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NORTH EAST LINCOLNSHIRE COUNCIL
MINUTES OF THE ANNUAL MEETING HELD ON

26th September 2024

Present: Councillor Beasant (in the Chair)

Councillors Aisthorpe, Augusta, Bonner, Boyd, Bright, Brookes, Cairns, Clough, Cracknell, Crofts, Dawkins, Downes, Emmerson, Farren, Freeston, Goodwin, Harness, Hasthorpe, Henderson, Holland, Hudson, Humphrey, Jackson, Jervis, Kaczmarek, Lindley, Mill, Morland, Parkinson, Patrick, Pettigrew, Shepherd, Shreeve, Shutt, Silvester, K Swinburn, S Swinburn and Wheatley.

Officers in Attendance:

- Zoe Campbell (Senior Scrutiny and Committee Advisor)
- Simon Jones (Assistant Director Law and Governance - Monitoring Officer)
- Paul Wisken (Civic and Mayoral Officer)
- Sharon Wroot (Executive Director Place and Resources)

The proceedings were opened with prayers by the Civic and Mayoral Officer.

NEL.31 MAYOR'S ANNOUNCEMENTS

The Mayor took this opportunity to ask members to observe a one minutes' silence as a mark of respect for Andrew De Freitas, former Leader and Deputy Mayor of North East Lincolnshire Council Leader and Deputy Mayor who sadly passed recently.

NEL.32 APOLOGIES FOR ABSENCE

Apologies for absence from this meeting were received from Councillors Haggis, Mickleburgh and Wilson.

NEL.33 MINUTES

Council received the minutes of the meeting of North East Lincolnshire Council held on 18th July 2024. At NEL.21, East Marsh Housing Reform, Councillor Humphrey raised a point of accuracy that he left the meeting for this item after declaring an interest.

RESOLVED – That the minutes of the meeting of North East Lincolnshire Council held on 18th July 2024 be approved as a correct record, subject to the inclusion of Councillor Humphrey leaving the meeting for item NEL.21.

NEL.34 DECLARATIONS OF INTEREST

Councillor Emmerson declared a Non Registerable Interest as he was a recipient of single person council tax discount.

NEL.35 QUESTION TIME

The following question was submitted by Mr Bate to Councillor Jackson, Leader of the Council:

At March's Full Council Meeting at Cleethorpes Town Hall, Councillor Cracknell apologised for the impact of the 'botched' consultation on nursery closures. At the said meeting, having been asked that due to her acceptance that the consultation was flawed, and that a request to provide financial recompense for the impact of such a flawed consultation, Councillor Cracknell stated that there was no proof of financial impact of the consultation on the nurseries.

At Scartho's and Great Coates' last nursery review meetings with Council Cabinet Leaders and lead LA officers in May 2024, it was presented and evidenced to Councillor Jackson, Councillor Shreeve and lead officers that the sales evidence demonstrated that the consultation had clearly impacted on pupil intakes 2023-2024 at both Great Coates Village Nursery and Scartho Nursery. Historical data, as requested from both nurseries by lead local authority officers, related to hours sold to pupils at both nurseries, and presented to Councillor Jackson, Councillor Shreeve and lead officers illustrated that:

- 1) Scartho Nursery sold 12560 hours less in 2023-2024 than the previous 3-year average of sales. Scartho Nursery sold 11302 hours less in 2023-2024 than the hours sold the previous academic year in sales. This was approximately a 5-fold increase on the reduction in sales between 2022-2023 and 2021-2022 individually. The impact of consultation was clearly marked x5.*

This resulted in approximately a £56150 loss on previous year sales and £62780 on previous 3 year average. Such figures would have wiped out in-year and cumulative deficits.

- 2) *Great Coates Nursery sold 10646 hours less in 2023-2024 than the previous 3-year average of sales. Great Coates Nursery sold 8388 hrs less in 2023-2024 than the hours sold the previous academic year in sales. This was approximately a 5-fold increase on the reduction in sales between 2022-2023 and 2021-2022 individually. The impact of consultation was clearly marked x5. This resulted in approximately a £41940 loss on previous year sales and £53210 on previous 3-year average. Such figures would have wiped out in-year and cumulative deficits.*

With such overwhelming verified sales evidence, Councillor Cracknell's and Councillor Shreeve's public acceptance that the consultation was 'flawed', and that an independent review of the consultation by 'Wilkin Chapman' found that the consultation process was 'flawed', will the Council accept that the consultation did indeed have a negative financial impact on both Scartho and Great Coates nurseries as a result of consultation to close both nurseries?

Councillor Jackson responded by agreeing with Mr Bate that the consultation was flawed. That was why he acted, as Leader of the Council, to stop the consultation, instigated an independent review, which had now been reported back with appropriate actions in place, and overseen the establishment of a process where the Council worked with the three settings affected to try to ensure their future viability.

However, Councillor Jackson said the figures that Mr Bate quoted were open to challenge. For context, the two nurseries were both in a deficit position prior to the consultation.

It was very difficult to ascertain if the drop in income referenced was purely attributable to the consultation, particular as the average included the COVID period, where different funding arrangements were in place.

Given that the latest budget meetings with the nursery settings had not yet taken place, it was difficult to assess the in-year position for 2024/25 to determine if they were now operating at a sustainable level.

There was a special meeting of the Children and Lifelong Learning Scrutiny Panel scheduled for 10th October 2024 where the Heads of the three settings had been invited to discuss the effects of the consultation.

The following question was submitted by Mr Bate to Councillor Jackson, Leader of the Council:

Will North East Lincolnshire Council re-imburse Scartho and Great Coates Nurseries with the monies that the consultation removed and thus secure both nurseries' futures?

Councillor Jackson responded, there were no plans to re-imburse any monies to the nurseries.

NEL.36 LEADERS STATEMENT

The Council received a statement from the Leader of the Council.

The Leader commented that the decision to proceed with the Greater Lincolnshire devolution deal was a significant moment and massive strategic opportunity for both North East Lincolnshire and Greater Lincolnshire. The Leader reminded members that deal included a mayoral investment fund of £24m for 30 years, a one-off mayoral capacity fund of £2m, and a £28m capital fund for regeneration in 2024/2025 in which North East Lincolnshire had already benefitted with brownfield land release funding for the Transport Hub and Alexandra Dock housing. Further monies were due, linked to the strategic transport and adult education functions of the Mayoral Combined Authority.

The next steps involved a statutory instrument being laid before Parliament which would enable the mayoral election to be held in May 2025 and, in the meantime, the combined authority would be set up. The North bank devolution deal with Hull and East Riding of Yorkshire was progressing in parallel and pan-Humber working would continue to ensure that there were enhanced governance arrangements across the Humber.

The Leader referred to two early government decisions which he felt would be negative for North East Lincolnshire. The first was the proposal to scrap the winter fuel payments which would affect over 26000 pensioners in North East Lincolnshire and lose £5m to £8m per annum from the local economy. The second area was the implications of the proposed National Planning Policy Framework reforms, particularly the proposed housing targets for North East Lincolnshire. The Leader accepted that we needed more homes nationally, but he didn't feel that a top down directed approach as to how many homes were built was the right one. Under the old methodology, North East Lincolnshire was only expected to build 190 houses per annum; under the new proposal that would be 706 new homes, which was a huge increase. The Leader asked where was the local market demand and housing land availability? The Leader referred to the Save the Freshney Valley protest and noted that finding land to build 706 houses would likely involve building on the Grimsby West area as well as other sites currently not identified for housing. The Leader highlighted useful recent discussions at scrutiny and Cabinet that had informed the council's response to the consultation on the proposals.

The Leader highlighted the good news stories around Grimsby town centre, where there was a signed deal with Keepmoat to deliver 130 homes on Alexandra Dock which was a 6.25 acre brownfield site and the first town centre housing to be delivered in a generation. This was being carried out in partnership with

Homes England as part of the town centre masterplan to diversify the use of the town centre and open up the waterfront, utilising £7.8m of Towns Fund monies plus brownfield land release funding, to make the site viable.

The Leader spoke about Cabinet's decision to demolish Abbey Walk car park for structural reasons and replace it with a 120 bay surface car park, together with the redevelopment of the Burgess Street car park. The Transport Hub was also in its early stages, using BSIP monies and brownfield land release funding to completely change the look of the south side of the town centre.

Referring to the Cleethorpes Levelling up Fund, contractors were on site at Sea Road in preparation for a new iconic building. There was renewed interest from potential operators and there would be an announcement coming soon. The Market Square project was progressing after further consultation with businesses, and there were positive plans for Pier Gardens.

Planning permission had been granted for a salmon farm in New Clee, a potential £120m investment directly supplying our seafood sector and creating 80 new well-paid jobs. The Leader was disappointed that 'Animal Equality' had issued proceedings, effectively putting a stop on development for the time being. The council would continue to engage with the proceedings, having an eye on the wider benefits in terms of jobs, skills, research and development, and local economic growth.

The Leader was unable to comment in detail on the outcome of the recent Ofsted monitoring visit but inspectors were assured that clear progress and improvement continued to be made, though there was still work to do.

The Leader concluded by noting that the details of special urgency decisions taken in accordance with the Constitution as well as an update on the implementation of motions previously resolved at preceding Council meetings had been circulated to all Members.

NEL.37 PETITION FOR DEBATE

A petition for debate was received calling for the Council to phase-out the use of glyphosate in favour of non-chemical alternatives.

Ms Teakle was invited to speak as the petition organiser. She referred to the potential impact that the use of glyphosate by the Council to kill weeds in parks, playgrounds, around tree pits, along streets and in other council managed areas, was having on people, nature and the environment beyond its intended use. She explained that there was a national move away from the use of glyphosate in favour of a more sustainable weed management plan. She called upon the authority to act and work with local residents to make positive changes for biodiversity and join the growing number of pesticide free towns by phasing out the use of glyphosate in favour of non-chemical alternatives.

Councillor Hudson, Portfolio for Environment and Net Zero, accepted the petition and proposed that officers investigate the possibility of the Council phasing out the use of glyphosate with alternatives and report back to scrutiny to allow recommendations to be made to Cabinet. The resolution was seconded by Councillor Jackson.

Following a debate the motion was put to vote and upon a show of hands it was:

RESOLVED – That officers investigate the possibility of the Council phasing out the use of Glyphosate with possible alternatives and report back to scrutiny with a view to recommendations being made to Cabinet.

NEL.38 NOTICE OF MOTION 1

The Council considered a Notice of Motion, proposed by Councillor Aisthorpe and seconded by Councillor Emmerson, submitted in accordance with the Council's Standing Orders as set out below:

Council notes the recent announcement by the Labour Government to end universal Winter Fuel Payments and restrict eligibility to only those in receipt of Pension Credits and other benefits. While some people with substantial pensions may agree that Winter Fuel Payments are not necessary for them, Council is deeply concerned that this change will exclude many pensioners with low to middle incomes from receiving much-needed support. Across England and Wales, the number of people eligible for winter fuel payments will drop drastically from 11.4 million to only 1.5 million - a reduction of 10 million. In North East Lincolnshire, 26,119 pensioners will be affected by the new criteria, meaning 85.1% of pensioners currently eligible will no longer be able to claim the payments starting this winter. Council believes that the Labour Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Only those receiving a pension of less than £218.15 a week (or £332.95 a week for couples) qualify for Pension Credits, which falls well below living wage levels. Council is also concerned by the low take up of Pension Credit, with just 63% of those eligible nationwide claiming it, leaving over 880,000 pensioners without the support they are entitled to. Council recognises the importance of increasing awareness of benefits such as Pension Credit and the role it can play in helping people access the support they deserve. Council further notes that the Energy Price Cap is due to rise by 10% in October, which combined by the removal of Winter Fuel Payments will push thousands of local pensioners into fuel poverty.

Council resolves to:

- Write to the Chancellor of the Exchequer calling on government to adjust the Pension Credit threshold to expand eligibility for Winter Fuel Payments.*

- *Request all group leaders within North East Lincolnshire Council sign a joint letter to the area's MPs, urging them to lobby the Government for the introduction of a new threshold for Pension Credit.*
- *Urgently launch a significant awareness campaign to maximise uptake of Pension Credits. This will include use of council noticeboards, social media, promotion in local press, and sending targeted letters to those who may be eligible.*

An amendment to the Motion had been received, in accordance with the Constitution, and was moved by Councillor Patrick and seconded by Councillor Clough, proposing the following additional actions:

That the Council

- *Write to the Chancellor of the Exchequer to request a three month extension to the pension credit application period to bring it into line with the winter fuel allowance deadline.*
- *Write to the Department for Work and Pensions to seek reassurance that staffing levels are adequate to handle increased volumes of applications and enquiries for new benefits in the coming months.*
- *Task the Portfolio Holder for Finance and Assets to investigate if the Housing Support fund can be better utilised to enable pensioners to access support through a simplified application process.*
- *Support and promote pensioners to apply for the 'Savings Credit' benefit as a means to a gateway to access Winter Fuel Allowance.*

Following a debate, the amendment was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the amendment:

Councillors Aisthorpe, Augusta, Beasant, Bonner, Boyd, Bright, Brookes, Cairns, Clough, Cracknell, Crofts, Dawkins, Downes, Emmerson, Farren, Freeston, Goodwin, Harness, Hasthorpe, Henderson, Hudson, Humphrey, Jackson, Jervis, Kaczmarek, Lindley, Mill, Morland, Parkinson, Patrick, Pettigrew, Shepherd, Shreeve, Shutt, Silvester, K Swinburn, S Swinburn and Wheatley (38 votes).

Against the amendment:

None

Abstained:

Councillor Holland (1 vote)

The amendment was therefore carried.

A second amendment to the Motion had been received, in accordance with the Constitution, and was moved by Councillor Jackson and seconded by Councillor Lindley, as follows:

To include the wording in the motion *that the best outcome for our residents would be the scrapping of the Government's proposed changes to the Winter Fuel Payment arrangements, but as this appears increasingly unlikely.*

Following a debate, the amendment was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the amendment:

Councillors Aisthorpe, Beasant, Boyd, Brookes, Cairns, Cracknell, Crofts, Dawkins, Freeston, Harness, Hasthorpe, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Shepherd, Shreeve, Silvester, K Swinburn, and S Swinburn (21 votes).

Against the amendment:

Councillors Augusta, Bonner, Bright, Clough, Downes, Emmerson, Farren, Goodwin, Henderson, Holland, Humphrey, Jervis, Kaczmarek, Mill, Morland, Patrick, Shutt, Wheatley (18 votes).

The amendment was therefore carried.

Following a debate, the substantive motion as amended was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the motion:

Councillors Aisthorpe, Augusta, Beasant, Bonner, Boyd, Bright, Brookes, Cairns, Clough, Cracknell, Crofts, Dawkins, Downes, Emmerson, Farren, Freeston, Goodwin, Harness, Hasthorpe, Henderson, Holland, Hudson, Humphrey, Jackson, Jervis, Kaczmarek, Lindley, Mill, Morland, Parkinson, Patrick, Pettigrew, Shepherd, Shreeve, Shutt, Silvester, K Swinburn, S Swinburn and Wheatley (39 votes)

The substantive motion as amended was therefore carried.

RESOLVED –

1. That the Council writes to the Chancellor of the Exchequer calling on government to adjust the Pension Credit threshold to expand eligibility for Winter Fuel Payments.

2. That all group leaders within North East Lincolnshire Council be requested to sign a joint letter to the area's MPs, urging them to lobby the Government for the introduction of a new threshold for Pension Credit.
3. That a launch of a significant awareness campaign to maximise uptake of Pension Credits be approved, to include use of council noticeboards, social media, promotion in local press, and sending targeted letters to those who may be eligible.
4. That the Council writes to the Chancellor of the Exchequer to request a three month extension to the pension credit application period to bring it into line with the winter fuel allowance deadline.
5. That the Council writes to the Department for Work and Pensions to seek reassurance that staffing levels were adequate to handle increased volumes of applications and enquiries for new benefits in the coming months.
6. That the Portfolio Holder for Finance and Assets investigate if the Housing Support fund can be better utilised to enable pensioners to access support through a simplified application process.
7. That the Council supports and promotes pensioners to apply for the 'Savings Credit' benefit as a means to a gateway to access Winter Fuel Allowance.

NEL.39 NOTICE OF MOTION 2

The Council considered a Notice of Motion, proposed by Councillor Boyd and seconded by Councillor Jackson, submitted in accordance with the Council's Standing Orders as set out below:

This Council opposes any move to scrap or reduce the 25% single person household council tax discount, which would disproportionately affect poorer households in the borough.

Single person households who are struggling to make ends meet and retain their homes are already in a disadvantageous financial position compared to those with two or more incomes.

This Council resolves to write to the Secretary of State for Housing, Communities and Local Government, the Chancellor and our two Members of Parliament opposing this very detrimental potential course of action."

At this point, the Mayor moved that the Council's Standing Orders governing the length of meetings be suspended to permit this meeting to continue beyond 10.00 p.m. This was seconded by the Councillor Jackson. Upon a show of hands, the motion was carried, and it was:

RESOLVED - That the Council's Standing Orders governing the length of meetings be suspended to permit this meeting to continue beyond 10.00 p.m

Following a debate, the motion was put to the vote. A recorded vote was held in accordance with the requirements of the Council's Standing Orders. The votes cast were recorded as follows:

For the motion:

Councillors Aisthorpe, Beasant, Boyd, Brookes, Cairns, Cracknell, Crofts, Dawkins, Emmerson, Freeston, Harness, Hasthorpe, Holland, Hudson, Jackson, Lindley, Parkinson, Pettigrew, Shepherd, Shreeve, Silvester, K Swinburn and S Swinburn (23 votes).

Against the motion:

Councillors Augusta, Bonner, Bright, Clough, Downes, Farren, Goodwin, Henderson, Humphrey, Jervis, Kaczmarek, Mill, Morland, Patrick, Shutt and Wheatley (16 votes).

The motion was therefore carried.

RESOLVED – That the Council writes to the Secretary of State for Housing, Communities and Local Government, the Chancellor and our two Members of Parliament opposing any move to scrap or reduce the 25% single person household council tax discount.

Councillor Kaczmarek left the room at this point in the meeting due to ill health.

NEL.40 TREASURY OUTTURN 2023/24

The Council considered a report from the Portfolio Holder for Finance, Resources and Assets containing details of treasury management arrangements, activity and performance during the 2023/24 financial year. This report was considered by Cabinet at its meeting on 21st August 2024.

RESOLVED – That the treasury management activity during 2023/24 be noted.

NEL.41 YOUTH JUSTICE PLAN

The Council considered a report from the Portfolio Holder for Safer and Stronger Communities seeking approval of the North East Lincolnshire Youth Justice Plan 2024/25. This report was considered by Cabinet at its meeting on 21st August 2024.

Councillor Wheatley suggested going forward the Youth Justice Plan be considered by the Children and Life Long Learning Scrutiny Panel as well as the Communities Scrutiny Panel. Councillor Silvester supported the idea and suggested that the plan be considered at a joint Children and Life Long Learning and Communities Scrutiny panel meeting. This was seconded by Councillor Morland.

Following a debate the motion was put to vote and upon a show of hands it was resolved

RESOLVED –

1. That the North East Lincolnshire Youth Justice Plan 2024/25, which sets out the shared ambition and priorities of the North East Lincolnshire Youth Justice Service, be approved.
2. That, in the future, the Youth Justice Plan be considered by a joint panel of the Children and Life Long Learning Scrutiny Panel and the Communities Scrutiny Panel.

NEL.42 STANDING ORDERS AMENDMENT

The Council considered a report setting out proposed amendments to the rules of procedure for Council meetings (the 'Standing Orders' of Council), as previously set out in the Annual Review of the Constitution report considered at the Annual Meeting of Council on 23rd May 2024 and subsequently referred to the Standards and Adjudication Committee.

Referring to the minutes of the Standards and Adjudication meeting on the 21st July 2024 Councillor Farren, as Chair of the Standards and Adjudication Committee explained that a doubt had been raised with regard to the proposal that the leader of the principal opposition should have the right to reply to the Leader's Statement at full Council meetings. She asked for this agenda item to be deferred until the next Council meeting to allow the Standards and Adjudication Committee to reaffirm the recommendations that were made. This was seconded by Councillor Holland.

Mr Jones confirmed that there was a difference of opinion highlighted to him before the meeting saying that one member felt the resolution had been supported and another felt it had not. He explained that minutes of the Standards and Adjudication Committee meeting on the 24th July 2024 were included in the minute book prior to the meeting and that no questions on notice had been raised on the minutes.

Councillors were asked to vote for the debate to be adjourned to allow Councillor Farren to reaffirm the recommendations made by the Standards and Adjudication Committee as Chair of the meeting. Following a show of hands, the motion failed.

Councillor Freeston moved a motion that the vote on the substantive item be put. This was seconded by Councillor Hudson and carried on a show of hands.

Upon a vote it was

RESOLVED – That the proposed amendments to the Council's Standing Orders not be supported.

NEL.43 OUTSIDE BODIES

The Council considered a report from the Monitoring Officer advising of an appointment to an Outside Body of the Council.

RESOLVED – That Councillor Augusta be appointed as the Council representative on the North Eastern Inshore Fisheries and Conservation Authority.

NEL.44 QUESTIONS ON NOTICE

The Chair invited Councillor Bonner to present the following question to the Portfolio Holder for Finance, Resources and Assets the question having been submitted on notice in accordance with Council's Standing Orders.

At the end of August, I was approached by a resident looking for help with his Council Tax Support claim. His application had been accepted 131 days previously on April 25th but was still outstanding. His benefit advisor advised him to seek help from his Ward Councillor.

After making enquiries, I found unresolved claims dating back more than 150 days to March, with dozens still outstanding after waiting 4-6 months. Most people apply for support following a drastic reduction in their income. This delay directly impacts individuals and families, causing unnecessary and hardship. The consequences of these delays are serious and can be long lasting. Many residents find themselves in extremely challenging situations through no fault of their own, including:

- *Without timely reductions, individuals end up having to pay their full Council Tax until their claim is completed, making significant overpayments that place additional strain on already tight finances.*
- *Delaying payment of other bills is one way of managing their finances while waiting for their claim to be completed. Doing this can result in late charges on other bills, which increases the financial pressure.*
- *Some individuals are forced to resort to payday loans or doorstep lending, often at extortionate interest rates.*

- *Even when claims are finally processed, refunds for overpayments are issued as credits against future Council Tax rather than in cash. This results in residents continuing to incur interest on loans.*

I am asking for better communication about these delays. Updates on progress and apologies for delays would go a long way to reduce the anxiety associated with financial uncertainty.

We need to ensure community members receive the support they need without delays. It is time to prioritise the well-being of our residents and take decisive action to rectify this issue.

How many claims for housing benefit and housing benefit support are outstanding at the most recent date for which information is available?

Councillor Harness, Portfolio Holder for Finance, Resources and Assets, responded that officers had engaged with external processing services to clear the outstanding backlog of council tax support applications. The processing of these cases had been prioritised within the Benefits Team.

There were currently 856 outstanding cases awaiting processing. This external assistance and internal prioritisation was clearing these cases at around 150 per week, with additional resources being brought on board in the coming weeks to speed up this process.

In respect of overpayment of council tax, which places additional strain on household finances, Councillor Harness explained that residents who were awaiting the processing of a council tax support claim could contact the council at any time and ask for their application to be fast tracked due to financial hardship, this would mean their application would be processed within 48 hours. Any resident who approached an external support organisation could also have their application pulled forward because the council had networks in place with these organisations to support residents who were in difficulty.

With regard to delaying payment of other bills, Councillor Harness explained that the council encouraged residents to continue paying their council tax even though they may be waiting for their application for support to be processed which did potentially increase financial pressure into the household. On our website we had information for residents who were finding it challenging to pay, and if any contact was made with the Council Tax Team, a request to fast track an application could be made.

Councillor Harness explained that when council tax support had been processed, if there was a credit balance on the bill due to overpayments this could be requested by the resident to be refunded to them. We did not hold refunds to pay for future council tax bills, information was provided on the bill as to how to access this refund.

Councillor Harness explained that housing benefit claims were processed under a different set of timescales and criteria and were separate to applications for council tax support. He noted that housing benefit applications were cleared on average within 26 days.

Councillor Harness added that officers were in the process of externally consulting on a new council tax support scheme to ease the processing burden for the authority and simplify the application process for residents. If approved, this would be implemented in April 2025 and would speed up the processing of applications for support.

It was unfortunate that there had been a backlog of outstanding council tax support applications but Councillor Harness reassured Council that the team continually refined processes to enable a better customer journey through the service. The proposed changes to the council tax support process would remove this backlog and catch up process.

The Chair invited Councillor Henderson to present the following question to the Leader of the Council and Portfolio Holder for Economy, Regeneration, Devolution and Skills the question having been submitted on notice in accordance with Council's Standing Orders.

At our last full council meeting, the Leader advised that officers would quite happily furnish me with the full business case for Freshney Place. He was dismissive of my points about it not being clear as to the scope of the project, costs, benefits and timescales. Of course I took him up on the offer, but my request was declined by the Monitoring Officer on the basis that:

- a) The political debate scenario had led you to promise something that should not be delivered.*
- b) That I am not a participant of a panel directly involved in the project.*
- c) That the project does not fall within my ward, although clearly the future of the shopping centre and the viability of a multi-million-pound project is a Borough-wide issue.*
- d) That any argument around public interest is defeated by the commerciality aspect and the safe environment for the conduct of public affairs.*

In a recent briefing to the press, North East Lincolnshire Council advised that the Business Case for Freshney Place was not yet complete. So, I am confused as to whether there is a business case or not. So, my question is: Can the leader explain the cost of the Freshney Place project, what it is paying for and how it is to be funded?

Councillor Jackson, Leader of the Council and Portfolio Holder for Economy, Regeneration, Devolution and Skills responded that there was a very detailed initial business case that supported the initial Future High Streets Fund bid; this was a government requirement. It was further developed and refined when we were successful with the Future High Street Fund bid and secured £17.3m but not the full £25m. Again, this was a government requirement. We were also

successful in winning a further £20m Levelling-Up Fund bid towards the cost of the project, further reinforcing the Government confidence in the scheme and our town centre aspirations. The impact of Covid hit in ways unanticipated and unseen which led to the international bank behind Freshney Place making its first loss and resultant decision to exit UK retail. Freshney Place was placed on the market and full Council considered and approved its acquisition just over two years ago. Since then, inflation, especially in construction, had been at levels never seen following various international events that we all knew about. We were now in the latter stages of considering a fully up to date business case with detailed market facing costs and deciding the best way to proceed. The Leader confirmed this would be presented for political scrutiny and decision in the next few weeks.

The Leader explained that it was relevant to note that since acquisition, the non-redevelopment area of Freshney Place was almost full and the council had secured a Community Diagnostic Centre, the return of New Look and Clarks, together with a number of tenants recommitting as their leases came up for renewal. The leisure scheme remained a key plank of the Grimsby Town Centre Masterplan and had the benefit of a pre-let for a five-screen cinema. This was alongside the other Masterplan interventions that were now coming to fruition including St James Square, St James House, Riverhead Square, the Horizon Youth Zone and the recently announced partnership with Keepmoat for Alexandra Dock housing.

In a supplementary question, Councillor Henderson asked the Leader if there was a gap between the funding and the money the Council had in the bank, how much funding did we think we needed?

Councillor Jackson responded that a business case was being considered and officers were in the process of evaluating the different packages of work that needed to be brought together, which was a very complex and complicated scheme and we were not in a situation where we would know what the costs would be and what, if any, financial gap there would be.

The Chair invited Councillor Henderson to present the following question to the Portfolio Holder for Health, Wellbeing and Adult Social Care the question having been submitted on notice in accordance with Council's Standing Orders.

We are delighted to see that the Community Diagnostic Centre (CDC) is coming to the town centre. Driving footfall, fuelling revenue for businesses and providing improved levels of equitable access to services. Please can the Leader explain whether we are following the custom and practice of other organisations who are charging peppercorn rents for their CDCs, as opposed to charging (albeit discounted) commercial rates?

Councillor Shreeve, Portfolio Holder for Health, Wellbeing and Adult Social Care, replied that over the past 2-3 years, agreements for CDCs in shopping centres were based on a mixture of zero rent (peppercorn) and rental payments. Given

the change in dynamics in shopping centres and reduced rental values, a zero rent was not necessarily a discounted rent. It was quite feasible a location in a shopping centre would have a zero rental value and thus was a commercial rate. The benefit to the centre would be footfall and service charge payment. It was, however, certainly the case that CDCs paid an actual rent for accommodation in many instances. Whilst some may exist, we were unaware of any rents that had been discounted below market levels.

When Full Council resolved to acquire Freshney Place, it was on the basis the centre would be run on effective arms-length terms. Amongst other reasons, this was to ensure asset value was managed to its optimum whilst focusing on regeneration priorities.

The CDC agreement for Freshney Place comprised of a very low commercial rent together with payment of the service charge. This was professionally agreed with representatives of Northern Lincolnshire and Goole NHS Trust and there had been a strong partnership ethos to bring the CDC into the town centre.

Councillor Shreeve explained that the CDC would bring benefits to our community with a more accessible location, relieve pressure in the hospital and bring much needed diversification to Freshney Place.

In a supplementary question, Councillor Henderson enquired why tax payers were being used to prop up a retail development?

Councillor Shreeve responded that the NHS and the local authority were classed as the public sector but the key difference between the local authority and the NHS was that the Local Authority were not allowed to report deficits where the NHS were.

The Chair invited Councillor Henderson to present the following question to the Portfolio Holder for Housing, Infrastructure and Transport the question having been submitted on notice in accordance with Council's Standing Orders.

This has been an eventful week in the life of Abbey Walk Car Park. It seems there are several issues that our residents take with the decision to knock it down.

- 1. There does not appear to be evidence from a qualified professional to support the assertions on the damage to the building and its likely lifespan.*
- 2. There has been no consultation on the integrated hub plan which enables review and scrutiny of the whole piece, including the element relating to the car park.*
- 3. The note about electric vehicles is contrary to the briefing given to Members, which stated that car parks will not collapse under their weight. If this briefing was wrong, I wonder if there has been a similar assessment of other local car parks such as Freshney Place.*

4. *The funding for the scheme has not been approved, because it appears the hub is contingent on devolution funding and there is not anyone in place yet to write a cheque, let alone scrutinise the investment*
5. *There is no integrated plan which shows the dependency between this and other local projects – e.g. the demolition of the supermarket.*
6. *This project did not comprise part of the recent town consultation.*
7. *There are no plans to address to heritage concerns relating to the artwork.*
8. *The council's messages to the public are damaging trust in the process. For example, the Leader's latest remarks about improving the vista are especially confusing and have alienated residents.*
9. *There is no profit and loss statement for the car park stretching back and projecting forward to support assertions that the cost of this often-busy car park is unviable.*

The obvious question is why the Portfolio Holder thinks it's a good idea to knock this building down without a clear business case?

Councillor S Swinburn, Portfolio Holder for Housing, Infrastructure and Transport, responded that an intrusive inspection survey was carried out by a structural engineering consultancy. This report outlined the level of defects and options for maintenance to potentially extend the life of the structure for 5 to 10 years, however the level of uncertainty around the success of the remedial works could not be guaranteed. A decision was taken based on this report and through discussions with the council's operational team. As part of the Transport Hub project design phase, a public consultation would be taking place which would include sessions for Councillors to attend. The decision taken was to demolish, clear the site and progress through the feasibility and design stages.

Councillor Swinburn commented that electric vehicles generally weighed more than traditional vehicles, and a structure taking this additional weight of electric vehicles was needed for the future. Any of the proposals for a new structure would have taken this design constrain into consideration. With regard to funding, a decision had been taken to pursue the demolition of the Transport Hub site progressing the scheme through the RIBA design stages 0 to 3. As highlighted in paragraph 1.4 of the Cabinet Report, the Council was expected to receive £1.9m funding for the Transport Hub as part of the Greater Lincolnshire County Deal. This funding formed part of the initial County Deal announcement by Government, which included a commitment regarding capital for brownfield funding within Greater Lincolnshire. North East Lincolnshire Council was working directly with Government regarding the £1.9m allocation.

With regard to an integrated plan, feasibility for the transport hub was at the heart of this decision, it linked with other schemes and phasing would be explored before any future decision was made regarding the progression of the Transport Hub.

Councillor Swinburn noted that the car park was closed following a routine inspection on 15th May 2024. Following this closure, an intrusive condition survey was commissioned to assess the structures integrity. The results of this

survey were not available until early July, so unfortunately the timeline for inclusion within the town consultation did not align.

Councillor S Swinburn explained that it was recognised that demolishing this structure would potentially impact on the artwork that formed part of the car park's structure. The project team would consider options for the safe removal and resitting of this artwork but, as pointed out within section 1.12 of the Cabinet report, this may not be possible due to a variety of reasons (weight, financial viability, removing without damaging). However, all options to save the artwork would be considered.

Councillor S Swinburn could not understand why Councillor Henderson thought the Council's messages were damaging to the public, as consultation with the public on the public realm and leisure schemes, including the need for a new modern Transport Hub, had shown that these schemes were needed. He

With regard to viability, Councillor S Swinburn noted that the average income for this car park was between £100k and £120k per year. To carry out the remedial works and only recover these costs (over the 5 to 10 years additional life span) the income would need to be increased to between £400k & £800k per year. With the reduced capacity caused by the remedial bracing supports we would practically have to fill every space all day every day of the year to recover the costs, without considering the costs of running the facility. Additionally, £4m was an outline estimate based on GPR (Ground Penetrating Radar) surveys, it was not detailed design or tender costs, therefore market forces could drive costs up, as would further deterioration being found during the construction phase.

In a supplementary question, Councillor Henderson asked the Portfolio Holder for Housing, Infrastructure and Transport if it was against council procedures and policies to progress a project without an approved business case.

Councillor S Swinburn responded that he didn't agree with the need for a business case, as this would add extra financial costs to the project that we would not be able to recover, and it had already been pointed out that the best option financially was to demolish.

The Chair invited Councillor Jervis to present the following question to the Portfolio Holder for Culture, Heritage and the Visitor Economy, the question having been submitted on notice in accordance with Council's Standing Orders.

Cleethorpes masterplan has been widely supported by the public, though the changes to the Market Place traffic scheme has raised some concerns among the business community. There is currently further engagement going on with these businesses, but a number of the business owners are particularly concerned that the traffic survey used to inform the project design team was undertaken on a Thursday and Saturday in late January, and this will not give a true reflection of traffic movements, as this is the quietest time of the year. Also, the survey did not give any details of the breakdown of cars, vans, refuse trucks or delivery wagons,

and to base the final designs on this limited traffic survey carries significant risk to a successful outcome for the project. Does the portfolio holder agree that a much more detailed survey should be carried out to give a more balanced and accurate picture of traffic movements?

Councillor Dawkins Portfolio Holder for Culture, Heritage and the Visitor Economy, responded that the concept of removing parking was part of previous consultations and the Cleethorpes Masterplan process was covered again in the consultation carried out around the concept designs that Cabinet approved. The traffic and parking survey undertaken earlier this year was used to inform the design team of how people parked in the square and the types of traffic using it and wasn't used as the sole arbiter as to whether parking should be taken out, as outlined above, that was a concept introduced and consulted upon as part of the masterplan process originally. He added that the traffic survey was carried out by a professional survey team, commissioned by the Council's Highways Department, and used the standard methodology for such surveys. The traffic survey was undertaken at the beginning of the design process to give an overview of how the area was used and therefore support the design process. The traffic survey differentiated between different type of vehicles, including commercial vehicles, cyclists, and pedestrians. Councillor Dawkins concluded that, as part of the detailed design stage currently underway, additional parking and traffic surveys and investigations would be undertaken and therefore he did not agree there needed to be a more detailed survey.

In a supplementary question, Councillor Jervis referred to a caveat made that there was to be a further traffic survey and when would that happen?

Councillor Dawkins responded that there were ongoing traffic surveys and investigations as were the consultations with the businesses. He explained that he talked to the businesses and the majority were in favour of the proposals and officers were working with other businesses to understand and allay their fears.

The Chair invited Councillor Holland to present the following question to the Leader of the Council and Portfolio Holder for Economy, Regeneration, Devolution and Skills, the question having been submitted on notice in accordance with Council's Standing Orders.

North East Lincolnshire Council states that a functional scheme for the proposed new transport hub can be delivered within the £3.6M external funding already allocated to the project and that no additional external borrowing is required. £1.9m of that funding is being accredited to the Greater Lincolnshire Mayoral Combined County Authority. The Combined County Authority will not be established, however, until legislation in the form of a Statutory Instrument is laid before Parliament. This raises questions as to how a body that is not yet legally established nor has any audit and governance mechanism in place already appears able to award funding of large sums of money from the public purse. Could the Leader kindly inform members as to exactly who decided to award

£1.9m to North East Lincolnshire Council towards the cost of the proposed transport hub construction and when this decision was made?

Councillor Jackson, Leader of the Council and Portfolio Holder for Economy, Regeneration, Devolution and Skills, responded that as highlighted in paragraph 1.4 of the recent Cabinet Report relating to the Transport Hub, the Council was expected to receive £1.9m of Brownfield Land Release funding towards it as part of the Greater Lincolnshire County Deal. This funding formed part of the initial County Deal announcement by Government, which included a commitment regarding capital for Brownfield funding within Greater Lincolnshire. North East Lincolnshire Council was working directly with Government regarding the £1.9m allocation accordingly.

In a supplementary question, Councillor Holland asked the Leader what oversight and scrutiny would be in place whilst the authority was being formed?

Councillor Jackson responded that there was £28m of capital funding allocated by Government to Greater Lincolnshire to spend in the 2024/25 financial year and £8.3m of that was brownfield land release funding with money towards the transport hub and funding for the new housing on Alexandra Dock. If the whole of Greater Lincolnshire was going to spend that £28m within the financial year it would need to start spending it for part of the combined authority to be set up and operating. Councillor Jackson's understanding was that a series of business cases were being put together to spend the £28m within the time envelope and the business cases would be presented directly to Government to decide if they were sound and valid.

The Chair invited Councillor Holland to present the following question to the Portfolio Holder for Safer and Stronger Communities the question having been submitted on notice in accordance with Council's Standing Orders.

The criminal justice and prison system in this country is collapsing to the point that thousands of convicted criminals are being released from prison early; not because they merit early release but simply because the prisons are full. 5,500 offenders are expected to be released in total with the HMP Chief Inspector of Prisons warning that this puts some risk into local communities and greater strain on probation services. Could the Portfolio Holder very briefly outline the ongoing cross-agency work that is taking place to mitigate risk in order to provide reassurance to residents and victims of crime in our Borough?

Councillor Shepherd, Portfolio Holder for Safer and Stronger Communities, responded that following the Government's decision to reduce the time served in prison of those sentenced to "standard determinate sentences" from 50% to 40%, the Council had been working closely with, the Yorkshire and Humberside Probation Service and wider partners in readiness for the release of prisoners. This had included weekly meetings with the Probation Service leading up to the release of the first tranche of prisoners on 10th September 2024. These meetings were established to support the very clear pathway that was already well

established and managed by the Probation Service. This pathway considered all needs of a prisoner's rehabilitation as part of their release and included probation supervision, accommodation requirements, mental health and substance misuse needs in addition to access to benefits and wider welfare. This approach enabled the successful release of 15 prisoners into North East Lincolnshire who had been reintegrated back into the community following risk assessments and appropriate packages of support and supervision as part of tranche 1. The Council would continue to support and work with our probation colleagues ahead of 22nd October 2024, when the second tranche of prisoners were due to be released.

In a supplementary question, Councillor Holland asked if the Portfolio Holder for Safer and Stronger Communities knew how many prisoners were due to be released in the second tranche.

Councillor Shepherd confirmed that at this stage no numbers were given.

NEL.45 MINUTES OF THE CABINET AND COMMITTEES OF THE COUNCIL

The Council received the minutes of decisions taken under delegated powers at the following meetings, subject to any questions asked in accordance with the Council's Standing Orders:

Cabinet – 17th July and 21st August 2024
Portfolio Holder Housing, Infrastructure and Transport – 17th June and 19th August 2024
Scrutiny Panel Children and Lifelong Learning – 25th July 2024
Scrutiny Panel Communities – 23rd July 2024
Scrutiny Panel Economy, Culture and Tourism - 15th July and 1st August 2024
Scrutiny Panel Health and Adult Social Care – 24th July 2024
Scrutiny Panel Transport, Infrastructure and Strategic Housing – 16th July 2024
Joint Meeting of the Children and Lifelong Learning Scrutiny Panel and the Economy, Culture and Tourism Scrutiny Panel – 15th August 2024
Health and Wellbeing Board – 8th July 2024
Audit and Governance Committee – 25th July 2024
Planning Committee – 12th June, 10th July and 7th August 2024
Standards and Adjudication Committee – 24th July 2024
Standards Referrals Panel – 21st August 2024
Appeals Committee – 14th August 2024
Appointments Committee – 2nd August 2024

RESOLVED – That the minutes of the following meetings of Cabinet and the Committees of the Council be approved and adopted.

There being no further business, the Mayor declared the meeting closed at 11.40 p.m.