

Minutes of a Meeting of the Council held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Wednesday, 13th December, 2023 at 2.00 pm.

PRESENT

Councillor Dick Edginton (Chairman)
Councillor Edward Mossop (Vice-Chairman)

Councillors Terry Aldridge, Claire Arnold, Tom Ashton, Richard Avison, Wendy Bowkett, Stef Bristow, Billy Brookes, Danny Brookes, Jimmy Brookes, Sandra Campbell-Wardman, Graham Cullen, Richard Cunnington, Colin Davie, Roger Dawson, Sid Dennis, Sarah Devereux, Carleen Dickinson, Stephen Evans, Stephen Eyre, Martin Foster, Richard Fry, William Gray, Alex Hall, David Hall, Travis Hesketh, Darren Hobson, George Horton, Rosalind Jackson, Neil Jones, Sam Kemp, Thomas Kemp, Steve Kirk, Terry Knowles, Craig Leyland, Steve McMillan, Daniel McNally, Carl Macey, Jill Makinson-Sanders, Kate Marnoch, Ellie Marsh, Graham Marsh, Fiona Martin, M.B.E., Daniel Simpson, Terry Taylor and Robert Watson.

58. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillors Mark Dannatt, Adam Grist, Will Grover, James Knowles, Andrew Leonard, Stephen Lyons, Paul Rickett and Ru Yarsley.

59. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the Meeting, Members were invited to declare any relevant interests.

Councillor Cullen asked that it be noted that in respect of Item No. 13, Review of Licensing Act 2003 Policy, that he was a Personal Licence holder.

Councillor Danny Brookes asked that it be noted in respect of Item No. 13, Review of Licensing Act 2003 Policy, that he was a Personal Licence holder.

Councillor Macey asked that it be noted in respect of Item No. 13, Review of Licensing Act 2003 Policy, that he was a Personal Licence holder.

Councillor Arnold asked it be noted that in respect of Item No. 18, Motions on Notice (Motions 2 and 3), that she was a Mablethorpe and Sutton Town Councillor and in that role was part of the Community Partnership.

Councillors Ashton, Bowkett, Davie, Gray, Alex Hall, McNally and Macey asked that it be noted in respect of Item No. 21, Horncastle Industrial Estate, that they were Lincolnshire County Councillors and further to advice received from the Monitoring Officer would leave the room for this item.

60. MINUTES:

The Open and Exempt Minutes of the Council Meeting held on 11 October 2023 were confirmed and signed as a correct record.

61. ACTION SHEETS:

The Actions were noted as complete.

The Chief Executive advised Members that a response to Action No. 54 (a) 'Questions – Supplementary' from the Meeting held on 11 October 2023 would be shared with Members by the end of the week.

With regards to the response to Minute No. 52 'Motions on Notice' a Member stated that it was important when inputting into the preparation for political parties' manifestos for the forthcoming election that an open letter be sent to all political parties, and not just the two current constituency MPs. The Chief Executive advised Members that he would look into this.

Further to the Public Question No. 2 in relation to Charles Street in Louth raised at the previous Meeting, Minute No. 46 refers, a Member highlighted that the Charles Street Pit Fishing Association had taken on the Charles Street site and thanked the Council for the resolution on this situation. A Member highlighted her disappointment that this had not been communicated to all Members and asked that this information be made available.

62. COMMUNICATIONS FROM THE CHAIRMAN:

The Chairman had attended the following civic engagements since the last Meeting:

- Topping Out Ceremony – Campus for Future Living in Mablethorpe;
- Laying up of the Skegness Royal British Legion Standard and the Skegness Burma Star at St Matthew's Church in Skegness.
- On his behalf, the Vice-Chairman Councillor Edward Mossop attended the Louth Choral Society's 'Echoes of Renaissance' Concert at St James's Church in Louth.

At this point in the Meeting, the Chairman handed over to Councillor Tom Ashton, Portfolio Holder for Finance to make a presentation to Chris Panton, Senior Planning Officer who was retiring at the end of the month after an incredible 52 years of service.

Councillor Ashton stated that Chris was held in the highest regard and thanked him for his many years of support and advice to Members and wished him well for the future.

63. QUESTIONS BY THE PUBLIC:

There were no questions from the public.

64. REPORT OF THE CHAIRMAN OF THE EXECUTIVE BOARD:

The Leader of the Council referred Members to his report and also provided a verbal update on the Devolution deal. A copy of this is attached at Appendix A to the Minutes.

Following which, questions were put forward.

South and East Community Lottery

A Member thanked the Leader for the update and financial information as the Lottery approached its first anniversary. A request was made that a breakdown be provided on the administrative side and other components of this. In response, the Leader stated that he was happy to provide a detailed breakdown for the next Meeting.

Social Isolation Grant

A Member commented that the social isolation grant had been very well received and asked whether these would continue in 2024 as they proved to be very useful. In response, the Leader agreed that it was a very good scheme and would like to see it continue. However, recognising the current financial situation would have to see what the Council could do in the future.

Future Leaders Programme

A Member commented that it was good news to see the Future Leaders Programme had been shortlisted for an LGC Workforce Award under the Category 'Best Retention Strategy'. It was queried whether there were any plans in place, particularly in ensuring that staff were compensated fairly for increasing fuel costs. In response, the Leader endorsed the success of the programme and advised Members that there was an ongoing review in relation to terms and conditions of employment that would be undertaken with staff.

A Member added that it was disappointing to see that no updates had been provided in the Leader's report on the Towns Fund projects, the recent flooding issues across the district and also the work of the Heart team.

Devolution Deal

Further to the verbal briefing delivered to Members, the following comments were made. A copy of the briefing paper is attached at Appendix A to the Minutes.

- A Member stated that she welcomed the fact that further briefings would be held, but queried the lack of information relating to the consultation process. Further concerns were raised by other Members in the way the questions on the consultation were worded and the impartiality of this.
- A Member considered that information sent out to parish councils from Lincolnshire County Council (LCC) was skewed and that there was no balance in any of the materials received. Following which, it was queried whether the Council had an opposing view, or whether this was a foregone conclusion and the consultation was simply a box ticking exercise.
- It was further considered that holding the consultation over the Christmas period was a distraction and a Member asked the Leader to give assurances that the consultation would be acted upon, particularly as the views of the public were not the same opinions of LCC or other organisations taking part in it.
- A Member stated that a consultation was intended to deliver a potential outcome to any given situation and that a devolution deal would be the creation of another tier of government, which would be a key issue with members of the public.
- A Member queried how devolution would affect the role of Members and commented that it was interesting that the Leader had changed his views since the devolution deal that was put forward in 2016. However, further briefings would be welcomed as the deal progressed.
- A Member commented that when something sounded too good to be true, it usually was.

In response, the Leader advised Members that the upper tier authorities were running the consultation. The controversial issue would be the creation of a mayor and this would be for the upper tiers to sign off. The District Council's position on devolution was to seek the best arrangements that it could for the district and those that it worked with. Over a number of years, the Council had been working on a visioning document including proposals to make sure it got the best that it could from government in terms of devolution and the money that it brought to the district.

It was highlighted that in 2016 the government changed the devolution deal methodology restricting to the upper governance tiers to progress. The Leader assured Members that he had not changed his mind, but also believed the Partnership with BBC and SHDC was of value. The achievements and benefits the Partnership had made from central government in terms of decision making, funding and direction of travel in terms of a positive outlook in this part of the world had been second to none.

The Leader informed Members that as districts, the starting point was that they would have two seats on the mayoral combined authority, however this had been increased to four. It was further highlighted that whoever had the seats from the Partnership would see the interest of its respective Members met and it would push forward with this.

In conclusion, the Leader stated that the Council had to react to any proposals, and although it would be better for the Council to be part of the devolution discussion and have a part as a non-constituent member, it was still driving forward with the Partnership as this was where the Council's future lay with creating strong relationships with other bodies.

65. SUB-REGIONAL STRATEGY FOR THE SOUTH & EAST LINCOLNSHIRE COUNCILS PARTNERSHIP:

The Leader of the Council and Portfolio Holder for Corporate Affairs presented a report that sought approval for the South and East Lincolnshire Councils (SELCP) Sub-Regional Strategy. A copy of the Strategy was attached at Appendix A to the report, pages 41 to 54 of the Agenda refer.

The background to the report was highlighted to Members, as set out at Paragraph 1, pages 34 to 35 of the Agenda refer.

Members were requested to consider approving the recommendations as the Strategy enabled the opportunity to align strategic priorities across the Councils through a single Sub-Regional Strategy which provided a Partnership platform to further realise the benefits of collaborative working. Furthermore, the single Strategy would demonstrate to external partners the Partnership's alignment in key areas and collective focus on addressing the issues of strategic importance to its sub-region. This would be particularly helpful when engaging with Government and funders.

Following which the recommendation was duly Proposed and Seconded.

Members were invited to put their comments and questions forward.

- A Member commented on a lack of reference in the Strategy to priorities that may be influenced by devolution as a substantial injection of money may change the Council's direction of travel.
- A Member further highlighted the reference to 'Work with local communities delivering art and leisure projects in the local area in line with the objectives in the adopted cultural framework', when in reality residents were badly affected by the cost of living crisis, struggling to buy food and living in sub-standard accommodation and considered this as a low priority due to such circumstances at the current time.
- With reference to 'Encourage and facilitate more town centre development for housing in the district' it was highlighted that the Council had been talking about flats over shops for many years and

considered that the local priorities specific to ELDC lacked ambition. It was further highlighted that there was no reference to ELDC prioritising delivery of good quality core services and no reference to addressing issues with vulnerable people.

In response, the Leader commented that he disagreed with the comments made and stated that looking through the Strategy for growth and prosperity, healthy lives and safe and resilient communities, the points mentioned were directly linked to those for the sub region and highlighted that the Council undertook incredible work for vulnerable residents. The ambition for the Council was to create an economic strategy that would cover market towns and other issues raised. This was part of a piece of work as a result of funding, put together in tiers of capacity across the three councils to deliver these projects and was significant in what it was proposing to do.

The Leader further advised Members that the funding for devolution was not directed at districts and that it went directly to the upper tiers. However, the Council may benefit from investment in its area and was why it needed to be part of the programme to get a fair share in terms of growth and infrastructure. As had been shown in the first pickup of £28.9m, a large amount of this was coming to East Lindsey and the Council's representatives had worked hard to make sure this happened.

The Leader assured Members that the Council would continue to fight for any benefit in terms of the skills agenda mentioned and infrastructure proposed, particularly with the flood defence work it wanted to be engaged with and it was important that this was part of the devolution deal.

- A Member referred to the £50b GDF Project that would affect East Lindsey and queried why this was not listed within the priorities for the Council.

In response, the Leader stated that the GDF Project had yet to be delivered and the outcome was unknown, therefore it was not unreasonable that this was not detailed in the strategy. In terms of its potential, it would be picked up in the corporate and sub regional strategies in terms of growth and prosperity, healthy lives and safe and resilient communities and advised Members that the Council was involved in a consultation programme through the work of the Community Partnership in that respect.

Upon being put to the vote, it was

RESOLVED

- That the Sub-regional Strategy at Appendix A be approved.

- That the Sub-regional Strategy be designated a line of inquiry in the Partnership's Annual Scrutiny.

66. 2023-2024 QUARTER TWO FINANCE UPDATE:

The Portfolio Holder for Finance presented a report to enable consideration of the current financial position for the Council at the end of the second quarter of 2023/24 forecasting to the year end, pages 63 to 90 of the Agenda refer.

During his introduction the Portfolio Holder for Finance highlighted that it was important to ensure the Council's forecast financial position for 2023/24 was considered and related decisions approved and that Council was aware of the financial position of the General Fund to ensure that it could make informed decisions that were affordable and financially sustainable for the Council.

The report provided information on the forecast full year financial performance at 30 September 2023 and was detailed at Appendix A for the following areas:

- The General Fund Revenue Budget,
- The General Fund Reserves Position,
- The Capital Programme for 2023/24, and
- The Treasury Management Performance for the year.

Further detail was also provided on the General Fund Provisional Outcome, Savings Target, Internal Drainage Boards, Reserves, Capital – General Fund and Treasury Management, pages 64 to 66 of the Agenda refer.

The Portfolio Holder for Finance highlighted to Members an error in the figures under the General Fund Provisional Outturn, page 64 of the Agenda refers. The correct figure should read £861k, not £861m.

Following which the recommendation was duly Proposed and Seconded.

Members were invited to put their comments and questions forward and during discussion the following queries and comments were made:

- A Member referred to Appendix A, Section 2.2 – Revenue Budget 'Table 1 – Vacancy Efficiency Target' which showed an underspend of £660k, page 71 of the Agenda refers. It was queried whether this was because vacancies had been left open or whether the Council would be employing fewer vacancy staff.

In response, the Portfolio Holder for Finance advised Members that the savings involved in vacancies were a combination of long-term vacancies plus savings in agency staff.

- A Member referred to the property funds loan repayment that had been a real coup for the Council which highlighted how important it was to have qualified, talented and diligent staff who had worked hard to

potentially save the Council millions and an acknowledgement went to the Portfolio Holder for Finance for signing this off.

In response, the Portfolio Holder for Finance asked it be noted that his thanks went to the Treasury Investment Manager and Section 151 Officer who spotted the opportunity and made it possible for the repayment of the property funds and the resulting £8m benefit to the Council.

Upon being put to the vote, it was

RESOLVED:

That the Capital Programme, to take into account the changes set out in the report at Appendix A – Table 4 which included slippage, additions and changes to the previously reported programme be amended.

N.B. Councillors Jimmy Brookes and Billy Brookes left the Meeting at 2.59pm.

67. MID TERM TREASURY MANAGEMENT UPDATE 2023/24:

The Portfolio Holder for Finance presented the Mid Term Treasury Management Update 2023/24.

Members were referred to the Treasury Management Update ended 30 September 2023 detailed at Appendix A, pages 97 to 118 of the Agenda refer.

In introducing the report, the Portfolio Holder for Finance outlined the background to the report and key figures relating to investment income detailed at Paragraphs 1 and 2, pages 92 to 93 of the Agenda refers.

The recommendation was duly Proposed and Seconded

Members were invited to put their comments and questions forward.

- A Member offered her congratulations on the Council achieving high end investments by investing money sensibly.
- A Member commented that the list of financial institutions was impeccable, page 110 of the Agenda refers, however queried whether the Council would give consideration to the ethical standing of these when it came to placing finance with them wherever possible.

In response, the Portfolio Holder for Finance passed on his thanks for the supportive comments received. In relation to the financial institutions, it was highlighted that the Council looked very carefully into this and the investment policy did take into the ethics of the organisations and was very cautious in this respect.

Upon being put to the vote, it was

RESOLVED

That the contents of the report attached at Appendix A be received and reviewed.

68. RISK MANAGEMENT FRAMEWORK:

The Portfolio Holder for Finance presented the Risk Management Framework report, pages 119 to 142 of the Agenda refers.

The report brought forward a Partnership-wide Risk Management Framework to ensure a consistent approach across the three Councils. This was based on good practice and feedback from internal audit. Members noted that it had been reported to Audit & Governance Committee and Executive Board.

The recommendation was duly Proposed and Seconded

Members were invited to put their comments and questions forward.

- A Member highlighted that the report was clear, was reviewed on a regular basis and acknowledged the excellent advice that had been received from the Internal Audit Manager at Assurance Lincolnshire.
- A Member commented that the report provided a good summary of where the Council was and stated that Councils needed to take risks. It was also acknowledged that the Council would be receiving less money into the future, however whilst being careful must not obsess over every risk and it was important how this was managed. Considering forthcoming changes, it was highlighted that the risk scores would need to be reviewed in the near future.

No further comments or questions were received.

Upon being put to the vote, it was

RESOLVED

That the Risk Management Framework at Appendix A be approved, with delegation to the Assistant Director – Governance to make any small amendments to the Framework in future in consultation with the Portfolio Holder.

69. REVIEW OF LICENSING ACT 2003 POLICY:

The Portfolio Holder for Finance presented the Review of Licensing Act 2003 Policy report, pages 143 to 240 of the Agenda refers.

The report considered amendments to this Authority's Licensing Policy Statement (alcohol, regulated entertainment and late-night refreshment) in line with the legal requirement to keep the policy under regular review. The proposed amendments to the current policy were included at Appendix A of the Report. A complete copy of the proposed revised policy document, which was recommended to Council for adoption was attached at Appendix B of the report.

The recommendation was duly Proposed and Seconded

Members were invited to put their comments and questions forward.

- A Member queried how the policy dovetailed into Lincolnshire County Council's (LCC) Pavement Licences and how they worked in conjunction with each other. In response, the Portfolio Holder for Finance advised that this question would have to be put to LCC.
- A Member commented that the Authority's Licensing Policy Statement was a very important document which had to be amended as modern-day issues were highlighted and was sure that the proposals would be endorsed by the Council's Licensing Committee.

No further comments or questions were received.

Upon being put to the vote, it was

RESOLVED

That the revised Statement of Licensing Policy (for alcohol, regulated entertainment and late-night refreshment licensing) shown at Appendix B of this Report be adopted by Council. The revised policy to come into effect on 02 January 2024.

70. REVIEW OF POLLING DISTRICTS, AND POLLING PLACES:

The Leader of the Council and Portfolio Holder for Corporate Affairs presented Members with the Review of Polling Districts and Polling Places report, pages 241 to 292 of the Agenda refers.

The report set out proposals for polling districts and polling places following a review as required by the Electoral Registration and Administration Act 2013.

Members were referred to the background detail of the report at Paragraph 1, page 242 of the Agenda refers.

The recommendation was duly Proposed and Seconded

Members were invited to put their comments and questions forward.

- A Member highlighted an error at Paragraph 2.7, page 243 on the Agenda. At subsection 2.7.6 this should read Louth St. James Ward, not St Mary's. The Chief Executive clarified that the recommendations referred to the polling districts and stations as set out at Appendix A which were correct, therefore no amendment was required.
- A Member stated that she had put forward comments in relation to Mablethorpe, Sutton on Sea and Trusthorpe, however could not see these detailed in the report.
- A Member commented that he was pleased to see there had been a good response, however highlighted that the response he had provided in the consultation had been misunderstood by the Acting Returning Officer, page 270 of the Agenda refers. It was clarified that the request was not asking for the parish boundaries to be realigned but for a polling place to be provided in Louth Town Centre so that the residents in Keddington Ward did not have to travel to Alvingham. It was requested for the Acting Returning Officer to consider creating an additional polling station, or whether an existing polling station could be used for two sets of voting.
- A Member commented that she did not consider a public house to be a suitable venue for a polling station.

In response to the comments made, the Chief Executive as Returning Officer advised Members that the report set out a statutory periodic review of polling stations which was required to come to Council. Members were referred to Recommendation 4 which reconfirmed the delegation to the (Acting) Returning Officer in consultation with the relevant Ward Members to approve any further amendments to polling places where necessary, therefore any amendments would be considered in advance of any future elections.

- In response to a query in relation to the consultation process, the Chief Executive confirmed that this was undertaken with Ward Members. In excess of this, there had also been public consultation and it was confirmed that responses had been received from Louth Town Council.

No further comments or questions were received.

Upon being put to the vote, it was

RESOLVED

1. That the schedule of polling districts and polling places as listed at Appendix A to this report be approved.
2. That the revisions to polling district boundaries for Woodhall Spa Parish and St Clements Parish Wards as attached at Appendix E and H to this report be approved.

3. That the revised polling district reference numbers attached at Appendix I to this report be noted.
4. That the delegation to the (Acting) Returning Officer in consultation with the relevant Ward Members to approve any amendments to polling places prior to the next compulsory review be reconfirmed.

N.B. Councillors Ellie Marsh and Darren Hobson left the Meeting at 3.45pm.

N.B. The Meeting adjourned at 3.37pm for a comfort break and reconvened at 3.46pm.

N.B. Due to the number of Members wishing to leave the Meeting, in consultation with the Chairman and Chief Executive and to remain quorate for voting it was agreed to bring Agenda Item 21 'Horncastle Industrial Estate' forward.

71. 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).

N.B. Councillors Tom Ashton, Wendy Bowkett, Colin Davie, William Gray, Alex Hall, Daniel McNally and Carl Macey left the Meeting at 3.51pm.

72. HORNCastle INDUSTRIAL ESTATE:

An exempt report was presented.

RESOLVED

That the Recommendation as set out in the Exempt Minute be approved.

It was Proposed and Seconded that the Meeting moved back into Open Session.

N.B. Councillors Tom Ashton, Wendy Bowkett, Colin Davie, William Gray, Alex Hall, Daniel McNally and Carl Macey re-joined the Meeting at 4.03pm.

73. MINUTES OF THE AUDIT AND GOVERNANCE COMMITTEE:

Members received the draft Minutes of the Audit and Governance Committee held on 22 November 2023 for noting.

Members were invited to put their comments and questions forward.

Councillor Stef Bristow asked that her name be amended on the draft Minutes from 'Steph' to 'Stef', page 313 of the Agenda refers.

RESOLVED

That the Minutes of the Audit and Governance Committee held on 22 November 2023 be noted.

74. AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2022/23:

Members received the Audit and Governance Committee Annual Report 2022/23 from Councillor Ros Jackson, Chairman of the Audit and Governance Committee, pages 331 to 342 of the Agenda refer.

Councillor Jackson asked that her thanks be passed to the previous Chairman, Councillor Will Grover and former Committee Members for their contributions to the work undertaken by Committee.

Members were referred to the meetings and summary of work during 2022/23, page 339 of the Agenda refers and the volume of Internal Audit work undertaken, with 16 internal audit reviews completed and 117 recommendations made.

Members noted the delayed reports from the external auditors and were informed that KPMG would be replacing Mazars LLP with effect from the 2023/24 financial accounting year.

Members were invited to put their comments and questions forward.

- The Leader of the Council asked that his thanks be noted for the work undertaken by both current and former members of the Committee. It was highlighted that audit and governance was very important to the Council and had good support from officers.
- The Vice-Chairman stated that the inclusion of two independent co-opted Members provided an invaluable dimension to the Committee and hoped to see in the near future that this role be remunerated.

RESOLVED:

That the Audit and Governance Committee Annual Report 2022/23 be noted.

75. CONSTITUTION AMENDMENT:

Members received a report from the Assistant Director, Governance and Monitoring Officer to consider a recommendation from the Audit and Governance Committee to amend the Constitution, pages 343 to 348 of the Agenda refer.

Presenting the report, the Chairman of Audit and Governance Committee informed Members that the report highlighted recent work undertaken by the Constitution Working Party and a subsequent recommendation from the Audit and Governance Committee to Council that the Constitution be amended to remove Area Forums and references to them.

Following which the recommendation was duly Proposed and Seconded.

Members were invited to put their comments and questions forward. None were received.

Upon being put to the vote, it was

RESOLVED

That the Constitution be amended to remove Area Forums and references to them.

76. MOTIONS ON NOTICE:

The following Motions were received in accordance with Council Procedure Rule 12:

Motion 1

Using Artificial Intelligence (AI) in relation to enhancing services and reducing costs

'We propose that as a forward-looking council with ambition, we should resolve to establish a small new department serving the Partnership to develop a road map to take advantage of all AI can offer to assist us in enhancing services and reducing costs'.

Proposer: Cllr Jill Makinson-Sanders

Seconder: Cllr Ru Yarsley

In her introduction, Councillor Makinson-Sanders explained that she had since spoken to the Leader of the Council who had suggested that meetings be held across the Partnership in early 2024 to look at what benefits AI could provide, with a view to looking to take this forward.

In response, the Leader stated that AI was a subject that needed to be understood fully and that it needed to be considered across the Partnership.

RESOLVED

That the Motion be withdrawn.

Motion 2

Development of the Theddlethorpe Gas Terminal Site

'Theddlethorpe Gas Terminal (TGT) operated from 1972 to 2018. It consists of 70 Acres of industrialised land comprising hardstanding, public footpaths, roads and services which were occupied by ConocoPhillips and National Grid. The site is owned by National Grid. An extended area includes farmland, commercial and residential properties. The site has and is being cleared of industrial equipment and infrastructure. Remediation included in the decommissioning plan required restoration to agricultural land. It is directly adjacent to the Kings Nature Reserve, Seal sanctuary and holiday camps. It is served by the A1031.

We strongly urge ELDC to take the following actions:

- Carry out a public consultation to shape the vision for the TGT site. To be completed within the next 6 months. The site is in the Withern and Theddlethorpe ward and directly adjacent to Mablethorpe. The consultation should, therefore, include these wards. This consultation is to gauge the sentiment of the local residents toward the uses for the site.*
- Design and synchronise this consultation exercise to maximise public participation and minimise costs. Use multiple tactics to solicit input. This approach will ensure that as many residents as possible can have their voices heard on this critical matter.*
- Present the consultation plan to the elected councillors.*
- Analyse and provide raw data and a public report on the outcome. Commit to respecting the outcome of the consultation as an essential reflection of the community's wishes and sentiments.*
- With a vision for the area confirmed ELDC will be able to turn the vision into detailed proposals prior to a further consultation.*

By adopting this motion, East Lindsey District Council reaffirms its commitment to upholding the principles of democracy, transparency, and accountability, as well as its responsibility to protect the interests of its constituents and the efficient use of public resources'.

Proposer: Cllr Travis Hesketh

Seconder: Cllr Robert Watson

In his introduction, Councillor Hesketh explained that further to advice from the Legal Manager, he wished to make two changes to the Motion as follows:

- In relation to the wording, to replace 'ELDC' with 'ELDC's Executive' to make it clear who was taking the decision;*
- In bullet point 4, to delete the line 'Commit to respecting the outcome of the consultation as an essential reflection of the community's wishes and sentiments'.*

The Council gave its consent to these changes.

Following which, the Motion was Proposed and Seconded.

Councillor Claire Arnold stated that she supported the Motion in principle, however due to the legal flaws that had been shared amongst Members proposed a further amendment to the Motion.

'That the Executive Committee:

- 1) *Carries out a consultation with the constituents of the search area that allows the public to give their views on the future of the Theddlethorpe site;*
- 2) *Forward the results of the consultation to Executive Board to inform its decision making and the timing of the test of public support'.*

Councillor Arnold highlighted that there was a desire for the residents of the search area that their views should be ascertained and shared with everybody involved and it was vital for the process to be followed within the legal framework so that the constituents could be reassured that their voices were being heard. The Labour Party had always opposed the Theddlethorpe site as the potential site for the GDF and would continue to fight for a constructive alternative use of the site in collaboration with all stakeholders. It was stressed that this was not a business decision but would have the greatest impact on all individuals of the local community.

The Amendment was duly seconded.

- In response to the amendment, a Member considered that the principle was the same, and further requested that a recorded vote be taken. A Member agreed and asked that Members proceed to the vote.
- The Leader of the Labour Group considered that the amendment simplified the system of consultation and was a broader and attainable approach and it was important for people to have the opportunity to say what was happening in their area.
- The Leader of the East Lindsey Independent Group stated that it was clear to see the strength of feeling by both Members and also members of the public in attendance at the meeting, however stated that it was important to keep this issue independent of politics. In response, Councillor Arnold stated that the amendment was put forward so that residents could have their voice heard and considered that it should remain personal and strongly disagreed with the inference that her Group was making the issue political. Councillor Arnold advised that, following discussions, Members were assured that Executive Board would work with this in a timely fashion and this was why a timescale had not been added to the amendment.

- The Leader of the SUDS Group highlighted his concern that there was no timescale attached to the amendment and considered it important to add one so that money did not get wasted.

Councillor Hesketh highlighted to Members that the intent of the Motion was to make a plan for the site with a test of public support. This plan would stand on its own as a backup should the GDF project not go ahead and the site would be available for alternative uses.

Further to a Member's query relating to the validity of the amendment, the Monitoring Officer clarified to Members that the Constitution allowed words to be inserted/deleted to a Motion with no limitation on the amount, however the Motion must remain around the original topic put forward.

No further comments to the amendment were received.

Upon being put to the vote, the Amendment was declared lost.

Vote: 6 for, 36 against, 1 abstention.

Debate returned to the original Motion.

- A Member commented that Theddlethorpe had undertaken both a parish poll and a private survey which received a 50% return that indicated by 100% that there was no support for the GDF. Further work had also been undertaken in relation to a parish plan, the results of that survey indicating that if the land was not returned to agriculture, a solar farm and/or a national nature reserve visitor centre to celebrate the King's coronation be considered. It was highlighted that a recent leakage at the Sellafield site had been reported and grave concerns were raised that if radioactivity could not be contained above ground after less than 50 years, how it would be contained under the North Sea.
- With regards to the site, a Member queried whether anyone had applied for an asset of community value or had talks with the National Grid with regards to buying the site or having it gifted, for example. Whilst recognising that consultations and surveys was not a new concept, it was important to ask residents what they would like to see on the site, however it was highlighted that this needed to be done locally in terms of the Local Plan or a neighbourhood development plan.
- In response to the Motion, the Leader stated that this was simply a vision for the future of the site and considered both Motions put forward to be over wordy, confusing and not clear. He added that the letter sent by Councillor Hesketh to all Members for supporting the two Motions had confused the matter as nowhere in the Motion referred to the GDF. It was confirmed that the Theddlethorpe site was in private

ownership and the opportunity was there for local communities to consider undertaking a neighbourhood development plan.

- Furthermore, it was highlighted that any Executive consideration would be non-binding and Members were reminded that pre-decision scrutiny had been undertaken through Overview Committee, the result of which was that Council would engage in this process with the Working Group set up by Nuclear Waste Services (NWS) and together with government's proposals would be part of the Community Partnership. The Leader stressed that it was important that the Council did not leave the process and considered that much more information needed to be garnered before a test of public support was undertaken. In conclusion, the Leader stated that he would not be supporting the Motion, however made it clear that this did not prevent the community engaging in a vision for that site.
- A Member agreed that the Motion had become confusing and also that Theddlethorpe residents should be asked whether they wanted nuclear waste on their doorstep. It was considered outrageous to want to bring nuclear waste to Lincolnshire and it was most important to have a 'Plan B' for the future should the GDF proposal fail.
- A Member stated that he was not supportive of the Motion and notwithstanding previous points raised, considered that there were several avenues for residents to be supported and urged consideration for an informed and meaningful consultation for what the community would like to see developed on the site.
- A Member stressed that the Council must take a positive lead on this as Theddlethorpe had endured two years of uncertainty and stress. The Motion presented an opportunity for the Council to take a lead and enhance its reputation of supporting the communities that it represented. It also showed that the Council maintained transparency and accountability to those that it represented, and would enable the Council to speak with authority and effectiveness in any future negotiations about the site.
- A Member strongly considered that there was a 'not in my back yard' consensus amongst some Members and stressed the importance of supporting the Motion as people's lives in the community were affected.
- A Member agreed that a formal consultation should be undertaken so options could be identified for the site to see whether they were deliverable at the earliest possible opportunity.
- A Member highlighted that the site was a former Gas Terminal, and as there was no evidence as to what would be going on the site it could

potentially cost billions to clear, therefore would like to see the risks marked out and would not be supporting the Motion.

- A Member commented that he understood the sentiment, however would not be supporting the Motion as he did not consider that it asked for anything or that it could deliver. It was further highlighted that as the site was not in the residents' or Council's ownership the Motion carried no weight, however he supported the idea of creating a neighbourhood development plan.

N.B. Councillor Terry Knowles left the Meeting at 4.54pm.

In response to the comments made, Councillor Hesketh stated that he was disappointed that a number of Members supported pushing the onus onto parish councils when the Council should show leadership and a bold ambition on what could be delivered on the site.

In accordance with Council Procedure Rule 18.5, Members asked for a recorded vote to be taken on the Motion, upon being put to the vote, Members voted as follows:

For the Motion

Councillors: Terry Aldridge, Claire Arnold, Stef Bristow, Danny Brookes, Graham Cullen, Richard Cunnington, Roger Dawson, Carleen Dickinson, Stephen Eyre, David Hall, Travis Hesketh, George Horton, Ros Jackson, Steve McMillan, Jill Makinson-Sanders, Kate Marnoch, Edward Mossop, Daniel Simpson and Robert Watson.

Against the Motion

Councillors: Tom Ashton, Richard Avison, Wendy Bowkett, Sandra Campbell-Wardman, Colin Davie, Sid Dennis, Sarah Devereux, Dick Edginton, Stephen Evans, Martin Foster, Richard Fry, William Gray, Alex Hall, Neil Jones, Sam Kemp, Tom Kemp, Steve Kirk, Craig Leyland, Daniel McNally, Carl Macey, Graham Marsh, Fiona Martin and Terry Taylor.

Abstention

None.

Where upon the Motion was declared lost, 19 Members in favour and 23 against.

RESOLVED

The Motion be not supported.

N.B. Councillors Claire Arnold, Roger Dawson and George Horton left the Meeting at 5.02pm.

Motion 3

Understanding if Withern and Theddlethorpe and Mablethorpe (the Search Area) Are Willing Participants in the GDF project.

'As stewards of public funds and proponents of local democratic processes, we strongly urge ELDC to take the following actions:

- Carry out a public consultation independent of Nuclear Waste Services Ltd, within the next 6 months, in the "Search Area" encompassing Withern, Theddlethorpe, and Mablethorpe. This consultation is to gauge the sentiment of the local residents toward the continuation of the GDF.*
- Design and synchronise this consultation exercise to maximise public participation and minimise costs. Use multiple tactics to solicit input. This approach will ensure that as many residents as possible can have their voices heard on this critical matter.*
- Analyse and provide raw data and a public report on the outcome. Commit to respecting the outcome of the consultation as an essential reflection of the community's wishes and sentiments.*

By adopting this motion, East Lindsey District Council reaffirms its commitment to upholding the principles of democracy, transparency, and accountability, as well as its responsibility to protect the interests of its constituents and the efficient use of public resources'.

Proposer: Cllr Travis Hesketh

Seconder: Cllr Robert Watson

In his introduction, Councillor Hesketh explained that further to advice from the Legal Manager, he wished to make two changes to the Motion as follows:

- In relation to the wording, to replace 'ELDC' with 'ELDC's Executive' to make it clear who was taking the decision;*
- In bullet point 3, to delete the line 'Commit to respecting the outcome of the consultation as an essential reflection of the community's wishes and sentiments'.*

The Council gave its consent to these changes.

Following which, the Motion was Proposed and Seconded.

During his summing up of the Motion, Councillor Hesketh stated that Lincolnshire County Council (LCC) had compromised its impartiality by accepting Nuclear Waste Services' (NWS) money to hire staff. As a Point of Order, Councillor Colin Davie asked that Councillor Hesketh withdraw that

comment as LCC's position was neutral on the matter and it would be for the community to decide through the public vote when it came. In response, Councillor Hesketh stated that he withdrew the comment.

Debate opened on the Motion.

- A Member reiterated that the residents of Theddlethorpe had already stated that they did not want nuclear waste bringing to their village and was disgusted that a number of Councillors found it so easy to railroad a community of 500 voters. It was further considered that the process of bringing nuclear waste to Theddlethorpe lacked transparency.
- A Member considered that the method of a test of public support as laid down in legislation was an absurd method of delivering potentially a critical national infrastructure in where it was sited, not least because it put the entire weight of the decision and judgement on small communities and community boundaries. That said, it was right and proper that the community made an informed decision to weigh up the pros and cons and evaluate before it came to its conclusion and it was right that the Council had made a decision to take a neutral position.
- A Member strongly considered that a decision should not be made on the basis that if Theddlethorpe was agreed to be a GDF it would for example, receive better sea defences and was concerned about the 'carrots being dangled'. It was further highlighted that the move to potentially store nuclear waste had been known for four years, although this had only been in the public domain for just over two years, therefore in comparison to a government term for four years and the potential change of elected Members during this period of time, this highlighted a need for information to be disseminated quickly.
- A Member queried how Hartlepool, one of the areas on the list for possible GDF sites had the proposal thrown out so quickly and how they achieved this. In response, the Leader informed Members that it was his understanding that Hartlepool Council withdrew, but would check and provide detail to Members.

In summing up the Council's position, the Leader stated that the Motion sought a public consultation on the continuation or otherwise of the GDF process and highlighted that the Council was already engaged in a consultative process via the government policy framework for ground disposal facilities. The Community Partnership was the vehicle for that discussion and consultation and the Council decided to be part of the process following an Executive Board decision following pre-decision scrutiny by the Overview Committee. In response to the comment with regards to sea defences, Members were advised that the Community Partnership was engaged in information gathering to establish how the potential siting of a GDF would affect future funding for flood defences.

As part of the process, the Council was invited to be part of the working group and gave it serious consideration along with County Council colleagues to remain neutral in the process so that information could be gathered for residents and interested parties about what the potentials of this could be.

Therefore, the Leader stated that he would not be supporting the Motion as the Council was already engaged in the process and it was committed to making sure that the future of the Theddlethorpe Gas Terminal was decided by a test of public support.

In response, Councillor Hesketh thanked the Leader for referring to the Working with Communities document and stated that the critical part of this was that the Council needed an ongoing understanding of the view of the community which was currently lacking. He highlighted a survey of local residents in Mablethorpe that had been carried out by the Community Partnership/NWS whereby the PowerPoint presentation showed a reasonably balanced view, however the raw data showed a very different picture, that it was not a survey understanding residents views, but lobbying and bias by NWS.

In conclusion, Councillor Hesketh added that he was keen to get a place on the Community Partnership and would be an active and supportive member. However, it was vital that the role of the Council was fair and representative and important for it to undertake a consultation within the next six months which was nonbinding and did not prevent a test of public support further down the line.

As a Point of Order, Councillor Makinson-Sanders stated that LCC hosted the employment for NWS and queried whether Members who were also County Councillors should remain in the Chambers to vote. In response, the Monitoring Officer clarified that in terms of interests, Councillors followed the Council's Code of Conduct. The Motion before Members related to whether Executive Board would support holding a consultation on the matter contained within the Motion and did not relate to employment of members of staff at LCC, therefore did not consider that there was any declared interest that needed to come from that.

In accordance with Council Procedure Rule 18.5, Members asked for a recorded vote to be taken on the Motion, upon being put to the vote, Members voted as follows:

For the Motion

Councillors: Terry Aldridge, Stef Bristow, Danny Brookes, Graham Cullen, Richard Cunnington, Carleen Dickinson, Stephen Eyre, David Hall, Travis Hesketh, Ros Jackson, Steve McMillan, Daniel McNally, Jill Makinson-Sanders, Kate Marnoch, Edward Mossop, Daniel Simpson and Robert Watson.

Against the Motion

Councillors: Tom Ashton, Richard Avison, Wendy Bowkett, Sandra Campbell-Wardman, Colin Davie, Sid Dennis, Sarah Devereux, Dick Edginton, Stephen Evans, Martin Foster, Richard Fry, William Gray, Alex Hall, Neil Jones, Sam Kemp, Tom Kemp, Steve Kirk, Craig Leyland, Carl Macey, Graham Marsh, Fiona Martin and Terry Taylor.

Abstention

None.

Where upon the Motion was declared lost, 17 Members in favour and 22 against.

RESOLVED

The Motion be not supported.

N.B. Councillors Sandra Campbell-Wardman, Tom Kemp, Richard Fry, Kate Marnoch and Graham Cullen left the Meeting at 5.36pm.

77. QUESTIONS:

Question 1	Councillor Hesketh
Subject	Test of Public Support for storage of nuclear waste.
Response by	Councillor Leyland
Supplementary	What are the criteria for getting to the Test of Public Support?
Response	The pace of this is frustrating and I want to see this done as quickly as possible. Once we have the suite of information that we are content with we can go to test the public support and we will do this as soon as we possibly can.
Question 2	Councillor Hesketh
Subject	Willingness of Community (Test of Public Support)
Response by	Councillor Leyland
Supplementary	What evidence have you got of a willing community?
Response	The information that is available to residents at this time is not that which will be available from what has been gathered by the Community Partnership. At this point, the intention is to go out to consultation again. These projects do take a long time and when sufficient evidence is gathered there will be a test of public support. We do not want to delay this any longer than is absolutely necessary and I understand the stress and uncertainty on this from the community.

Question 3	Councillor Hesketh
Subject	Process of setting up a Greater Lincolnshire Authority
Response by	Councillor Leyland
Supplementary	What can we do to ensure our voices are heard amongst this Greater Lincolnshire Authority?
Response	The districts have played an active role in driving the vision for Lincolnshire and we are determined that we will have a voice. There has been a challenging debate about where we should be and where we are, I believe that the district Leaders in this Mayoral Combined Authority with the four places will be strong enough to argue the points that will bring benefits to their local residents and if any problems came from the Mayoral office we are legally obliged to be consulted and involved in the decision making.
Question 4	Councillor Bristow
Subject	Procedure for communications
Response by	Councillor Leyland
Supplementary	None
Question 5	Councillor Horton
Subject	Cost of fines for littering
Response by	Councillor Foster
Supplementary	None
Question 6	Councillor Horton
Subject	Funding from devolution
Response by	Councillor Leyland
Supplementary	None
Question 7	Councillor Horton
Subject	Promotion of ELDC staff within the Partnership
Response by	Councillor Leyland
Supplementary	None
Question 8	Councillor Horton
Subject	Section 116 Officers
Response by	Councillor Leyland
Supplementary	None
Question 9	Councillor Makinson-Sanders
Subject	Section 106 Agreements
Response by	Councillor Ashton
Supplementary	Could you clarify the timescale please? The background came from the Health Scrutiny Committee for Lincolnshire – they are trying to assess how much money is going into health services in

	Lincolnshire through Section 106s. Do we list them or not?
Response	I am more than happy to clarify on that for you.
Question 10	Councillor Makinson-Sanders
Subject	WhatsApp Usage Policy
Response by	Councillor Leyland
Supplementary	None
Question 11	Councillor Makinson-Sanders
Subject	Pending Changes in EU Law
Response by	Councillor Leyland
Supplementary	None

78. DATE OF NEXT MEETING:

The programmed date for the next Meeting of the Council was noted as Wednesday 28 February 2024, commencing at 2.00pm.

The Chairman wished everyone a Happy Christmas and Healthy New Year.

The meeting closed at 5.46 pm.