of this Board will be 5th July 2023.

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Minutes of a Meeting of the Executive Board held in The Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Wednesday, 22nd March, 2023 at 6.00 pm.

PRESENT

Councillor Graham Marsh
(Vice Chairman in the Chair)

Councillors Tom Ashton, Sarah Devereux, Martin Foster, Richard Fry, William Gray and Steve Kirk.

Councillor Fiona M. Martin, M.B.E. attended the Meeting as an Observer.

Councillor Ros Jackson observed remotely.

OFFICERS IN ATTENDANCE:

Robert Barlow	- Joint Chief Executive
Michelle Sacks	- Deputy Chief Executive, Growth
Adrian Sibley	- Deputy Chief Executive, Programme Delivery and SIRO
Andy Fisher	- Assistant Director - General Fund Assets
James Gilbert	- Assistant Director - Corporate
Ann Good	- Democratic Services Manager
Elaine Speed	- Senior Democratic Services Officer and Civic Officer

OFFICERS ATTENDING REMOTELY:

Jon Burgess	Economic Development Manager
Samantha Knowles	Assistant Director, Finance and Deputy S151 Office
Lydia Rusling	Assistant Director - Economic Growth

81. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillors Adam Grist and Craig Leyland.

82. DISCLOSURE OF INTERESTS (IF ANY):

Councillor Richard Fry advised that he was a Director of Public Sector Partnership Services Ltd and would not take part in discussion or voting on item 9, Proposed Transfer of Procurement and Contracts Function to Public Sector Partnerships Services Ltd, Procurement and Contract Team.

83. MINUTES:

The Open and Exempt Minutes of the Meeting held on 15th February 2023 were signed and confirmed as a correct record.

84. ACTION SHEETS:

The Actions following the Meeting held on 15th February 2023 were confirmed as complete.

85. SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP ASSET MANAGEMENT STRATEGY 2023 - 2028:

In his introduction to the report the Portfolio Holder for Finance referred to each member of the South and East Lincolnshire Council Partnership (SELCP) being responsible for delivering a wide range of public services with each playing a key role in community leadership and setting out their priorities within their respective Corporate Plans.

The report detailed the requirement for a clear framework for understanding the 'value' and condition of land and property, to ensure the maximum value from the respective general fund asset portfolios. It was noted that the size and diversity of each Council's Portfolio varied significantly due to pressures on finances and adopting a realistic view on retention and disposal, assets must be considered strategically in line with each Council's priorities and resources.

Appendix 1 to the report detailed a draft South and East Lincolnshire Councils Partnership Asset Management Strategy 2023 – 2028 updated to include all comments made by each Council's respective scrutiny body.

During discussion Members supported the recommendations.

RESOLVED

That the draft South and East Lincolnshire Councils Partnership Asset Management Strategy 2023 – 2028 attached at Appendix 1 be endorsed and recommended to Council for adoption.

Reason:

Developing and adopting a partnership wide Asset Strategy is a key action prescribed in the Partnership's 2022/23 work plan. The draft at Appendix 1, with a very minor amendment included as a consequence of scrutiny at Boston, was referred to Executive Board by Overview on 24 January 2023.

Other options:

None.

86. PERFORMANCE AND GOVERNANCE FRAMEWORK - QUARTER 3 MONITORING REPORT 2022-23:

A report was presented that enabled consideration of the Quarter 3 Monitoring Report 2022/23.

During discussion the Vice Chairman of Executive Board advised that Portfolio Holders would review information relating to their services and extended his congratulations on the good work evidenced.

RESOLVED

That the performance and risk information contained within the Quarter 3 Monitoring Report 2022/23 be noted.

Reason:

To monitor delivery of performance and governance objectives and to support future planning and decision making within the Council.

Other options:

Alternative reporting arrangements

87. SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP - DIGITAL STRATEGY AND ICT ROADMAP:

A report was presented to enable consideration of a shared Digital Strategy and ICT Roadmap for the South & East Lincolnshire Council's Partnership to provide direction of travel for future Digital/ICT developments.

During his introduction the Portfolio Holder for Community Safety, Leisure and Culture and Carbon Reduction highlighted when the South & East Lincolnshire Councils Partnership was formed, the Business Case approved by each Council identified key areas of activity to be taken forward to facilitate the Partnership ambitions in relation to improved services to communities and greater service efficiency.

This report brought forward a Digital Strategy and ICT Roadmap (Appendix A) for the South & East Lincolnshire Councils Partnership. This Strategy would replace existing ICT/Digital Strategies in each Partnership Council.

The implementation of a shared Digital Strategy and ICT Roadmap was one of the identified top 10 priorities for the Partnership in the approved work programme.

The Strategy had been reviewed by a Partnership Scrutiny Task Group. The findings and recommendations from that Task Group were appended to the report at Appendix B. The Portfolio Holder extended his thanks to those involved in the joint scrutiny work and was pleased to report that all recommendations from that work had been accepted by the Portfolio Holders and were detailed at paragraph 2.5 of the report.

Ongoing development/investment in Digital and ICT – in an ordered way – would ensure the Councils maximised the benefits of technology to deliver services and improve service efficiency.

RESOLVED

1. That the South & East Lincolnshire Councils Partnership Digital Strategy and ICT Roadmap at Appendix A be approved;
2. That the findings of the Joint Scrutiny Task Group (Appendix B) be noted.

Reasons:

For the Councils to maximise the benefits of Digital/ICT in driving efficiency and better serving residents, a shared Digital Strategy for the Partnership, supported by an ICT Roadmap, is required to set out the approach to be taken to future system alignment, investment and development. The Partnership is in a fortunate position in that Public Sector Partnership Services (PSPS) is the Digital/ICT provider to each of the three Councils. A shared Strategy for the Partnership (and PSPS) will benefit PSPS by enabling the company to better plan and deploy resources to focus on common Digital/ICT priorities that support the Partnership's ambition rather than there being competing priorities from individual Councils.

Other options:

Do nothing – each Council continuing to have its own approach to Digital/ICT is possible but wouldn't be in line with the approved Partnership Business Case. Digital/ICT is a key 'enabler' to achieve much of the ambition set out in the Business Case and is identified as an action in both the Work Programme and Annual Delivery Plan (both of which have been approved by Council).

88. PROPOSED TRANSFER OF PROCUREMENT AND CONTRACTS FUNCTION TO PUBLIC SECTOR PARTNERSHIP SERVICE LTD. PROCUREMENT AND CONTRACT TEAM:

N.B. Councillor Fry declared that he was a Director of Public Sector Partnership Services Ltd and would withdraw from discussion and voting thereon.

The report was consequently presented by the Portfolio Holder for Better Ageing. This report enabled consideration of an alternative option for the future delivery of procurement and contract services across the Partnership, namely the transfer of procurement and contract services into an alternative provider to supply a single streamlined approach to procurement across the Partnership.

The Portfolio Holder alluded to the benefits of alignment which were highlighted as, shared opportunities, consistency, compliance and being more proactive, including provision of value for money. The proposed service would have a team structure of 7 officers and the service would offer:

- A full procurement service, including early market engagement, procurement analysis, managing the tender process from start to award and spend analysis;
- Strategic procurement delivery, such as ensuring policies and procedures were in place;
- Amendment of the contract procedure rules across the partnership;
- Contract management and contractual services, including the managing the contracts, register, reviewing in contracts spend;
- Facilitating contractor review meetings by attending and providing a standard agenda and minutes;
- Reviewing contract terms to ensure fair and fit for purpose

RESOLVED

- 1) That the transfer of procurement and contract services to PSPS Ltd. be approved as set out in the business case at Appendix A;
- 2) That the ability to approve the necessary deed of variation (which supports changes to the Joint Venture Stakeholder Agreement) and amend any contract documentation resulting from the inclusion of Procurement into PSPS Ltd. be delegated to Robert Barlow, Chief Executive.

N.B. Councillor Fry abstained from the vote.

Reasons:

The business case sets out a clear proposal for the future provision of procurement and contract services across the three Councils, as well as being a financially positive proposition.

Other options:

To do nothing, which would result in the partnership having 3 different solutions for procurement and contract work.

89. DATE OF NEXT MEETING:

The programmed date for the next Meeting of Executive Board would be agreed at the Annual Meeting of Council on 24 May 2023.

90. EXCLUSION OF PUBLIC AND PRESS:

RESOLVED

That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item on the grounds that, if they were present, there could be disclosed to them exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (as amended).

91. CULTURAL DEVELOPMENT FUND ROUND 3:

An exempt report was presented regarding the Cultural Development Fund Round 3.

RESOLVED

That the recommendations contained within the Exempt Report be approved.

Reasons:

As contained within the Exempt Report.

Other options:

As contained within the Exempt Report.

The meeting closed at 6.31 pm.

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Actions from the Executive Board Meeting held on 22 March 2023

1.	<u>APOLOGIES FOR ABSENCE:</u>	
	Apologies for absence were received from Councillors Adam Grist and Craig Leyland.	Noted
2.	<u>DISCLOSURES OF INTEREST:</u>	
	Councillor Richard Fry advised that he was a Director of Public Sector Partnership Services Ltd and would not take part in discussion or voting on item 9, Proposed Transfer of Procurement and Contracts Function to Public Sector Partnerships Services Ltd, Procurement and Contract Team.	Noted
3.	<u>MINUTES:</u>	
	The Open and Exempt Minutes of the Meeting held on 15th February 2023 were signed and confirmed as a correct record.	Noted
4.	<u>ACTIONS:</u>	
	The Actions were noted as complete.	Noted
5.	<u>SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP ASSET MANAGEMENT STRATEGY 2023 - 2028:</u>	
✓	RESOLVED That the draft South and East Lincolnshire Councils Partnership Asset Management Strategy 2023 – 2028 attached at Appendix 1 be endorsed and recommended to Council for adoption.	RF/AF
6.	<u>PERFORMANCE AND GOVERNANCE FRAMEWORK - QUARTER 3 MONITORING REPORT 2022-23:</u>	
✓	RESOLVED That the performance and risk information contained within the Quarter 3 Monitoring Report 2022/23 be noted.	CL/JG
7.	<u>SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP - DIGITAL STRATEGY AND ICT ROADMAP:</u>	
✓	RESOLVED 1. That the South & East Lincolnshire Councils Partnership Digital Strategy and ICT Roadmap at Appendix A be approved; 2. That the findings of the Joint Scrutiny Task Group (Appendix B) be noted.	GM/JG

8.	PROPOSED TRANSFER OF PROCUREMENT AND CONTRACTS FUNCTION TO PUBLIC SECTOR PARTNERSHIP SERVICE LTD. PROCUREMENT AND CONTRACT TEAM:	
✓	RESOLVED 1) That the transfer of procurement and contract services to PSPS Ltd. be approved as set out in the business case at Appendix A; 2) That the ability to approve the necessary deed of variation (which supports changes to the Joint Venture Stakeholder Agreement) and amend any contract documentation resulting from the inclusion of Procurement into PSPS Ltd. be delegated to Robert Barlow, Chief Executive.	RF/CM/SN
	EXCLUSION OF PUBLIC AND PRESS:	
✓ <input type="checkbox"/>	RESOLVED That under Section 100(a)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item on the grounds that, if they were present, there could be disclosed to them exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (as amended	
9.	CULTURAL DEVELOPMENT FUND ROUND 3:	
✓ <input type="checkbox"/>	RESOLVED That the recommendations contained within the Exempt Report be approved.	GM/RB/JB
<input type="checkbox"/>		

11.	CHIEF EXECUTIVE DECISION NOTICE - UK SHARED PROSPERITY FUND ACCEPTANCE AND ALLOCATION OF BUDGET:	
✓ <input type="checkbox"/>	RESOLVED That the UK Shared Prosperity Fund Acceptance and Allocation of Budget Decision Notice be noted.	NOTED
<input type="checkbox"/>		
12.	SUSTAINABLE WARMTH DELIVERY - NEXT PHASE:	
✓ <input type="checkbox"/>	RESOLVED That the recommendations contained in the Exempt Report be approved.	GM/CA/ SB

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REPORT TO:	Executive Board
DATE:	14 th June 2023
SUBJECT:	Performance and Governance Framework – Quarter 4/End of Year Monitoring Report 2022/23
KEY DECISION:	No
PORTFOLIO HOLDER:	Councillor Craig Leyland, Leader of the Council and Portfolio Holder for Corporate Affairs
REPORT AUTHOR:	Richard Baldwin, Performance Analyst
WARD(S) AFFECTED:	All
EXEMPT REPORT	No

SUMMARY

This is the quarterly report covering performance and risk monitoring information for Quarter 4/End of Year of 2022/23 (as at March 2023).

RECOMMENDATIONS

1. That Executive Board considers any further action in respect of the performance and risk information contained within the report and appendices.

REASONS FOR RECOMMENDATIONS

To monitor delivery of performance and governance objectives and to support future planning and decision making within the Council.

OTHER OPTIONS CONSIDERED

Alternative reporting arrangements

REPORT

Background

- 1.1 A joint performance management framework was agreed across the South & East Lincolnshire Councils Partnership for 2022/23 to support the delivery of services.
- 1.2 Key Performance Indicators (KPIs) have been agreed to capture performance against the strategic priorities of the Partnership and the individual Councils.
- 1.3 A combined performance report has been presented to Strategic Leadership Team (SLT) and this information has then been split out by Council for Executive reporting.
- 1.4 This report presents the performance information for East Lindsey District Council for Quarter 4/End of Year of 2022/23 (April 2022 to March 2023).

Performance (Appendix A)

- 2.1 In total there are currently 72 KPIs for East Lindsey District Council, 25 of which are trend only indicators. 29 KPIs are meeting or exceeding their target, 5 KPIs are within tolerance, and 10 are below target. A further 3 are not yet available. Indicators were developed to stretch performance in teams.

Risk management (Appendix B)

- 3.1 The strategic risk register has been reviewed and signed off by SLT, including review of comments from Audit & Governance Committee at their last meeting. Changes are highlighted in bold.

CONCLUSION

The performance and governance reporting and review arrangements support the Council to manage its services in an effective and efficient manner.

EXPECTED BENEFITS TO THE PARTNERSHIP

A Partnership approach has been agreed for 2022/23.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP

A Partnership approach has been agreed for 2022/23.

CORPORATE PRIORITIES

Whole report.

STAFFING

None specific to this report.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

None specific to this report.

DATA PROTECTION

None specific to this report.

FINANCIAL

None specific to this report.

RISK MANAGEMENT

Section 3 of the report and Appendix B.

STAKEHOLDER / CONSULTATION / TIMESCALES

Consultation with SLT

REPUTATION

None specific to this report.

CONTRACTS

None specific to this report.

CRIME AND DISORDER

None specific to this report.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None specific to this report.

HEALTH AND WELL BEING

None specific to this report.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None specific to this report.

ACRONYMS

- B&B: Bed & Breakfast accommodation
- CC: Customer Contact
- DD: Direct Debit
- KPIs: Key Performance Indicators
- NDR: Non-domestic rates (business rates)
- R&B: Revenues & Benefits
- SLT: Strategic Leadership Team

APPENDICES

Appendices are listed below and attached to the back of the report: -

APPENDIX A	Q4/End of Year Performance
APPENDIX B	Strategic risk register

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

A report on this item has not been previously considered by a Council body

REPORT APPROVAL

Report author:	Richard Baldwin, richard.baldwin@e-lindsey.gov.uk
Signed off by:	James Gilbert, james.gilbert@e-lindsey.gov.uk
Approved for publication:	Councillor Leyland, craig.leyland@e-lindsey.gov.uk



Performance Framework

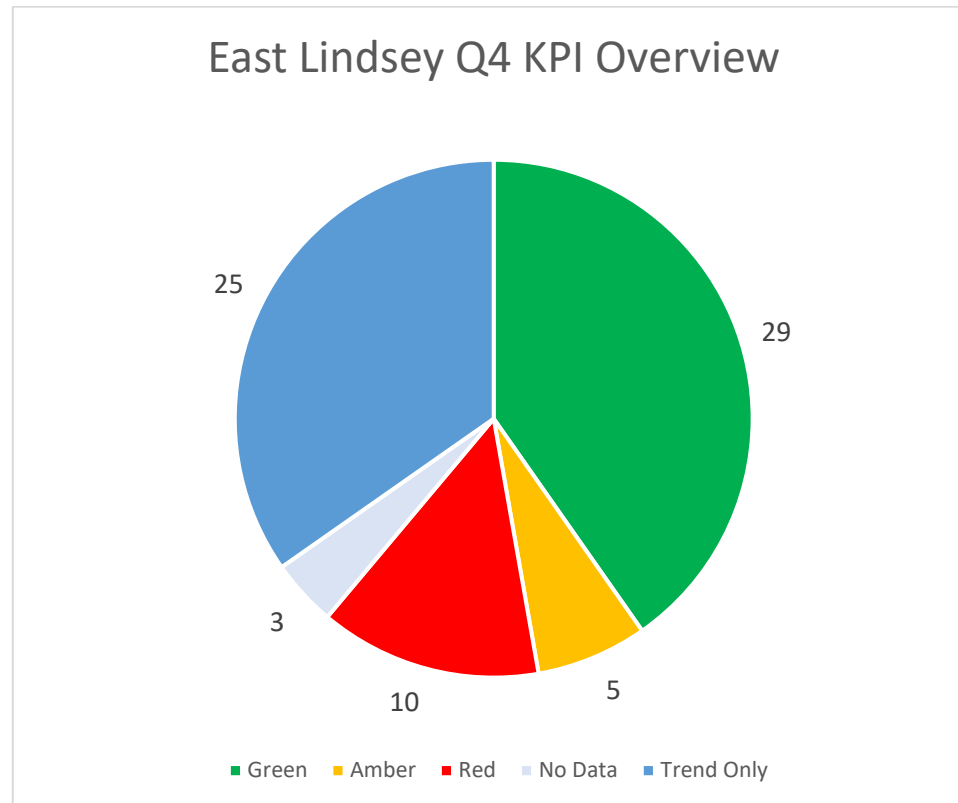
1 April 2022 – 31 March 2023
(Quarter 4 and End of Year)

The report provides the Quarter 4/End of Year Performance Update.

In total there are: 72 KPIs, of which 25 are trend only.

Where explanatory commentary has been received for under performance or missing KPI data, this is included below the relevant KPI in the report below.

The charts breakdown ELDC KPIs, showing the total number that are above target, within tolerance, below target, trend only and those that have not reported data for Quarter 4/End of Year 2022/23.



East Lindsey: Wellbeing and Community Leadership

KPIs 2022/23	Target	Performance	Status
Percentage of cases opened at homelessness prevention stage (i.e. before they have become homeless)	70%	57.00%	
Percentage of homelessness cases that were opened at homelessness prevention stage that resulted in the customer not becoming homeless	70%	78.76%	
Number of verified rough sleepers	Tr	35	Tr
Number of families with children placed into B&B for more than 6 weeks	0	0	
Number of properties improved through Council intervention	Tr	20	Tr
Number of long term empty properties brought back into use through council support and intervention	TBC	0	Tr
Wellbeing Lincs contractual - Service users supported to achieve an overall improvement in self-reported outcomes	98%	99.10%	
Wellbeing Lincs contractual - Overall improvement in all outcome scores across all service users leaving the service	200%	345.16%	
Wellbeing Lincs contractual - Percentage of service users who go on to receive long term support from adult care	5%		
Percentage of Revenues & Benefits Calls Answered	90%	86.96%	
Percentage of CC Calls Answered	90%	90.45%	
Combined Customer Satisfaction - Monthly	90%	99.71%	
Quality of Service - Combined	90%	97.79%	
Average speed of answer - CC (Seconds)	120	112	
Average speed of answer – Revenue and Benefits (Seconds)	240	217	
Percentage tax base vs DD Sign up	60%	64.74%	

East Lindsey: Regulatory

KPIs 2022/23	Target	Performance	Status
Land Charges - Average number of days taken to process Local Authority searches (working days)	10	3.18	
Food Safety – percentage of rateable food businesses with a rating of 3 (generally satisfactory) or above as a Percentage of the total number of rateable food businesses.	98%	98.00%	
Food Standards Agency Local Authority Food Safety Inspections Recovery Plan milestones achieved	100%	100%	

East Lindsey: Leisure and Culture

KPIs 2022/23	Target	Performance	Status
Visitor numbers / number of tickets sold, by venue	Tr	152,361	Tr
Number of swims	Tr	46,917	Tr
Number of swimming lessons	Tr	30,084	Tr
Number of gym members	Tr	3,705	Tr
Market stall occupancy rate	Tr	47.00%	Tr

East Lindsey: Neighbourhoods

KPIs 2022/23	Target	Performance	Status
Percentage of household waste collected for recycling and composting - annual measure	45%		
Percentage of recycling collected that is contaminated and unable to be recycled	28%		
Number of requests for waste re-collection per 100,000 collections	Tr	147.50	Tr
Percentage of fly-tips (hazardous and standard) collected within 10 working days of being reported	95%	92.67%	
Percentage of Danfo repairs carried out within 24 hours (EL public toilets)	Tr	84.00%	Tr
Percentage of streets graded b and above - litter	95%	99.00%	
Percentage of streets grading c and above - detritus	90%	100.00%	

East Lindsey: Corporate

KPIs 2022/23	Target	Performance	Status
Percentage of Partnership workforces (surveyed collectively) who said 'Yes' when asked if they felt valued at work?	Tr	80.00%	Tr
Percentage of the Partnership workforces (surveyed collectively) who said 'yes' they feel there are opportunities in the Partnership to learn and develop their skills and expertise	Tr	80.00%	Tr
Percentage of the Partnership workforces (surveyed collectively) who said 'yes' they feel the Partnership recognises and supports positive mental health in the workplace	Tr	81.00%	Tr
Percentage of the Partnership workforces (surveyed collectively) who feel informed about the Partnership and what decisions it is making	Tr	55.00%	Tr
Staff Turnover (Percentage)	Tr	1.23%	Tr
Number of working days lost to sickness per FTE	Tr	8.78	Tr

East Lindsey: Governance

KPIs 2022/23	Target	Performance	Status
Percentage of corporate complaints responded to within corporately set timescales	95%	76.00%	
Percentage of subject requests responded to within statutory timescales	100%	100.00%	
Percentage of information requests responded to within statutory timescales	100%	96.40%	
Number of instances where service areas have failed to notify the DPO promptly of any identified data breaches	Tr	2	Tr
Number of late reports not made available to the DEMS teams at agenda publication	Tr	13	Tr
Percentage registering to vote by telephone/online v paper	Tr	81%	Tr

East Lindsey: Finance

KPIs 2022/23	Target	Performance	Status
Business rate collection rate (Percentage) (Cumulative)	97.10%	86.59%	
<p>Commentary: This KPI was adversely affected by a single large assessment that was brought into the local rating list backdated prior to 1 April 2022. The assessment increased the annual collectable debit by over £3.5m. We have been liaising with the ratepayer and had anticipated that this would be received within the financial year, however the ratepayer has experienced unexpected issues in their processes that have caused the payment to be delayed. We fully anticipate payment will be received in early April. This payment equates to 9.62% of the annual collectable debit and had it been received within the year would have result in a collection rate of 96.21% (1% up on the previous year). This is a single point in time measure, and not an indication of final overall collection in relation to the financial year, after which collection, recovery and enforcement activities continue. This will remain under close management oversight.</p>			
Council tax collection rate (Percentage) (Cumulative)	97.10%	95.92%	
<p>Commentary: A stronger in-year collection result than last year. This is a single point in time measure, and not an indication of final overall collection in relation to the financial year, after which collection, recovery and enforcement activities continue. 97.1% was the pre-covid target for ELDC; whilst retaining this for 2022/23 the SLA did caveat that the service had not returned to pre-covid BAU and, therefore, the in-year target would need to be reviewed through the year with contributing factors being post covid catch up and the cost of living and energy crisis. There is a key focus on improvement of collection and recovery, and this will remain under close management in 2023/24. This will include monitoring the impact of external challenges on customers, and ensuring our staff are equipped to deal with those situations to maximise collection.</p>			
Time to process new Council Tax Support and Housing Benefit claims (days)	22	27.58	
<p>Commentary: Improved position in month in terms of days to process and YTD achieved 27.58 days which is within DWP threshold tolerance levels.</p>			
Time to process Council Tax Support and Housing Benefit change events (days)	9	8.47	

East Lindsey: Economic Growth and Strategic Growth and Development

KPIs 2022/23	Target	Performance	Status
Inward Investment: number of events attended/hosted	Tr	5	Tr
Inward Investment: enquiries/leads responded to	Tr	4	Tr
Inward Investment: jobs created/new businesses	Tr	0	Tr
Inward Investment: external funding achieved	Tr	0	Tr

East Lindsey: Planning and Strategic Infrastructure

KPIs 2022/23	Target	Performance	Status
Percentage of major planning applications determined within 13/16 weeks (or agreed extended period)	65%	67.00%	
Percentage of minor planning applications determined within 8 weeks (or agreed extended period)	75%	80.00%	
Percentage of other planning applications determined within 8 weeks (or agreed extended period)	75%	79.00%	
Percentage of all planning decisions that were subject to extensions of time in period	30%	31.00%	
Percentage of decisions (major / minor / others) taken under delegation within period	Tr	97%	Tr
Percentage of major planning appeals allowed within the last 2 years (rolling period) against number determined	10%	0.00%	
Percentage of minor & other planning appeals allowed within the last 2 years (rolling period) against number determined	10%	0.10%	
Percentage of minor & other planning applications validated within 5 working days against total received	90%	98.00%	
Percentage of major planning applications validated within 10 working days against total received	90%	95.00%	

East Lindsey: General Fund Assets			
KPIs 2022/23	Target	Performance	Status
Business Centre occupation, Louth - Percentage of total gross internal area occupied	85%	100.00%	
Business Centre occupation, Mablethorpe - Percentage of total gross internal area occupied	68%	85.00%	
Occupancy Rate at end of Quarter: Industrial Units	90%	100.00%	
Occupancy Rate at end of Quarter: Other investment property	95%	100.00%	
Percentage of car parking income received against agreed budget	100%	95.00%	
Commentary: Following further end of year postings since the information deadline, the 2022/23 car parking income outturn has increased to 98.47%. The target of 100% is based on collecting the full value of the budget set by the Council. The 98.27% outturn represents a shortfall in income of £47,936.09 against the budget of £3,123,200. Other than the seasonal nature of car park income, the relationship between the weather and visitors to the coast particularly, and the general nature of the visitor economy, there are no identified trends or reasons for the shortfall to readily address.			
Percentage of commercial rent received against agreed budget	100%	95.00%	
Commentary: The target of 100% is based on collecting the full value of the budget set by the Council by 31 March 2023. There are two identifiable issues which saw a 5% under collection; a change in the payment period of a significant debtor and an error with a large direct debit, both of which were addressed post the submission deadline of the data. Together with late payment issues, this meant that 100% was not collected by 31 March 2023 but all will subsequently be collected.			
Percentage of commercial rent collected against that due	93%	95.00%	
Repairs & Maintenance: Percentage committed spend against budget	Tr	109.20%	Tr
Percentage of Kingfisher Caravan Park income received against agreed budget	100%	80.00%	
Commentary: The shortfall relates to an outstanding billing issue to Invest East Lindsey Limited that is in hand and will be resolved.			
Percentage of available pitches occupied on Kingfisher Caravan Park	60%	48.00%	
Commentary: Trading by Invest East Lindsey Limited at Kingfisher Caravan Park, as the sole selling agent onto the Park, significantly underachieved against its targets resulting in the Council letting less new licences than forecast. The company largely puts its challenges down to the cost of living crisis born by unprecedented change in food prices, fuel prices and energy prices during the year limiting the sale of the type of stock it holds and sells.			
Invest East Lindsey: number of Caravan Sales completed - annual target 45	45	35	
Commentary: Trading by Invest East Lindsey Limited at Kingfisher Caravan Park significantly underachieved against its caravan sales targets during the year. The company largely puts its challenges down to the cost of living crisis born by unprecedented change in food prices, fuel prices and energy prices during the year limiting the sale of the type of stock it holds and sells.			
Invest East Lindsey: Percentage of available holiday lettings taken against occupancy target	65%	59.00%	

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Appendix B

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
1	CORP001 - Reduction in government funding to deliver Council services and local priorities	Deputy Chief Executive (Corporate Development)	The way that local government is funded is undergoing radical change, with the continued demise of direct government grant being replaced by incentives to grow the local economy and to secure benefits through increased business rate activity.	There is a lower certainty in regard to future finances and the continued need to reduce costs and explore income generating opportunities to maintain funding for service delivery. This continued changing climate presents challenges in agreeing the Council budget to deliver Council services and local priorities.	The S151 Officer closely follows all policy and practice changes being implemented by the Government and responds to relevant consultations. In-year budgets are closely monitored on a regular basis and inclusive budget challenge and budget building events are held throughout the year. Due to Covid19 the budget is currently being monitored very closely and a number of mitigating measures have been introduced. There will be regular reviews to ensure that the council is managing any shortfalls and/or costs.	3	4	High (12)	Mitigation wording amended to remove specific reference to Covid19
Page 27 2	CORP001(a) - Budget Reduction in council income	Deputy Chief Executive (Corporate Development)	<p>Reduction of government funding; Reduction in income; Capital expenditure; Impact of Internal Drainage Board (IDB) levy; Inflation; Fuel shortages; Ukraine conflict</p> <p>The current Covid19 pandemic has resulted in a loss of income to the council. It is anticipated that recovery may impact on the local economy for an extended period of time – so impact on income for the council may be over a protracted period.</p>	<p>Lack of money and lack of certainty going forward; Failure to balance budget in future years</p> <p>Covid19 – the council is heavily reliant on income from a range of sources. The pandemic has had an immediate and significant impact on this income.</p>	<p>Medium Term Financial Strategy; Budgetary process; Sound level of reserves; Continued close monitoring</p> <p>The s151 Officer is looking in detail at the impact of loss of income on the budget, and will continue to monitor the Council's finances very closely over the coming months, and will make recommendations for carefully managing expenditure.</p>	3 5	5	High (15)	Risk re-worded to remove specific reference to Covid19 and reflect current risk to budgets; likelihood score reduced from 5 (almost certain) to 3 (possible)

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
3	CORP001(b) – Economic Growth Supporting recovery from Covid19 for the local economy people and businesses	Assistant Director (Growth)	Risk to local businesses, lack of growth, lack of inward investment and tourism; opportunity to encourage growth and stimulate the local economy; good community relations It is anticipated that the pandemic will have an impact on national and local economies; and may affect businesses and jobs in East Lindsey.	Struggling/failing local businesses; Stagnating local economy; Lack of inward investment; Low skills and aspirations; Low visitor numbers; Future sustainability of the Town Centre - retail, evening economy, housing, heritage, culture, leisure, events, car parking; Community perceptions. If the Government and Local Government is not able to help economies recover, there may be longer term challenges for businesses and employees resulting in job losses with direct impacts on residents. Areas of deprivation will be of particular concern. When businesses and people are negatively impacted resulting in loss of jobs, council services can come under additional pressure.	Town Deal and Levelling Up projects; Emergency Planning Team represented on County Wide LRF Group looking at issues of winter pressures / cost of living and industrial action. ELDC is fully engaged with partners and have already put measures in place to enable the local economy to support them during recovery as example using the welcome back funding. ELDC will look to prioritise planned capital investments that were designed to add value to the local economy. Environmental Health staff are heavily engaged in supporting businesses to adhere to, and work with, government guidelines to enable them to keep their businesses running. ELDC will work with partners to help tackle the expected social and health impacts of the pandemic; not only on deprived communities and vulnerable groups, but for people who may never have been out of work or suffered poor mental health, but may find themselves in that position over the next year.	3 4	3 5	Medium (9)	Risk re-worded to remove specific reference to pandemic and reflect current risk to economic growth; likelihood score reduced from 4 (likely) to 3 (possible); impact score reduced from 5 (critical) to 3 (medium)
4	CORP002 - Uncertainty of future Lincshore flood defence scheme	Assistant Director – Planning and Strategic Infrastructure	The potential for coastal flooding (sea inundation) remains a real threat along the coast, limiting development (growth) opportunities. Recent changes in government policy in regard to partnership funding for flood defence schemes has left future prospects for the Lincshore flood defence scheme uncertain.	Without an agreed long term solution there is a concern that there may be a more significant flood incident in the future that would impact on the Council's ability to respond; and the level of risk may impact on the long term economic health of the district and the safety of communities.	The Council is an active member of the Lincolnshire Resilience Forum and Lincolnshire Flood and Drainage Management Strategy Board. The Council will continue to work with partners, local MPs and the government to identify a solution to the future funding needs of the Lincshore scheme. The Council is also undertaking a number of activities including its Strategic Flood Risk Assessment to support and inform the Local Plan moving forward. Equally, the Council is part of a number of groups, including a collaborative approach with the Environment Agency, to seek to identify the challenges and opportunities for the coast in the future.	2	5	Medium (10)	Likelihood has been reviewed by the Assistant Director as requested by Overview Committee. This has been noted but the likelihood score has not changed at this time. It is a future increasing risk and we have no evidence to demonstrate the risk profile has changed significantly but this will be kept under review.

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
5	CORP003 – Business continuity and recovery in the event of a major incident or event	Assistant Director – Regulatory	<p>The Council has a central role to play in the response to a major incident or event in the community and the subsequent recovery phase. The risk of flooding, both coastal and inland is increasingly recognised as one of the most significant and 'likely' events that the Council will need to help with recovery.</p> <p>There are also internal incident and events which could impact on the Council's operations directly (e.g. cyber-attack, IT infrastructure failure, building fire).</p>	<p>In the immediate response phase to an emergency in the District, the "Blue Light" services will take the lead with the Council taking the lead role in the subsequent recovery phase</p> <p>There could be significant impact on service delivery and potentially Council finances.</p> <p>Covid19 – most emergencies play out over a few weeks, with some ongoing support needed at a low level of resource sometimes for months. The current pandemic has already been longer than any emergency we've dealt with, has required more resources, and has had a significant financial impact. The ability of staff to deal with such a long emergency situation could impact on their resilience, and our ability to deliver all our services.</p>	<p>The establishment of the S&ELCP has increased the resilience and capability of the 3 partner councils. Resources can be more easily shared across the sub-regions and procedures and policies are being joined up to make our response to and recovery from an incident more efficient and effective.</p> <p>Staff across the S&ELCP are regularly trained at both Silver and Gold command in order to take a full part in a Lincolnshire-wide emergency response and support our partners in the sub region.</p> <p>All three councils are members of the Lincolnshire Resilience Forum, enabling access to expertise held by LCC whilst retaining staff, resources and expertise in each sovereign council within an EP&BC structure across the Partnership.</p> <p>Senior staff within the Councils are involved in training exercises delivered by the Local Resilience Forum (LRF). Regular 'live' training exercises are coordinated at County level to maximise preparedness in each sovereign council and across the sub region. Each authority has an Emergency Plan & Business Continuity Plan in place in order that service delivery can be prioritised and maintained at such times. A joint emergency and business continuity plan was approved in 2021 for ELDC and BBC to improve resilience and capability with plans for a more joined up approach across the sub region with the advent of the S&ELCP. Public Sector Partnership Services (PSPS) and Magna Vitae have Business Continuity Plans in place.</p> <p>Work begins in 2023 to update and align all BC plans across the Partnership</p>	3	5	High (15)	Wording amended to remove specific reference to Covid19

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
6	CORP004 - Failure to comply with Health and Safety requirements	Assistant Director – Regulatory	The Council has a clear responsibility to both staff and recipients of services under Health and Safety legislation and needs to effectively manage its responsibilities.	There can be consequences to the organisation's finances and reputation relating to non-compliance of health and safety requirements. There is also the risk of harm to individuals. Covid19 – is classified as a workplace hazard. If staff were not protected as much as possible from transmitting the virus there could have been a serious impact on staff health, and real risk that essential services could not be delivered.	The establishment of the S&ELCP has increased the resilience and capability of the 3 partner councils. Resources can be more easily shared across the sub-region and procedures and policies are being joined up to provide a more efficient and effective approach towards H&S compliance. The partner Council receive specialist Health and Safety advice from Public Sector Partnership Services who support the Partnership Health and Safety Governance Group (chaired by the Assistant Director – Regulatory) and the Staff Health and Safety Forum. Both operate under agreed terms of reference and feed into the LT – Governance. LT Governance receive minutes and recommendations for approval from the Governance Group and the staff Forum. Policies and procedures are agreed at the Governance Group and referred to LT Governance for information. Health and Safety is included within Internal Audit's annual audit plan. The audit undertaken in 2021 demonstrated a substantial level of assurance. PSPS/Service Managers complete a risk-based programme of Health and Safety audits which forms part of the annual SLA between PSPS and each sovereign council. An e-learning risk-based plan has been rolled out across the organisation; this complements the existing service specific health and safety training undertaken by staff.	2	3	Medium (6)	
7	CORP006 – Local Plan not delivering economic growth & prosperity	Assistant Director – Planning and Strategic Infrastructure	The Local Plan sets the framework for economic growth in the district 2011-2036. The strategy restricts growth on the coast around towns such as Skegness and Mablethorpe and makes limited allocations of employment land across East Lindsey. This gives rise to a real risk that economic growth and prosperity will be contained if existing commitments are not delivered in the right place, in the right quantum at the right time.	Local people will not have access to the home and jobs they need. Prosperity will be reduced.	The Local Plan is monitored regularly with an Annual Report produced, in addition, measures such as the 5-Year Housing Land Supply and Housing Delivery Test are good indicators as to the delivery of the Local Plan. Decisions are taken against the plan, however, they do not preclude other developments from coming forward as appropriate for consideration. Appeal decisions also inform our understanding of Plan performance. There is a statutory requirement for a 5-year review of the Local Plan (after 2024). There is presently no indication that the plan is not performing as required (even when giving regard to Covid and Brexit effects), and it is considered that the plan is sufficient to support the growth and prosperity of the district.	3	3	Medium (9)	

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
8	CORP007 - Failure to deliver safeguarding children, young people and vulnerable adults responsibilities	Assistant Director – Wellbeing and Community Leadership	<p>The Council has statutory duties in relation to safeguarding. Section 11 of the Children Act requires a regular audit to assess our capacity to respond appropriately and identify improvements needed.</p> <p>The Council also has statutory duties to safeguard individuals and communities in relation to the Care Act 2014, the Mental Capacity Act 2005, Modern Slavery Act 2015 and in relation to Prevent.</p>	<p>In relation to non-compliance there are potentially significant reputational risks to the Council</p>	<p>Lead Officer and Deputies identified, with the Portfolio Holder for Communities overseeing this area. The Safeguarding Policy and Procedures have been reviewed. The lead officer liaises regularly with other District Councils and external agencies. Team leaders identify relevant actions and staff training in their service plans.</p> <p>Human Resources supports safer recruitment (including DBS checks) and training for officers, volunteers and councillors. An incident reporting mechanism is in place to monitor the Council's responses.</p> <p>Wellbeing Lincs Service has provided a countywide response and support service for vulnerable and clinically vulnerable residents. Safeguarding was a key focus of a report to LCC during the Covid response. The District Councils and County Council continue to meet to collaborate and discuss matters around safeguarding policy and procedures.</p>	2	4	Medium (8)	
Page 31 9	CORP008 - Failure to comply with Information Governance and Management requirements	Assistant Director – Governance	<p>Increased understanding of the public's right to information means that we have to be fully aware of our legal duties. The increase in data also means we have to be able to manage information more effectively, including reducing the amount of unnecessary data held.</p>	<p>Data protection breaches which can result in significant fines from the Information Commissioner's Office.</p>	<p>All employees receive annual online training in data protection. Arrangements are in place to ensure that the organisation is compliant with the new General Data Protection Regulation (GDPR) requirement, including lead staff attending training. PSPS also have a lead officer overseeing compliance. An experienced Data Protection Officer is in place who monitors training, compliance and development of policy; also, full assessment of any breaches, providing recommendations for continual improvement. There is now additional resilience with two qualified DPOs in place across the Partnership which allows for cover.</p>	2	4	Medium (8)	

Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
10	CORP009 – Attainment of revenue through Treasury Management policies and commercially driven capital expenditure	Assistant Director – Finance	<p>At any time the Council has significant sums of money lodged with financial institutions to cover both day to day costs and long term investments. It is important that policies are clear and unambiguous in relation to the placing and management of such investments to safeguard public money.</p> <p>Uncertain national and international economic conditions may affect the rating of financial institutions and hence their perceived integrity as a safe haven for public money can be affected.</p> <p>Commercial property performance may vary through differing market conditions and valuations changes are likely.</p>	Investment presents both positive (opportunity) and negative risks the latter of which is a loss of finance to support Council services and loss of finance which is being held on behalf of other organisations.	<p>A long term strategy is in place, supported by strong internal awareness and governance and external professional advice. The Council's Investment Policy and Strategy are kept under constant review with regular updates to Management Team, Portfolio Holder and Executive Board. Audit and Governance Committee receives regular updates and the annual report is presented to Full Council.</p> <p>Members are encouraged to be fully appreciative of changes and risks through training and seminars.</p>	2	4	Medium (8)	
11	CORP010 – Resilience and quality of service delivery arrangements with third parties	Assistant Director – Communities and Leisure	This risk relates to the potential for the failure of potential for the failure of a major supplier of Council services or partners with whom the Council co-delivers/enables provision of services and operations	In the event of a failure, either in resilience or quality, there are likely to be a mix of financial, service delivery and reputational impacts to the Council.	<p>Assessment of business plans for key partnerships. Regular performance reports and monitoring meetings with third parties. Some key partnerships based on open book approach to financial monitoring. A new 10 year contract with PSPS is now in place, providing increased certainty for staff. Regular meetings between ELDC and Magna Vitae.</p> <p>Covid 19 has affected the leisure industry in particular, and there are regular meetings between ELDC and Magna Vitae to provide support in managing the current difficult circumstances. MV has been able to provide help and support with some of our Covid19 response measures.</p>	3	3	Medium (9)	Risk re-worded to remove specific reference to Covid19 and reflect current risk to service delivery arrangements with third parties


Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
13	CORP012 – Technology Infrastructure failure	Head of ICT & Digital (PSPS)	The loss of ICT impacting upon the organisation to operate effectively and deliver services to residents.	The Council relies heavily on the ICT infrastructure for normal business operation. Depending on the service lost, the impact could be severe	<p>The Council has a series of resilience arrangements in place through its service provider, PSPS. Work is continuous to ensure these are fit for purpose across a range of areas.</p> <p>In recognition of the outage of the Internet connection in September, PSPS considered an elevated risk score, however an outage does not mean the likelihood of reoccurrence is any greater, therefore whilst it may have been elevated at that given time, the overall rating remains the same for the period of this risk register.</p> <p>In relation to this a Major Incident review has been conducted. This review considers resiliency options that may be used to lower the risk scoring in the future.</p>	2	5	High (10)	
Page 33	Cyber Incident	Head of ICT & Digital (PSPS)	The risk of the council's ICT infrastructure being severely impacted as the result of a cyber incident, both in terms of downtime of systems and loss of data/information.	The threat landscape across the UK is continuously increasing and appears on the national risk assessment. The Council need to constantly adapt in its security mitigation and training to ensure they are both prepared from a technical and from a people aspect	Defence in depth in the form of firewalls, Mimecast and antivirus is deployed both at the perimeter and the internal Local Area Network. The ICT team play an active part in the East Midlands WARP (Warning, Advice and Reporting Point) which allow us to have early sight of issues being experienced across neighbouring Authorities and Agencies. ICT is also a member of the CISP formed by the National Cyber Security Centre, this allows us early awareness from the central agency responsible for cyber threats across the UK as well as allowing them to monitor our environment to a degree. These mitigations afford ICT awareness of emerging threats.	3	5	High (15)	
15	Capital Programme	AD: Programme Delivery	Escalating costs Onsite Issues Grant funding withdrawal Non-compliance of grant funding obligations Insufficient Pre-project planning and specs (Brief-Creep) Partners withdrawal	Failure to deliver Major capital schemes within the capital programme resulting in Reputational Damage Financial impact Failure to deliver council objectives Reduced ability to secure future funding Failure to deliver externally funded capital schemes	Robust programme and project management Regular and structured reporting mechanisms Robust and effective governance (financial and project) Effective working with partners and 3rd Party delivery Risk transferrance and mitigation Requesting extra funding prior to project commencement where required	2	3	Medium (6)	


Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
16	Externally-Funded Schemes	AD- Programme-Delivery	<p>Escalating costs</p> <p>Onsite Issues</p> <p>Grant funding withdrawal</p> <p>Non-compliance of grant funding obligations</p> <p>Insufficient Pre-project planning and specs (Brief-Creep)</p> <p>Partners withdrawal</p>	<p>Failure to deliver externally funded capital schemes resulting in Reputational Damage</p> <p>Financial impact</p> <p>Failure to deliver council objectives</p> <p>Reduced ability to secure future funding</p>	<p>Robust programme and project management</p> <p>Regular and structured reporting mechanisms</p> <p>Robust and effective governance (financial and project)</p> <p>Effective working with partners and 3rd Party delivery</p> <p>Risk transference and mitigation</p> <p>Requesting extra funding prior to project commencement where required</p>	2	4	Medium (8)	Combined with Capital Programme risk above as similar impacts and mitigations
Page 34	General Fund Assets	Assistant Director: Assets	<p>This risk identifies the need for the council to adhere to all prevailing statutory codes as they relate to council assets and functions</p>	<p>Failure to meet statutory requirements in regard to general fund assets</p>	<p>The asset team have compiled a working list of assets that either have compliance contracts in place or we have local contractors with the jobs in hand. A spreadsheet has been created and a considerable amount of time has been spent updating it ready so we can add to the new database of Technology Forge.</p> <p>The restructure has taken place so we now have the SOPM (Strategic & Operational Property Manager) for budget management, meetings job criteria and Strategic Property acquisitions and sales. This role encompasses the day to day running of the asset team. The Estates Officer for lease arrangements, new tenants, site management and all tenant referrals including day to day issues. Repairs officer - For day to day repairs and allocation of work required in conjunction with liaison via the Estates Officer and SOPM. The Project Manager role is also now defined and runs all medium and major projects for the team.</p> <p>The BSO (Business Support Officer) is a new temporary role which monitors jobs coming in and is also a hands-on role that ultimately saves the Council budget money by undertaking jobs ourselves.</p> <p>The SOPM would be the Senior Responsible Person for the Assets and Compliance routines.</p> <p>Training takes place on a required basis. Asbestos training being the last training of significance that was undertaken by the team</p>	1	4	Low (4)	


Ref Number	Risk Name	Lead Risk Owner	Causes	Impact and Consequences	Mitigation	Likelihood	Impact	Overall Risk	Q4 comment
			(What is causing this risk)	(What might happen if the risk is not addressed)	(What measures are in place already to manage this risk)				
18	Economic hardship	Assistant Director – Wellbeing and Community Leadership	Increase in wholesale energy costs; Supply chain issues; Continuing impact of Covid-19; High rents and low wages; Housing supply, affordable housing and standards issues; Inflation; Fuel shortages; Ukraine conflict	Economic hardship; Fuel poverty; Poor housing; Homelessness; Isolation and lack of opportunities	Taking action to improve housing standards; Working with local landlords; Support to local people on budgeting, training and jobs; Political pressure on the government to address fuel bills nationally. Homes for Ukraine Host Property Inspections to ensure decent standard and properties not overcrowded.	4	3	High (12)	Newly identified strategic risk
19	Identification and Suitability of future Depot Accommodation	Assistant Director – Neighbourhoods	The way that local government waste services is funded is undergoing radical change, with the requirements of the Environmental Act 2021 for pEPR, where local authorities will be funded by the producers of packaging for the cost of the collection, recycling and disposal of packaging waste. It is unknown at this stage what the financial impact is, until Defra announce local authority payments at the end of 2023.	Not yet known	Officers closely follows all policy and practice changes being implemented by the Government and has responded to relevant consultations. This is also being monitored through the countywide Strategic Officer Working Group. Officers are meeting Defra on a regular basis and taking part in research where relevant.	3	5	High (15)	New identified strategic risk


Risk Scoring Matrix						
Impact	Critical	5	10	15	20	25
	High	4	8	12	16	20
	Medium	3	6	9	12	15
	Low	2	4	6	6	10
	Minimal	1	2	3	4	5
		Rare	Unlikely	Possible	Likely	Almost certain
Likelihood						

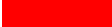
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Minimal Risk 

Low Risk 

Medium Risk 

High Risk 

Critical Risk 

For reference, the category definitions are set out below:

Impact score	1	2	3	4	5
Title	Minimal	Low	Medium	High	Critical
Political risk	Residents unaware of authority's actions	Residents' access to oppose actions limited	Residents' access to oppose actions process blocked	Authority fails to effectively scrutinise its actions	No scrutiny of actions takes place
Reputation risk	Increased complaints for less than one week	Increased complaints for more than one week	Negative local press coverage for one day, increased complaints for more than one week	Negative national press coverage for one day, ongoing negative local coverage	Negative national press coverage over several days. Public criticism from MP, LGA, County Council or national service body
Financial risk	Up to 1% of project budget	Up to 5% of project budget	Up to 10% of project budget	Up to 15% of project budget	Over 15% of project budget
Legal risk	Delays due to legal clarifications being sought (<1 month)	Delays due to legal clarifications being sought (1-6 months)	Delays due to legal clarifications being sought (>6 months)	Project operations potentially subject to legal challenge, project on hold until resolved	Project operations potentially in breach of legislation, project terminated
Disruption risk	Individual members of staff having work disrupted	Multiple members of staff unable to work	Total service outage for one day or less	Total service outage for several days	Total service outage for more than a week
Environmental risk	Immediately remedied damage in an isolated area	Easily remedied damage in an isolated area	Short term damage in an isolated area requiring partners assistance	Damage requiring special budget provision to rectify	Major or widespread damage requiring central government assistance
Contractual risk	Negative impact on key partner relationship	Minor contract renegotiation required	Major contract renegotiation required	Project aims or goal significantly altered or sanction clauses invoked	Project failure and/or termination of contract
Asset & Infrastructure risk	Individual pieces of equipment damaged or needing replacement	Isolated network issues, multiple pieces of equipment needing replacement	Widespread network issues, vehicle damaged	Council properties inaccessible, vehicle need replacing	Council properties damaged, multiple vehicles need replacing, key infrastructure outage
Health and Safety risk	People engaging in hazardous activities without awareness	Individual receives minor injuries	Multiple people receive minor injuries	Individual serious injury	Multiple people seriously injured, individual loss of life

Likelihood score	1	2	3	4	5
Definition	Rare	Unlikely	Possible	Likely	Almost certain
Description	The likelihood of the risk has been minimised to a negligible possibility	The risk is technically possible but an occurrence is not foreseeable in the medium-long term	The risk is a real possibility but the likelihood of an occurrence in the short-medium term is small	The risk is probably going to occur at some point in the medium term-- possibly sooner	The risk is probably going to occur imminently
Timeframe	Will occur at some point in next 50 years	Will occur at some point in the next 25 years	Will occur at some point in the next 10 years	Will occur at some point in the next 5 years	Will occur at some point in the next year
Probability	10% or less	Between 10-30%	Between 30-50%	Between 50-85%	85% or more

Risk appetite

Minimal: Avoidance of risk and uncertainty; minimal exposure to risk preferred; consequently likely to corresponding risk score = low

Cautious: Preference for safe options with low to medium risk; consequently reduced potential for reward corresponding risk score = low to medium

Creative and aware: Willing to consider all potential options and choose the one most likely to achieve a balanced approach recognising that things may go wrong but we will learn from them; corresponding risk score = medium

Seek: Eager to be innovative and to choose options offering potentially higher rewards, despite greater willingness to tolerate uncertainty and accept possibility of significant loss; corresponding risk score = high

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REPORT TO:	Executive Board
DATE:	14 June 2023
SUBJECT:	Appointments to Outside Bodies within the remit of the Executive Board
PURPOSE:	To appoint representatives to outside bodies for the municipal year 2023/24
KEY DECISION:	No
PORTFOLIO HOLDER:	Councillor Craig Leyland, Portfolio Holder for Corporate Services and Leader of the Council
REPORT OF:	John Medler, Assistant Director – Governance & Monitoring Officer
REPORT AUTHOR:	Ann Good, Democratic Services Manager
WARD(S) AFFECTED:	N/A
EXEMPT REPORT?	No

SUMMARY

This report considers the appointment of representatives to the various outside bodies which are within the remit of the Executive Board, as required by the Council's Constitution. The table attached at **Appendix A** to this report details the appointments to outside bodies for 2023/24. Full Council appointments to outside bodies were agreed for 2023/24 at the Council's Annual Meeting on 24th May 2023.

RECOMMENDATIONS

- 1) That representatives be identified and appointed for 2023/24 to the various outside bodies detailed at Appendix A to the report presented;
- 2) Should any further outside body appointments (within the remit of the Executive Board) be required during the year, that such decision(s) be delegated to the Leader, Chairman of the Executive Board.

REASONS FOR RECOMMENDATIONS

To enable the appointment of Members on the outside bodies as outlined in **Appendix A**.

OTHER OPTIONS CONSIDERED

N/A

1. BACKGROUND

- 1.1 The responsibility for appointing Members to outside bodies is divided between the Council and the Executive Board; this division being on the basis of responsibility for functions as identified in the Council Constitution. Council appointments were made at the Annual Meeting on 24^h May 2023.
- 1.2 Representation on outside bodies enables the Council to actively contribute to the work of many of the bodies providing services to the East Lindsey area.

2. REPORT

- 2.1 Attached at **Appendix A** to this report is a schedule of those bodies to which the **Executive Board** currently makes appointments and a list of the current appointees.
- 2.2 Executive Board is recommended to appoint Members to serve on the outside bodies listed in Appendix A. Such appointments to hold good only whilst the Member remains a Member of the Council, until the first meeting of Executive Board after the Council Annual Meeting in May 2023, or until the appointment of their successor(s).
- 2.3 Councillors serving on outside bodies shall abide by the 'Protocol for Councillor Representation on Outside Bodies' set out in the Council's Constitution – a copy of which is attached at **Appendix B**.

EXPECTED BENEFITS TO THE PARTNERSHIP

None.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS' PARTNERSHIP

None.

CORPORATE PRIORITIES

None.

STAFFING

None.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

These implications are detailed within the report. The Protocol for Councillor Representation on Outside Bodies" section of the Council's Constitution attached at **Appendix B** to this report.

DATA PROTECTION

None.

FINANCIAL

Travelling expenses are payable to Councillors who attend meetings of outside bodies to which they have been appointed to by Executive Board. Provision is made within existing budgets for such costs.

RISK MANAGEMENT

None.

STAKEHOLDER / CONSULTATION / TIMESCALES

Details of the outside bodies to be appointed to by Council are shared with Group Leaders.

REPUTATION

None.

CONTRACTS

None.

CRIME AND DISORDER

None.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None.

HEALTH AND WELL BEING

None.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None.

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

None.

ACRONYMS

None.

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
<i>APPENDIX A</i>	<i>Executive Board Appointments to Outside Bodies</i>
<i>APPENDIX B</i>	<i>Protocol for Councillor Representation on Outside Bodies</i>

BACKGROUND PAPERS
No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT
A report on this item has not been previously considered by a Council body.

REPORT APPROVAL	
Report author:	Ann Good, Democratic Services Manager
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Approved for publication:	Cllr Craig Leyland, Portfolio Holder for Corporate Services and Leader of the Council

Appointments to Outside Bodies:

Name of Body	No of Reps	Appointment(s) 22-23	Appointment (s) 23-24
Alford & District Civic Trust	1	Councillor Devereux	
British Resorts Association	1	Councillor Kirk (as Portfolio Holder)	
Destination Business Improvement Business (Lincolnshire Coastal Destination BID)	1	Councillor Kirk (as Portfolio Holder)	
East Lincolnshire Arts	1	Councillor Dr. Mangion	
East Midlands Councils	1	Councillor Leyland (as Leader of the Council)	

Gibraltar Point Nature Reserve	2	Councillor Kirk Councillor Smith	
Heritage Trust for Lincolnshire	1	Councillor Mossop	
Hope House Hostel Management Committee	1	Councillor Howard	
Humber Estuary Coastal Authority Group (HECAG)	1	Councillor Ashton (as Portfolio Holder)	
Humber Management Scheme Partnership	1	Councillor Ashton (as Portfolio Holder)	
Humber Strategy Group	1	Councillor Ashton (as Portfolio Holder)	
LGA Coastal Issues	1	Councillor Ashton (as Portfolio Holder)	
LGA General Assembly	1	Councillor Leyland (as Leader of the Council)	
LGA National	1	Councillor Leyland (as Leader of the Council)	

Lindsey Marsh Drainage Board	10	Councillor Aldridge Councillor Andrews Councillor Ashton Councillor Bowkett Councillor Dennis Councillor Edginton Councillor Howard Councillor McNally Councillor Mossop Councillor Rickett	
Lincolnshire Waste Partnership	1	Councillor Foster (as Portfolio Holder)	
Lincolnshire Wolds Countryside Service (Lincolnshire Wolds Joint Advisory Committee & Joint Management Group)	2	Councillor R. Avison Councillor Grover	

Mablethorpe Playing Fields Association	2	Councillor Arnold Councillor Howard	
Manby & Grimoldby Sports Association	1	Councillor Knowles	
Skegness Sports Association	1	Councillor Kirk	
SPARSE & The Rural Services Network	1	Councillor Gray (as Portfolio Holder)	
The Parking and Traffic Regulations (Outside London) Joint Committee	1	Councillor Foster (as Portfolio Holder)	

The Wash & North Norfolk Coast European Marine Site Management Project	1	Councillor Knowles	
Triton Knoll Local Liaison Committee	1	Councillor Ashton (as Portfolio Holder)	
Witham 3 rd Drainage Board	7	Councillor Ashton Councillor S. Avison Councillor Gray Councillor Grover Councillor Kemp Councillor Martin Sean Matthews (Lay Appointment)	
Witham 4 th Drainage Board	3	Councillor Ashton Councillor A. Hall Councillor Jones	
Wolds Community Transport	1	Councillor Makinson-Sanders	

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Part 5.8 - Protocol for Councillor Representation on Outside Bodies

The Council will appoint Councillors to serve on outside bodies in accordance with Article 3.2 of the Constitution.

The Council has produced this protocol to ensure that Councillors and officers are aware of their obligations when representing the Council on outside bodies (Companies, Unincorporated Associations, Charities and other Public Authorities).

General Principles

Councillors who are appointed to outside bodies shall be prepared to regularly attend all meetings of bodies to which they are appointed or to send an agreed and empowered substitute in exceptional cases.

Councillors shall report back to the Council (either Council, the Executive Board or the Committee whichever made the appointment) on proceedings/decisions taken by the outside body, as appropriate and in all cases within a reasonable time of being requested to do so.

Councillors shall also report back to the Overview Committee within a reasonable time if requested to do so.

Councillors shall act in accordance with the Nolan Principles of Public Life enshrined in the Council Code of Conduct.

Key Principles of the Protocol

* Councillors and officers will act according to the rules, constitutions and frameworks set by the relevant outside body and, where possible, with those of the Council.

* Councillors and officers will make independent and personal judgements based on their duty of care to the outside body.

* Councillors will report back on their involvement with the outside body, to the Council, as required.

* Councillors will comply with their obligations as far as they are applicable pursuant to the Code of Conduct.

* Councillors and officers will take an active and informed role in the management of the outside body's affairs.

* Councillors and officers are under a duty to exercise independent judgement in the interests of the organisation in which they are involved. Whilst it is recognised that Councillors and officers may have a commitment to representing the Council on the outside body, they must be aware that it is their responsibility to decide on what view to take on any question before that organisation. For example, an instruction from the Council to vote one way or the other would put the Councillor or officer in breach of his/her duty to the organisation. It is permissible to take account of the Council's wishes, but not to vote simply in accordance with them without applying their own judgement to the question before them.

Appendix B

* Where a Councillor or officer is involved in an outside organisation as a representative of the Council, he/she must declare that fact to the organisation.

* Councillors/Officers must also ensure that avoidable loss is not incurred in managing the organisation concerned. They cannot avoid this responsibility by not reading the papers or failing to ask for the appropriate report. Councillors should seek professional advice as appropriate.

* Councillors and officers who represent the Council need to familiarise themselves with the duties they will assume and any potential liabilities they may face. It is essential that they are aware of how to deal with any conflicts of interest that may arise.

Duties when appointed as a Company Director.

*To act in good faith and in the best interests of the company when making decisions as a director. This means exercising your own, independent judgement on matters and whilst factors such as the views and wishes of the Council or, if you are a Councillor, your political group, may be taken into account, one should avoid slavishly following the council or party group line without considering all other relevant considerations. When making decisions about the company the law also requires you to consider the interests of employees as well as the interests of Councillors/shareholders. In certain cases you may find that the best interests of the company and the Council conflict. Guidance on conflicts of interest is included in this protocol.

* To exercise reasonable care and skill when making decisions as a director. A director requires no greater skill than might reasonably be expected of someone of that individual's particular knowledge and experience. Directors are not deemed to be experts but they are expected to use due diligence and to obtain expert advice if necessary. This is very similar to the Councillor/Officer relationship in terms of decision making and the provision and consideration of professional advice.

* A fiduciary duty to act honestly and in good faith and in the best interests of the company as a whole.

* To act in accordance with the company's memorandum and articles of association, plus any other rules, regulations or bylaws that the company may operate pursuant to. Councillors/Officers should ensure that they have an up to date copy of these documents and are aware of their contents.

* To inform the board of a company if you have any direct or indirect interest in a contract the company is considering, proposing or entering. This, for example, will include contracts between the company and the Council. These requirements are similar to those contained in the Code of Conduct governing the declaration of interests. In general terms, Councillors must notify the other directors before the company makes a decision on the matter concerned and the Councillor should not take part in any board discussions about the contract. However this does not apply to Directors of Public Sector Partnership Services Limited or trustees of Magna Vitae. In these circumstances Directors who are also Councillors can take part in company discussions and vote in respect of Council contracts.

* Not to make a profit from their positions within the company. You must therefore declare any interests you have (or those of your family) in relation to the company's contracts. Permission to vote on a particular matter would depend on the Articles of Association.

* To comply with company law. Directors must ensure that the Companies Acts are complied with particularly in respect of the maintenance of accounts and the submission of statutory returns to the registrar of companies. Failure to do so incurs fines and persistent default can lead to disqualification as a director.

Liabilities once appointed as a Company Director.

Councillors/Officers acting as company directors may be held personally responsible for the company's debts and liabilities if they:-

* Engage in wrongful trading, i.e. if you knowingly permit the company to continue to trade or incur liabilities when you know or ought to have known that the company is unable to pay its debts. Accordingly, councillors/officers must ensure that they obtain regular information about the company's financial position. Advice on interpretation of financial information may be obtained from the company's chief financial officer or if appropriate the Council itself. If you feel the company is unable to pay its debts you should notify the other directors as soon as possible. You should also consider whether to resign as a director. The Monitoring Officer will be able to advise you and you should seek their advice as soon as possible.

* Misuse company assets.

* Fail to act in the best interests of the company or fail to act with the level of skill that could be reasonably expected of you, save and except where the Court is satisfied that you acted honestly and reasonably.

* Exceed the scope of any delegated authority you may have from the company. This is very similar to your position as a Councillor/Officer. Acting outside of the Council's powers can result in legal challenge.

* Failure to disclose a direct or indirect interest in a contract with the company could result in;- The imposition of a fine and/or the requirement to pay to the company any money you have received under the terms of the contract.

Should the number of Directors on a company fall to two, advice it will be prudent to inform the Monitoring Officer so that the Council can consider whether it is prudent for your involvement to continue.

Public Sector Partnerships Services Ltd/Magna Vitae

Where the appointment is to act as a Company Director (e.g. in the case of Public Sector Partnership Services Ltd or Magna Vitae Leisure Trust) then the Councillor (and/or officer if applicable) must undertake such duties with due regard to Company Law. This means that their responsibility is to act and contribute to company decision making in the best interests of the Company (which may not necessarily coincide with the best interests of the Council). The duty to act in accordance with Company Law is a personal duty owed to the Company as a corporate body which is placed upon the Director.

The Principles of Charity Law

Charities may be created by registering any of the following with the Charity Commission:-

- (1) A Trust Deed – the Trustees become charity trustees.
- (2) A company limited by guarantee – the directors become charity trustees.
- (3) An unincorporated association – the Management Committee become charity trustees.

In order to qualify for a charitable status, the Charity Commission must be satisfied that the organisation is operating for a charitable purpose namely:- the relief of poverty and human suffering, the advancement of education or the advancement of religion.

The Duties of a Charity Trustee

A Charity Trustee must:-

- * Act strictly in accordance with the charity's constitution and rules.
- * Act in the best interests of the charity.
- * Manage the charity's affairs prudently.
- * Not derive any personal benefit or gain from the charity.
- * Take professional advice on matters you are not competent to decide yourself.
- * Ensure that the charity's bank accounts are operated by more than one person.
- * Ensure the trustees have proper control of the charity's property and assets.
- * Ensure that the charity keeps full and accurate accounting records.
- * Spend charity income solely for the purposes set out in the charity's Constitution. Ensure charity property is properly maintained and insured.

Personal Liability of a Charity Trustee

Personal liability may be incurred if a trustee:- (1) acts outside the scope of the trust deed (2) falls below the required standard in respect of the duty of care owed by them (3) makes a personal profit from the trust assets or any transaction associated with the charitable trust.

Unincorporated Associations

Bodies which are not charities, companies or public bodies are often referred to as unincorporated associations. They usually operate pursuant to a constitution or set of rules defining the organisation's responsibilities and those of its Councillors. The affairs of an unincorporated association are usually governed by a management committee in accordance with the organisation's constitution or agreed rules of procedure. Unincorporated associations cannot enter into contracts, own land, or employ staff. Councillors of the organisation's management committee must act in accordance with its Constitution and must take reasonable care in exercising the organisation's powers. Generally, Councillors of the Management Committee are personally liable for the acts of the organisation but are entitled to an indemnity from the funds of the organisation if they have acted reasonably and in good faith. If there are not enough funds, the Committee Councillors will

however be personally liable for the shortfall. Councillors of a Management Committee will have personal liability if they act outside the authority given to them or if they do not comply with the relevant legal obligations.

Duties of Management Committee Councillors of Unincorporated Associations

- * Councillors must act in the best interests of the association.
- * Use reasonable care and skill when involved in decision making on behalf of the association.
- * Act in accordance with the association's rules or Constitution.
- * Councillors/officers are therefore encouraged to clarify the extent of any limits to their power to act on behalf of the Council.
- * Promptly notify the Monitoring Officer if the association is proposing to take a course of action which is disadvantageous to the Council or which seems to involve considerable risk.
- * Ensure the association has clear rules and procedures for decision making, particularly for entering into contracts and promptly notify the Monitoring Officer of any concerns in this regard.

Other Public Authorities

Some Councillors will be appointed to other public authorities, for example Internal Drainage Boards. Like the Council, these bodies are created by statute and have a range of powers and duties. Councillors appointed to such Public Authorities will be required to comply with that Authority's code of conduct if one is in operation, when conducting business for them. In practice they are likely to be similar to the Council's own Code of Conduct. In cases of doubt, advice should be sought from the Monitoring Officer.

Councillors representing the Council on other bodies (such as a company, charity or unincorporated association), must comply with the Council's Code of Conduct except where it conflicts with any legal obligations the other body or organisation is bound by. Such conflicts are, in the view of the Monitoring Officer likely to be rare. In cases of doubt, advice should be sought from the Monitoring Officer.

Compliance with the Council's Code of Conduct

Councillors are obliged to observe the provisions of the Code Conduct whenever they conduct the business of the authority including when they act as a representative of the authority, except and insofar as it conflicts with any other lawful obligations to which that body is subject. It isn't easy to imagine such circumstances arising, but one example might be where the Council was proposing to take action which would have an extremely adverse effect on the financial wellbeing of a company on which a member held a Directorship. If the Councillor was privy to the information concerning the authority's plans he may find himself in a position where he was compelled to disclose this potentially confidential information to the company due to his fiduciary duty to the company itself and duties arising under the Companies Acts to avoid trading when insolvent. This is an extreme example but one which could feasibly arise. In such circumstances, acting contrary to the Council

Code of Conduct would not be taken as a breach, because of the wider duties that apply to the Company.

Declaration of Interests

A Councillor must regard themselves as having a personal interest in any business before the Council, if the matter relates to an interest in an outside body with which they are involved. This means that where a Councillor is appointed to an outside body, they must declare it before (or at the time) the item is raised. Where a Councillor has a personal interest in a matter they must also give consideration as to whether they should withdraw from debate/voting on the matter. The legal test applied for this is an objective one of whether a member of the public with full knowledge of the circumstances would reasonably regard the interest as so significant that it is likely to prejudice the member's judgement of the public interest. Advice of the Monitoring Officer should be sought in particular cases and councillors should always remember that perception is an important aspect of the ethical principles outlined in the Council Code of Conduct.

Conflicts of interest

Conflicts of interest may arise between the Council and a company to which you are appointed as a Director. Even if the Council and the company have the same overall aims and objectives, you cannot assume that their interests will always be the same. The legal position and your obligations, remain the same, namely that you have a fiduciary duty to the company as a matter of company law.

Conflicts of interest may arise If for instance the council is disposing of land to the company, if the company and the Council are negotiating a contract with each other, if the company is seeking funding from the Council, if there is a dispute between the company and the council or if the company is tendering or negotiating to provide goods, services or works to the Council.

Company law requires you to act in the best interests of the company but the Council will have nominated you as a director to represent or promote the Council's interests. Accordingly, if you are uncertain whether a conflict of interest exists you should seek advice from the Monitoring Officer in any particular case.

If you think you have a conflict of interest you should take the following steps:-

- Notify the Monitoring Officer
- Notify the company's Board of Directors
- Take no further part in the matter on behalf of the company.
- You should take no part in the matter on behalf of the Council either. This includes not taking part in any discussions on the matter or representing the council at meetings where the matter is discussed. You should declare an interest and leave the room whenever the matter is raised.