

**Questions to Council Under Rule 11 of the Constitution –  
Council 9 October 2024**

**Q1. Councillor Watson to Councillor Leyland, Portfolio Holder for Corporate Affairs**

Looking around at full council meetings, one can see that a small forest is being consumed every time that we meet and also to a lesser extent at every meeting held by this council. This is not in line with our own Sustainable Products policy.

I therefore ask that the chairman calls for a show of hands at this meeting to evaluate how many councillors would be interested in some training on the excellent Modern.Gov app in order to take a personal, easily achievable yet small step towards achieving the goals in the council's Carbon Reduction Plan?

- A.** *Thank you for your question. Further training can be provided if this would be helpful in reducing paper copies. The original training was in June 2023 and 22 Councillors attended the sessions.*

*I would support a trial with the following provisos to ensure the smooth running of meetings and will ask Democratic Services to write to Councillors to ask if they are willing to take part and if they require further training.*

- Chairs of meetings can request a paper copy due to their additional responsibilities.*
- Paper copies continue to be offered on health reasons.*

*I shall endeavour to lead by example with the Executive Board.*

**Q2. Councillor Jackson to Councillor Marsh, Portfolio Holder Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

With £160,000 allocated in the Capital Budget to a 3G pitch in Louth, how extensively has the council explored alternative options for a location? How many sites have been considered, and have discussions taken place with landowners in all cases?

- A.** *This project has been ongoing since 2019, when sites within Louth were initially assessed for by Magna Vitae through a leisure consultant. The review considered several sites in the Louth area, including school sites, with the Council owned Wood Lane Playing Field being identified as the most feasible location for a Council match funded, 3g pitch. This is because of its established infrastructure, as well as Magna Vitae's management and operational presence at the Meridian Leisure Centre. Consultation was undertaken with local schools, and to date, neither the Council nor Lincolnshire FA is aware of any other landowner expressing an interest in developing and funding a similar facility in the area.*

**Q3. Councillor Jackson to Councillor Marsh, Portfolio Holder Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

What is the cost to this authority of fires caused by lithium-ion batteries? In the wake of a rise in fatalities and injuries caused by this type of fire, what actions are this authority taking to reduce the risk of battery fires to residents and refuse operatives?

- A.** *Over the last few years, the council has had two fires as a result of lithium batteries in the waste we collect. Fortunately, there hasn't been a cost to this council from these fires as our waste operatives are trained in how to deal with and manage a fire in a refuse collection vehicle. However, we are not complacent and are well aware of the risks posed by batteries in waste as experienced by other Councils up and down the country.*

*The Council takes a proactive approach to informing our communities about the responsible disposal of waste batteries and appliances that contain batteries. Between April 2023 and July 2024, the Council posted 7 social media posts to raise awareness of what can happen if batteries/electrical items are disposed of incorrectly as well as sharing messages concerning bin lorry fires from incidents across the county. We have also shared safety messages in ELDC messenger, town and parish news and Members Point Briefs.*

*Finally, Members will be aware that the Leader of the Council, along with the Leaders at both Boston and South Holland, have indicated their support for a national campaign to improve the safety of lithium-ion batteries. A letter of support was sent on 14th August 2024 to Ron Bailey, Parliamentary Advisor to Electrical Safety First, a UK Charity dedicated to reducing the deaths and injuries caused by electricity. Mr Bailey is a researcher for Lord Foster who has been campaigning on the issue in the House of Lords. Lithium battery fires are on the increase and Electrical Safety First, with cross-party support, is promoting a Bill to ensure greater safety in the use and disposal of lithium batteries.*

**Q4. Councillor Ellie Marsh to Councillor Leyland, Portfolio Holder for Corporate Affairs**

Would the Leader please explain how the six-month rule could be written to take into account those of us who want to serve their communities in the most positive way but also have to work to pay our mortgages and support our families. Is serving on Scrutiny Panels not sufficient and if not why not? We know that councillors in this chamber have attended outside bodies to get the tick in the box when they seldom attend these boards. So how do you propose a fairer system fit for the 21st century? Also, how can the 6-month rule be used when we haven't had a meeting of Full Council since July, Councillors can't be accused of not attending a meeting for six months when there hasn't been the opportunity since July?

- A.** *Thank you for all your questions.*

- 1. The six-month rule is legislation. Section 85 of the Local Government Act 1972 is explicit in that if a member of a local authority fails throughout a*

*period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. This is not something the Council can re-write.*

*The rule is applied consistently to include appointments by Council or Executive Board or delegated to me as Leader of the Council or the Chief Executive.*

- 2. This has not applied to attendance at Working Groups, Task and Finish Groups, or Scrutiny Panels, but does apply to attendance at Council, Committees and Sub Committees. When drafting the Council Meeting schedules consideration is given to timetabling of the meetings. The average number of weeks between full Council meetings is 10 weeks.*
- 3. There are current vacancies on Outside Bodies which I am in the process of sharing with my fellow Group Leaders, and these provide an opportunity to represent the Council.*

**Q5. Councillor Ellie Marsh to Councillor Martin Foster, Portfolio Holder for Operational Services**

What is happening with regards to the update of the public toilets. The Public Convenience Scrutiny panel presented their report months ago, yet nothing appears to have changed at any of these venues. Spilsby's facilities is an embarrassment to the town, and I had hoped we would have seen some progress by now.

- A. Overview Committee has been updated via the scrutiny tracker. The recommendations from scrutiny are supported and are being progressed. The remaining facilities have been assessed to determine the extent of refurbishments required, and these will support the current (and any new) discussions with those Town and Parish Councils who have expressed an interest in the ownership and management of these assets.*

**Q6. Councillor Simpson to Councillor Ashton, Portfolio holder for Planning**

How much money as of September 2024 does ELDC now have in hand received from Section 106 agreements?

- A. As of March 2024, the ELDC balance for S106 monies was £3,854,447. Please note this includes LCC and NHS monies that are held on behalf of these Outside Bodies and are not for ELDC to spend. The total (monies to be spent by ELDC) is £2,122,680 and consists of Affordable Housing and Communities related projects.*

*A new S106 Monitoring Officer has recently started with the Council and is reviewing all matters pertaining to s106s. More up to date information will be available in due course.*

**Q7. Councillor Simpson to Councillor Ashton, Portfolio holder for Planning**

By whom and how is it decided, as to where and what s106 money is allocated for?

**A.** *Planning obligations (section 106 agreements) assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:*

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

*These tests are set out as statutory tests in legislation and as policy tests in the National Planning Policy Framework.*

*Planning obligations are decided on a case-by-case basis on individual planning applications in the context of the above tests, local and national policy and any requests received through the planning application consultation process. As such, this is ultimately decided either by officers under delegated authority or the Planning Committee.*

**Q8. Councillor Simpson to Councillor Ashton, Portfolio holder for Planning**

Can organisations which feel that they should be benefiting from s106 monies simply apply to ELDC and to whom would they make those applications to in ELDC.

**A.** *Organisations can request contributions via the planning application consultation process on a case-by-case basis. However, these requests would have to be considered in the context of the statutory tests, local and national policy, and within the context of any challenge around viability. The tests are as follows:*

*Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:*

- *necessary to make the development acceptable in planning terms;*
- *directly related to the development; and*
- *fairly and reasonably related in scale and kind to the development.*

**Q9. Councillor Simpson to Councillor Leyland, Portfolio Holder for Corporate Affairs**

A recommendation in the Kingfisher/IEL Scrutiny report being 14) Presentation to Council about Invest East Lindsey with a business case to justify its future.

Can you give an absolute assurance, irrespective of whether the report receives approval by Members that a presentation will be given to Council in this matter and before the budget setting for 2025 is finalised?

- A. I thank Councillor Simpson for his question, as the last item on tonight's agenda is the report to which the question refers, I think it would be premature to respond until that paper has been properly debated and its recommendations fully considered.*

**Q10. Councillor Simpson to Councillor Leyland, Portfolio Holder for Corporate Affairs**

Are there any moves within the devolution programme to move planning out of the decision powers of District Councils?

- A. Devolution is about transfer of power from national government to local level. There are no proposals for moving powers away from local planning authorities.*

**Q11. Councillor Horton to Councillor Marsh, Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

I understand that the finalisation of the London Road Sports Partnership is yet to be completed due to the unfortunate failure to become a charity. Please explain what role the district council is playing in the meantime?

- A. The District Council is working with the London Road Sports Partnership in line with the report to the 8th May 2024 Executive Board, following the management and operation of the London Road Pavilion being transferred to the Partnership this financial year.*

**Q12. Councillor Horton to Councillor Marsh, Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

How much is it costing in Officer time and architect fees to address the multiple concerns and objections to the proposed new plastic pitch on Wood Lane? How long does this process take?

- A. The final costs for the Wood Lane project will be determined through the evaluation of a bid to the Football Foundation in January 2025, subject to Planning permissions. Any additional costs and timelines associated with redrafting of existing plans or sections in surveys, agreed with Planning, will be added to the total cost of the scheme, once determined in the coming weeks. Officer time will be met through existing budgets.*

**Q13. Councillor Horton to Councillor Leyland, Portfolio Holder for Corporate Affairs**

Why having committed to spending millions on projects on the coast, is this authority still wanting to spend more when surely it should be invested in the market towns? The new £10m windfall pot was initially badged up for the inland areas. Why has this been changed?

- A.** *The East Lindsey Investment Fund report to Executive Board on 18 September and the presentation to Overview Committee on 3 September provided the principles for investment and the themes for the allocation of funding. The programme will focus on delivery, build capacity and commits to an inclusive and collaborative approach that will benefit the whole District and work in partnership with communities, town and parish councils and local businesses.*

*The East Lindsey Investment Fund Plan has been developed to support the delivery of the South and East Lincolnshire Councils Partnership Growth and Prosperity Plan, and in accordance with the Corporate Priorities Reserve areas of focus.*

*Feedback from Overview Committee was positive with the following recommendations for inclusion – resourcing for maintenance and reviewing the assets condition survey to progress schedule of work; resource and development of East Lindsey markets; improving street furniture; flexibility for grant awards to support organisations and businesses in accessing funding; supporting volunteers in local communities; ensuring coordination between towns through the establishment of a market/inland towns group needs a joined up approach to working with the Connected Coast Board and coastal towns; partnership working with Lincolnshire County Council to support town centre improvements.*

**Q14. Councillor Horton to Councillor Marsh, Portfolio Holder for Community Safety, Leisure and Culture, and Carbon Reduction**

Are we any further on in finding more grass sports fields to encourage better health and well-being, particularly in the Louth area which cannot meet demand and where the council is already proposing to take more green space away?

- A.** *The proposed 3g pitch would support the current demand for football being met, and the Planning Policy Team are currently reviewing the Local Plan, which includes a review of all the open space within the district to determine future demand and strategy.*

**Q15. Councillor Makinson-Sanders to Councillor Grist, Portfolio Holder for Market Towns and the Rural Economy**

How much longer do we have to wait before this council invests in extending our Louth industrial estate. This is long overdue to provide good jobs for the numerous houses going up in the town, so who are we working with to turn this into reality and what is the timeline?

- A.** *I thank Councillor Makinson-Sanders for her question. I too am very keen to see the Council's land adjoining Louth Industrial Estate developed, and I am pleased to advise Councillor Makinson-Sanders that our Economic Growth Team are currently working with colleagues from the County Council to secure a market assessment of the actual need and demand within the area to inform how the site may best and soonest be brought forward for active development.*

*I am working with our officers to expedite the assessment and await clarification from them and their County colleagues as to when a first draft will be available; as soon as that clarification is in hand, I will update Councillor Makinson-Sanders and fellow Councillors.*

**Q16. Councillor Makinson-Sanders to Councillor Grist, Portfolio Holder for Market Towns and the Rural Economy**

Our industrial estate in Louth is littered with cars parking on roadsides because adequate car parking isn't available on plots being developed. It's particularly dangerous, looks unsightly and is getting worse with no hope of being addressed. How are we working with LCC and with our own planning department to improve the situation?

- A.** *I thank Councillor Makinson-Sanders for her question. As she will appreciate, all of the highway infrastructure on the Louth Industrial Estate is adopted highway and is therefore the responsibility of the County Council; however, as a responsible Council, I will be happy to ask our officers to contact the Highways Team to share the concerns you have raised so they may consider whether any traffic regulation may be proportionate?*

*In terms of working with the Local Planning Authority, Councillor Makinson Sanders will appreciate that as a quasi-judicial process, planning matters such as the provision of parking are solely a matter for the Local Planning Authority to consider in accordance with its adopted policies and statutory guidance; however, I have shared your concerns with the Portfolio Holder for Planning who I'm sure will ensure that they are taken on board as far as they can reasonably be.*

**Q17. Councillor Makinson-Sanders to Councillor Leyland, Portfolio Holder for Corporate Affairs**

This council does not concur with zero hours contracts. So please can you explain why we continue to "trade" with organisations who do?

- A.** *Without knowing the specific details of the contract/s being referred to, I can't give you a specific explanation as it'll depend very much on the circumstances of that organisation, the type of work they offer and in some cases the preference of the workforce. If you would like to provide me with more information, I would be happy to look at this and come back to you with an answer.*

**Q18. Councillor Leonard to Councillor Leyland, Portfolio Holder for Corporate Affairs**

Given that Louth Town Centre is looking very tired. How will all the imminent Towns Fund money be administered and subsequently spent in the town, and will we see the return of the Shop Front Grant within that?

- A.** *Following The Louth Food and Drink Fair on Sunday 29 September there has been positive feedback from businesses, stallholders and visitors; we want to build on this positivity for Louth and through the new East Lindsey Investment*

*Fund have committed to work with towns and parishes to prioritise investment in four distinct target areas: community development, promoting the visitor economy, business support and to boost the attractiveness of the area.*

*A key part of the East Lindsey Investment Fund is about making the district's places more welcoming through initiatives that help improve cleanliness, safety, promote tidy and attractive shop fronts, and enhance parks, gardens and public spaces. This could include shop front grant schemes, which would build on the success of the partnership with Heritage Lincolnshire and the town centre transformation schemes in Skegness and Mablethorpe.*

**Q19. Councillor Leonard to Councillor Leyland, Portfolio Holder for Corporate Affairs**

The Charles Street Pond in Louth has now been successfully farmed out to a custodian group, however where are we as a council with the remaining area on the site?

- A.** *I thank Councillor Leonard for his question; as he is aware, the Council actively engaged the local community to secure the productive and safe use of the Charles Street Pond about a year ago; as a result, the Charles Street Pit Fishing Association entered into a formal agreement with the Council on 13 February 2024 and have since gone from strength to strength.*

*Unfortunately, negotiations with another community group at that time about the remaining land did not result in a sustainable offer being forthcoming.*

*However, before I ask our Property Team to put the remaining land back to the community market to seek further interest, I will ask officers to once more engage the Town Council to see whether it might wish to reconsider its position and work with East Lindsey going forward.*

Ends.