

**Questions to Council Under Rule 11 of the Constitution –  
Council 1<sup>st</sup> March 2023**

**1 Councillor George Horton to Councillor Tom Ashton, Portfolio Holder for Planning**

Over the four years this administration has been running East Lindsey, how much money and what improvements have been achieved specifically for Louth through Section 106 conditions. Please could you give me some specific examples of these successes?

**A** *Over the last 4 years, S106 planning obligations in Louth have resulted in:*

- *Delivery of 190 Affordable Housing Units;*
- *Receipt of £198,538.74 for the future delivery of affordable housing specifically in Louth;*
- *Provision of £134,523.55 in received S106 monies to LCC for a new classroom block at Eastfield School and £35,999.00 towards the expansion of Lacey Gardens School;*
- *Receipt of £373,018.66 in NHS contributions to be spent on improvements to GP surgeries in Louth;*
- *Receipt of £125,000 in Highways Contributions for transport works, a nipper bus service for development sites land west of Grimsby Road and land off Brackenborough Road, along with a pedestrian crossing scheme at the junction of Brackenborough Road and Victoria Road;*
- *Maintained the public open space (and will continue to until 2056) on Land off Riverhead, Louth and received £12,000.00 towards play equipment;*
- *Receipt of £10,000 for drainage investigation and watercourse improvements at land at Fulmar Drive.*

*During the last 4 years, there have been 13 new legal agreements entered into, which will or have already started to deliver 180 Affordable dwellings, bring over £1.6 million towards improvements to schools and over £270,000 towards improvements to GP surgeries in the Louth area.*

**2 Councillor Jill Makinson-Sanders to Councillor Adam Grist, Portfolio Holder for Market Towns & Rural Economy**

Please could you outline what procedure, and to what timescales, will apply to grant applications made to the UK Shared Prosperity Fund locally. This information is missing from the process outlined on our web pages.

**A** *The UKSPF Bidding Prospectus went live on 24 January 2023, with guidance outlining how interested parties were to submit project ideas through an Expressions of Interest (EoIs)*

*There is no set date by which EoIs can be submitted as we need to ensure project ideas are well thought through and not assessed on a first come first served basis.*

*We were however keen to identify projects that could be approved quickly to allow us to commit some, or all, of the 2022/23 budget. To this end eligible EoIs that can be progressed quickly have been prioritised and are being worked upon now with the aim of committing funds before the end of March.*

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*More complex, multi-year or Delegated Authority EoIs are being logged and held for review early in the next financial year (post April 2023) once the newly appointed Programme Manager and team are on board.*

*In addition to the Expression of Interest and as part of the overall assessment process, eligible projects will be required to complete an application form. The Partnerships full assessment process can be found on page 15 (section 2.1) of the UKSPF Prospectus.*

*As part of the decision-making process Local Partnership Boards will be asked for their input as will Expert Themed Groups, who are well positioned to comment on specific project delivery, matched funding and collaboration opportunities.*

### **3 Councillor Jill Makinson-Sanders to Councillor Richard Fry, Portfolio Holder for Finance**

Why does it take 28 days for the Council Tax department to reply to an email?

- A** *The Revenues and Benefits service is facing a peak period of demand as it continues to deal with increased workloads, additional government schemes, and as it prepares for 2023/24 annual billing.*

*The pressure of this additional work is being contained within existing PSPS resources, thereby minimising additional costs to the Council, however it has had an impact on the team's ability to deal with 'business as usual' to its usual performance standards, including response times to emails.*

*The service has not returned to a pre-covid 'normal', and now, with the further impacts caused by the cost of living and energy cost crisis, the Revenues and Benefits service continues to face additional challenges.*

*The service is not complacent and is taking steps to address the current challenges.*

### **4 Councillor Jill Makinson-Sanders to Councillor Craig Leyland, Portfolio Holder for Corporate Affairs**

What safeguards are in place to check that every grant made using public money, is used according to the request for the monies? How does this council deal with any errant behaviour when it is reported to the council?

- A** *Different requirements are in place for different grants in accordance with the grant funding body to confirm that funds are being used for the approved purposes and the service overseeing the grant has responsibility to ensure the appropriate arrangements are in place to ensure these are complied with. If concerns are raised by any person or body then these concerns will be investigated.*

### **5 Councillor George Horton to Councillor Tom Ashton, Portfolio Holder for Planning**

If I apply for planning permission for reasons of transparency and openness it must be decided by the Planning Committee but if THIS council applies for permission it is decided by a paid officer working for THIS council under delegated powers. If we

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are looking at openness and transparency how logical is this if judged by the man on the Clapham omnibus?

**A** Thank you Councillor Horton,

*I understand you have previously received an answer to a very similar question both from Cllr Leyland and also Officers.*

*Planning decisions are based on balancing competing interests and making an informed judgement against a local and national policy framework in the wider public interest.*

*As per LGA advice (Probity in Planning 2019):*

*"The applications that go to committee, or are determined by an officer, will be set out in the local authority's scheme of delegation. Effective delegation can help ensure that decisions on planning applications that raise no significant planning issues are made quickly, and that resources are appropriately concentrated on the applications of greatest significance to the local area."*

*The Scheme of Delegation within the Constitution sets out what may or may not be determined without reference to Planning Committee (see p97). This outlines that all decisions can be taken under delegation, unless one of the criteria applies.*

*There is no specific criteria for Council applications and thus, they are able to be determined under Delegation, unless specifically called-in by the Local Ward Member based on material planning considerations and the need for consideration due to the significant public interest in the proposal. The criteria for call-in are listed at ii on page 98.*

*Please note there are many examples where Council applications have and can be appropriately and proportionately dealt with through Delegation, and you may wish to note that many Councils have moved away from the traditional approach of Council applications going to Committee as a default. There is no reason such applications cannot be dealt with by Officers, and indeed I note that the LGA advice (Probity in Planning 2019) further states:*

*"Proposals for a council's own development should be treated with the same transparency and impartiality as those of private developers."*

*In terms of transparency, all planning decisions are taken in this way, based on the requirements of planning law (ie considering the Development Plan and material planning considerations) and are subject to public consultation as per statute. A report explaining our decision is published, and is available for public scrutiny. Therefore, a Delegated decision is no more or less transparent than a Planning Committee decision.*

*I am confident in the honesty, professionalism and general conduct of our Planning function and its Officers, and as such, I have no concerns at Council applications being considered or treated any differently to any other applications.*

*With regard to Member applications; I think we would all agree that such submissions can easily give rise to suspicions of impropriety, even if this is nothing more than perception. Such proposals must be handled in a way that gives no grounds for accusations of favouritism. It is this Councils practice that such applications are*

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*reported to Committee. To that end, our Constitution complies with the LGA guidance on this matter, and arguably goes beyond it, as there are Councils where Member applications to can be determined under Delegation, subject to criteria including the scale of the proposal and review by the Monitoring Officer.*

*To conclude, I consider our present system, as set out in the constitution provides and appropriate balance between efficiency, and transparency, and is compliant with the LGA advice.*

*I understand your question may be influenced by a current, live application, and as indicated I believe you have already received more substantive responses on this matter. However, I would always be willing to discuss specific issues with you.*

### **6 Councillor Richard Cunnington to Councillor Richard Fry, Portfolio Holder for Finance**

Further to our email conversation dated 29 January 2023, as I have still not had a further response, do you know if the CEO has responded to a resident with regard to his email dated 20<sup>th</sup> February?

**A** *A response is due to the resident this week.*

### **7 Councillor Richard Cunnington to Councillor Richard Fry, Portfolio Holder for Finance**

Why do the independent auditors claim that businesses have initiated legal against the council regarding the bid when in fact the bid company initiated legal proceedings against those businesses with the help of this council?

**A** *I am not aware of any legal action being taken against the council regarding the BID scheme.*

*From the Council's perspective applications for Liability Orders have been made against businesses who have not paid the BID Levy as part of standard enforcement procedures by the Council as Billing Authority.*

### **8 Councillor Jill Makinson-Sanders to Councillor Richard Fry, Portfolio Holder for Finance**

What are the total combined losses of Invest East Lindsey and the Kingfisher Caravan Park over the last two years?

**A** *I thank Councillor Makinson-Sanders for her question; as she will be aware, Invest East Lindsey Limited's accounts are available free of charge from Companies House, however, to assist, the position of the Company was an operating loss of £202,986 for the period 02/12/2019 to 31/03/2021 and £68,494 for year ended 31/03/2022.*

*The Kingfisher Caravan Park sales and holiday function operated by the Company is not separated from other elements of company business as Invest operates a single trading account. The operating losses reported are not at all uncommon for new companies, especially those involved in development such as Invest East Lindsey whose cash position over forecast has been significantly affected by the timing of its house sales which have slowed for a number of reasons, not least the impact that mortgage interest rate rises have had since September 2022. Invest now forecasts*

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realising a significant trading profit in 2023/24 when it is due to complete the sale of its remaining homes.

In terms of the Council's operation of Kingfisher Caravan Park; the Park has returned the Council an operating surplus in each of the last two financial years and has not made a loss.

### 9 Councillor Andrew Leonard to Councillor Craig Leyland, Portfolio Holder for Corporate Affairs

At what point will the dead grass outside the Hub be removed and replaced by something more attractive to visitors.

- A** I thank Councillor Leonard for his question, the planting scheme at the HUB was approved as part of the planning process and I don't believe the grasses to be dead, simply that they are in their winter state. As we move into spring and through summer we should see tall flowering bulbs shoot and swathes of attractive grasses bloom in the beds around our magnificent new building.

I have set out the planting mix for Councillor Leonard in the response he has received directly.

Name	Size Height cm	Ctr m	No. /m	Root/ Pot Size	Notes	% Mix	Total Area/ %	Total Quant.
<b>TALL FLOWERING BULB AND GRASS PLANTING</b>								
<b>Ornamental Grass Planting 01- 20% total character area</b>								
All to be Planted in swathes as per planting plan								
<i>Pennisetum villosum</i> /Feathertop grass/ (PvJ)	40-60	0.4	6.25	5L	full pot	70%	110.6	691
<i>Agapanthus</i> 'Midnight Star' /African lily/ (AM)	40-60	0.5	4	5L	full pot	30%	47.4	190
<b>TOTALS</b>						<b>100%</b>	<b>158</b>	<b>881</b>
<b>Ornamental Grass Planting 02- 20% total character area</b>								
All to be Planted in swathes as per planting plan								
<i>Stipa tenuissima</i> /Mexican feather grass/ (St)	40-60	0.4	6.25	5L	full pot	80%	120.8	755
<i>Allium hollandicum</i> 'Purple Sensation' /Dutch garlic/ (AhP)		0.2	25	bulbs	bulbs 50mm up/ spaced out evenly; planting depth 150-200mm, spacing min 150-200mm	20%	30.2	755
<b>TOTALS</b>						<b>100%</b>	<b>151</b>	<b>1510</b>
<b>Ornamental Grass Planting 03- 50% total character area</b>								
All to be Planted in swathes as per planting plan								
<i>Eupatorium cannabinum</i> /Hemp-agrimony/ (Ec)	5 - 10	0.2	16	1L/ seed	ecological seed bed planting	5%	19.15	306
<i>Deschampsia cespitosa</i> 'Bronzeschleier' /Tufted hairgrass/ (DcB)	60-80	0.4	5	5L	full pot	95%	363.85	1819
<b>TOTALS</b>						<b>100%</b>	<b>383</b>	<b>2125</b>
<b>Ornamental Grass Planting 04- 10% total character area</b>								
All to be Planted in swathes as per planting plan								
<i>Hakonechloa macra</i> 'Aureola' (HmA)	20-30	0.4	6.25	5L	full pot	25%	12.188	76
<i>Miscanthus sinensis</i> 'Kleine Silberspinne' /Chinese silver grass/ (MsK)	60-80	0.5	3	5L	full pot	75%	48.75	146
<b>TOTALS</b>						<b>100%</b>	<b>65</b>	<b>146</b>

### 10 Councillor Andrew Leonard to Councillor Graham Marsh, Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction

How do you think that the proposed 3G pitch next to the leisure centre in Louth ticks this councils' green credentials, particularly when we are looking at covering an existing piece of real grass with a simulated version.

- A** The purpose of the Council's investment into a new artificial grass football pitch at Meridian Leisure Centre, is part of our continued commitment to improving sporting and recreation facilities across East Lindsey.

The new pitch will utilise recycled materials and LED lighting systems within its construction, where possible, and the ongoing maintenance requirements of an

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*artificial pitch do not require the same level of chemical applications used on turf, in order to maintain a playable surface.*

*There is a clear demand for more modern, year-round, all-weather football and sporting facilities in Louth, and we hope that offering new pitches and training areas within the same space can help to increase access and participation and offer an enhanced place for residents of all ages to play, exercise and socialise together, which will contribute towards the Council's Health & Wellbeing priorities.*

### **11 Councillor Andrew Leonard to Councillor Graham Marsh, Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

Why was it told to a member of the public by a consultant engaged by this council in respect of the proposed 3G pitch in Louth, that £600.00 had been saved by this council, because the agent didn't come to Louth as instructed. Instead, he concluded the findings from his office to make the saving. So given the high value of the project, was this approach of not physically seeing the site acceptable.

- A** *We have no knowledge of this situation, if the member of public would like to contact the Council directly, we will look into the circumstances associated with your question.*

### **12 Councillor Andrew Leonard to Councillor Richard Fry, Portfolio Holder for Finance**

Given the cost-of-living crisis, how can we be assured that we will not be handing even more funds to Magna Vitae to cover the costs of heating the Louth swimming pool.

- A** *The cost of living crisis, is a National crisis that has impacted every aspect of our society. The Council is proactively taking steps to reduce its carbon footprint across its estate, including leisure facilities, and has set aside £1.5m to undertake this work. Magna Vitae in providing the Council's leisure & cultural services on its behalf, is also taking steps to mitigate against the significant increase in utility costs and will be initially deploying its reserves to offset these added costs. Any additional support the Council may consider going forward, will depend on the Governments position on utility relief for the leisure & cultural sector.*

### **13 Councillor George Horton to Councillor Craig Leyland, Portfolio Holder for Corporate Affairs**

For some time now, especially post-COVID, we as members have been asking for contact lists and James Gilbert has kindly sent this information. However, when we contact senior officers they tell us we should be contacting officers "further down" the line, but we don't have their details. How can we sort this out?

- A** *Many thanks for your question. I'm pleased the contact book for senior officers has been helpful. We will continue to refresh this.*

*In recognition that we are a Partnership of almost 1,000 officers across the sub-region, we have introduced the Member Liaison Support Service for exactly this type of scenario. The details of Alison Hull are in the contact book. Alison will guide enquiries to the right officer; where helpful, source a response on your behalf; or*

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*provide you with the relevant contact details for the officer if you don't have them. Do make the most of this service.*

*Also, we have offered several ICT sessions to Councillors on how to use Microsoft Teams as a means to contact officers – both video call and telephone. In Teams you can search for an officer by name and then call them. I am aware a few Councillors have had issues using Microsoft Teams and post election we'll make a concerted effort to ensure this is an effective tool for Councillors.*

### **14 Councillor George Horton to Councillor Martin Foster, Portfolio Holder for Operational Services**

With the introduction of the purple lidded bin and the change of policy about what can be put in them, what has been the increase in recycling?

- A** *The recycling rate performance indicator is an annual measure which will be updated when Quarter 4 data is received later in the year. At the moment we don't have the full data to be able to calculate that information. However, initial analysis by LCC on our recycling collected in the first few months of the new collections being introduced, shows that the amount of 'contamination' in our recycling has reduced by around a third which is very good news. The paper mill receiving our separated paper and card has also reported that the quality of the material being received is very high. This demonstrates that residents across the district have responded positively to the new collections, and more material is now being recycled.*

### **15 Councillor George Horton to Councillor Craig Leyland, Portfolio Holder for Corporate Affairs**

What was the cost of the new IT system installed at the Horncastle Hub and what has happened to all the kit the council had before the move? What % of the £8m plus scheme is attributable to the new system?

**A** *Cost of ICT*

- The ICT budget for the project was £724,000.*
- The total cost came in at £646,843 (£77,157 under budget).*
- £329,542 of the final costs would have been required even if we had stayed at Tedder Hall. This was due to the 'sweating' of assets once the move became imminent.*

*This means the specific ICT cost related to the Hub move was £317,301.*

*We then secured £22,000 from the sale of ICT assets that had a value.*

*£295,301 is 3.5% of the Hub cost, which is forecast to be c£8.34m.*

**Equipment no longer required:**

- Regarding the equipment that was removed from Tedder Hall - where this was beyond its usable life or had no residual value, (such as monitors) this was provided to staff to support them in remote working.*

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- *Where an item had no residual value and was beyond its usable life and not relevant for staff (switches, firewalls etc), this has been disposed of using the Council's disposal contractor aligned to the WEEE directive.*

*Where an item had residual value, this was sold and has accounted for an income of £22,000.*

### **16 Councillor Jill Makinson-Sanders to Councillor Craig Leyland, Portfolio Holder for Corporate Affairs**

When was it decided that each member of the Executive Board should take on special responsibility for one of the Towns' Fund schemes? Who is responsible for what? Is this in accordance with the Constitution and if so, please could you point out to me where it is listed as a responsibility?

- A** *A Resource planner with member responsibilities was sent to you previously as part of a reply to a Scrutiny question. The responsibilities were agreed by SLT and the Cabinet during the course of several away days at the early stages of the process. These were aligned to members portfolios and responsibilities wherever possible.*

*It's a practical response to dealing with the projects that have been created by the connected Coast Towns fund initiative. It's a decision of the executive board and leader.*

*Ends*