



County Offices  
Newland  
Lincoln  
LN1 1YL

12 May 2016

**Council Annual General Meeting**

A meeting of the Council will be held on **Friday, 20 May 2016 in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL, commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tony McArdle', written over a horizontal line.

Tony McArdle  
Chief Executive

**Membership of the Council**  
**(77 Members of the Council)**

Councillors W S Webb (Chairman), T M Trollope-Bellew (Vice-Chairman), B Adams, M G Allan, W J Aron, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE (Leader of the Council), J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, A H Turner MBE JP, S M Tweedale, M A Whittington, P Wood, Mrs S Woolley, L Wooten, R Wooten, C N Worth, Mrs S M Wray and B Young



**COUNCIL AGENDA  
FRIDAY, 20 MAY 2016**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
1	To elect the Chairman of the County Council for the ensuing year	
2	To elect the Vice-Chairman of the County Council for the ensuing year	
3	Apologies for Absence	
4	Declarations of Councillors' Interests	
5	Minutes of the meeting of the Council held on 19 February 2016	5 - 26
6	Submission of Petitions	
7	Chairman to signify the appointment of Chairman's Chaplain	
8	Chairman's Announcements	
9	The Leader to report on Executive Portfolios and appointments to the Executive and appointments of Executive Support Councillors	
10	Statements/Announcements by the Leader (Circulated as a separate document) and Members of the Executive	27 - 80
11	Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees	
12	Appointment of Parent Governor Representatives	81 - 84
13	Political balance on Committee's and Sub-Committees and allocation of places to political groups	85 - 90
14	Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board, the Health Scrutiny Committee for Lincolnshire and the Bourne Town Hall Trust Management Committee)	91 - 92
15	Calendar of Meetings 2016/17	93 - 96
16	Appointment to Outside Bodies	97 - 100
17	Executive Decision - Rule 17 (Special Urgency)	101 - 104
18	Overview and Scrutiny Annual Report 2015-2016	105 - 132

19	<b>Devolution - Governance Review and Draft Scheme</b>	133 - 182
20	<b>Monitoring Officer's Annual Report 2015-16</b>	183 - 192
21	<b>Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies</b>	193 - 412
22	<b>Future Use of Bourne Town Hall</b>	413 - 426
23	<b>Electoral Review of Lincolnshire - Update</b>	427 - 430
24	<b>Changes to the Constitution</b>	431 - 436
25	<b>Motions on Notice Submitted in Accordance with the Council's Constitution</b>	

Democratic Services Officer Contact Details

Name: **Rachel Wilson**  
Direct Dial **01522 552107**  
E Mail Address [rachel.wilson@lincolnshire.gov.uk](mailto:rachel.wilson@lincolnshire.gov.uk)

**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

**Please note:** This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.gov.uk/local-democracy/council-webcasts/>

All papers for council meetings are available on:  
[www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords)



**COUNCIL  
19 FEBRUARY 2016**

**PRESENT: COUNCILLOR W S WEBB (CHAIRMAN)**

Councillors T M Trollope-Bellew (Vice-Chairman), B Adams, M G Allan, W J Aron, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, M J Hill OBE, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, M S Jones, B W Keimach, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, A H Turner MBE JP, S M Tweedale, M A Whittington, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, Mrs S M Wray and B Young

**49 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A G Hagues, J D Hough, A J Jesson, T Keywood-Wainwright, C K Strange and Mrs C A Talbot.

**50 DECLARATIONS OF COUNCILLORS' INTERESTS**

Councillor S R Dodds declared an interest as a Trustee of Magna Vitae in relation to any public health discussions.

**51 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 18 DECEMBER 2015**

**RESOLVED**

That the minutes of the meeting held on 18 December 2015 be signed by the Chairman as a correct record.

**52 SUBMISSION OF PETITIONS**

**(a) Petition requesting a safe crossing on the Horncastle Road (A158) in Wragby**

In accordance with the Council's Petition Scheme, Mrs Julie Thacker spoke for not more than five minutes in explanation of the petition requesting a safe crossing on the Horncastle Road (A158) in Wragby.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Highways, Transport and IT.

- (b) Petition objecting to any proposals which would lead to the closure of Leadenham Household Waste Recycling Centre.

In accordance with the Council's Petition Scheme, Mr Bob Sampson spoke for no longer than five minutes in explanation of the petition objecting to any proposals which would lead to the closure of Leadenham Household Waste Recycling Centre.

The Chairman advised that there would be an opportunity for Councillors to consider this petition as part of the budget debate later in the meeting. It was also reported that the petition would be referred to the Executive Councillor for Waste and Recycling.

- (c) Petition requesting Lincolnshire County Council not to cut bus subsidies for Lincolnshire buses.

In accordance with the Council's Petition Scheme, Mr Dave Rimmington spoke for no longer than five minutes in explanation of the petition requesting that Lincolnshire County Council did not cut subsidies to Lincolnshire buses.

The Chairman advised that that there would again be an opportunity for Councillors to consider this petition as part of the budget debate later in the meeting. It was also reported that the petition would be referred to the Executive Councillor for Highways, Transport and IT.

- (d) Petition requesting that the Council reconsiders the proposal to undertake a consultation on the closure of 15 phase three Sure Start Children's Centres in the County.

In accordance with the Council's Petition Scheme, Mrs Helena Mair spoke for not more than five minutes in explanation of the petition requesting that the Council reconsiders the proposal to undertake a consultation on the closure of 15 phase three Sure Start Children's Centres in the County.

The Chairman advised that there would be an opportunity for Councillors to consider this petition as part of the budget debate later in the meeting. It was also reported that the petition would be referred to the Executive Councillor for Adult Care and Health Services, Children's Services.

53      CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that he had continued to carry out his civic engagements with pride.

The Chairman's Lady was thanked for supporting the Chairman on these engagements and also the Vice-Chairman and Lady, Councillor Martin Trollope-Bellew and Rosemary Woolley for providing representations at civic functions when the Chairman had been unable to attend.

The Chairman identified one highlight being when he was invited to present certificates at St Christopher's Special School in Lincoln. The Chairman and Lady were delighted to meet the staff and pupils and found the enthusiasm of the staff and the commitment of the children overwhelming.

The Chairman took the opportunity to remind all councillors of a councillor development session taking place on 15 March 2016 which had been arranged by the cross party Councillor Development Group. The session would cover councillors' role as Corporate Parents. The Chairman urged members to attend if at all possible.

It was with deep sadness that the Chairman reported the death of former County Councillor Colin Fisher, who represented the Spalding West electoral division for three county council terms between May 1993 and May 2005.

Councillors paid tribute to the late former County Councillor Colin Fisher and afterwards stood in silent memory.

The Chairman advised that a list of civic engagements since the last meeting of this Council was available from the Civic Officer on request.

54      QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMAN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

<u>Question by</u>	<u>Answered by</u>	<u>Subject</u>
(a) S R Dodds	P A Robinson	Syrian refugees resettlement
(b) D McNally	Mrs P A Bradwell	Youth centre at Birbeck Academy
(c) Mrs M J Overton MBE	M J Hill OBE	Reduction of government grant
(d) R Wootten	M J Hill OBE	Devolution update

**4**  
**COUNCIL**  
**19 FEBRUARY 2016**

(e) R Kirk	R G Davies	Reductions to road safety budgets
(f) S L W Palmer	M J Hill OBE	Road crossing policy
(g) C E D Mair	R G Davies	Consistency in assessment of highways issues
(h) C J T H Brewis	B Young	Proposed reductions to magistrates courts
(i) C Pain	C J Davie	Boundary Commission proposals
(j) Mrs V C Ayling	R G Davies	Eligibility criteria for highways crossings
(k) K J Clarke	Mrs P A Bradwell	Implementation of Agresso in schools
(l) R A Renshaw	R G Davies	Call Connect service
(m) Mrs H N J Powell	C N Worth	Lincolnshire Rural Touring Events budget reductions
(n) I G Fleetwood	R G Davies	LEB liaison group
(o) P M Dilks	M S Jones	Serco
(p) R G Fairman	C J Davie	Planning and Regulation Committee
(q) B Adams	R G Davies	Update on IT outage
(r) A M Austin	C J Davie	Boston Barrier
(s) R B Parker	M J Hill OBE	Syrian refugees
(t) Mrs A E Reynolds	R A Shore	HWRC in Mablethorpe
(u) C R Oxby	C J Davie	RAF International Air Show update
(v) D C Morgan	C J Davie	Process for fracking applications

55      COUNCIL BUDGET 2016/17

A report by the Executive Director Finance and Public protection had been circulated together with a separate document which detailed the Executive's budget and council tax proposals.

It was moved, seconded and

**RESOLVED**

- (1) That there be one debate;
- (2) That councillor M S Jones, Executive Councillor for Finance and Property, in introducing and moving the budget and in responding to issues raised during the debate be allowed to speak without limit of time;
- (3) That proposers of the amendments each be allowed to speak without limit of time;
- (4) That Councillors seconding the motions, each be allowed to speak to 6 minutes;
- (5) That other speakers be allowed to speak for 3 minutes
- (6) That no further substantial amendments be moved (other than the original amendments moved by Group Leaders)

An amendment was proposed and seconded as follows:

This year's budget was the subject of extensive consultation and engagement activity with a wide range of stakeholders. Unprecedented levels of feedback have been received and it's only right that the Council should seek to address some of the key issues identified by that activity.

The Government have themselves received extensive feedback on their own proposals published in December in the Provisional Local Government Finance Settlement. They have listened to representations from Shire Counties that those initial proposals were inequitable in terms of both sufficiently recognising the cost pressures of providing services in a rural environment but also the last minute redistribution of revenue support grant away from county areas to metropolitan areas and London Boroughs. Additional funding has been forthcoming for Lincolnshire in the form of £5.2m in rural services grant next year and £2.6m the year after - £7.7m in total. This had been added to the Financial Volatility Reserve prior to consideration of the final budget recommendations.

It is proposed that the recommended changes set out below are funded by the additional resources allocated by the Government. These were matters highlighted in

**6**  
**COUNCIL**  
**19 FEBRUARY 2016**

budget engagement feedback from the public. This represents just under £5m over the next two years.

- i. Winter maintenance - there will be no reduction in the funding for this service over the next two years. Use will be made, as necessary, of the earmarked reserve set up for this service.
- ii. Bus subsidies - the proposed saving of £2.2m over the next two years be removed from the budget. As far as 2016/17 is concerned this requires £1.2m to be built back into the budget. The requirement for additional funding in the 2017/18 budget will be the full £2.2m.
- iii. Children's Centres – no Tier 3 Centres will close in the year ahead or in the year commencing April 2017. No saving had been proposed in 2016/17 as it was not envisaged feasible to close the Centres in that year given the need to undertake a formal consultation. A potential saving of £420k was under consideration for the 2017/18 budget. That will not now proceed.

The Council still faces significant underlying cost pressures going forward with a potential budget shortfall for 2017/18 of around £30m even after implementing savings as proposed in this budget. It therefore makes sense to continue with the vast majority of the savings initiatives proposed in the budget whilst recognising some of the key concerns expressed by those responding to our engagement activity.

The timing and total funding required for both the above remains to be determined at this time but it is proposed to take the required funding from the Financial Volatility Reserve and that the Director of Finance & Public Protection be granted delegated authority to take such action.

The proposed action requires additional funding of £1.2m next year and this will be funded by reducing the Financial Volatility Reserve by that amount.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the Financial Strategy of the Council and present a balanced budget for 2016/17. The Council is predicting an ongoing budget deficit over the three financial years after 2016/17 and substantial savings or other actions will need to be found in those years to deliver a balanced budget. These proposals reduce the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £21.5m.

Councillor M S Jones, as mover of the original motion, accepted this amendment which subsequently became part of the substantive motion.

It was moved and seconded:

- (1) That the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D "Budget Consultation") be noted;
- (2) That the Section 151 Officer's Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 10 – "Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves") be noted;
- (3) That the Impact Analysis relating to the increasing of Council Tax by 3.95% in 2016/17 set out in the appended Budget Book (Appendix C – Equality Impact Analysis relating to the increasing the Council Tax by 3.95% in 2016/17) be noted;
- (4) That the service revenue budgets for 2016/17 contained in the appended Budget Book (Table 2 "Net Service Revenue Budget 2016/17") be agreed;
- (5) That the capital programme and its funding contained in the appended Budget Book (Section 7 "Capital Programme") and (Appendix M "Capital programme") be agreed;
- (6) That the County Council element of the council tax for a band D property at £1,128.83 for 2016/17 contained in the appended Budget Book (Appendix B "County Precept 2016/17") be agreed;

And that together these form the Council's Budget

- (7) That the Council's Financial Strategy contained in the appended Budget Book (Appendix E "Financial Strategy") be approved;
- (8) That the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix L – "Prudential Indicators") be noted;
- (9) That a minimum revenue provision (MRP) be based on the asset life method and made in equal instalments over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 9 "Minimum Revenue Provision") be agreed.
- (10) That authority be delegated to the Executive Director of Finance and Public Protection to update the appended Budget Book to reflect any amendments agreed by the Council.

- (11) That the additional resources allocated by the government be used to continue funding for winter maintenance, bus subsidies and Children's Centres, as set out in the amendment above.

**An amendment (i) was moved and seconded by the Labour Group as follows:**

Local Government in Lincolnshire is facing unprecedented cuts in government funding. Public services are under attack because the Conservative Chancellor of the Exchequer thinks it is right to balance the nation's book by 2019/20. The consequence here in Lincolnshire with the 'deepest cuts we have ever faced' is that local people will be expected to pay more by way of Council Tax and get less by way of services; pay more, get less. The amendment set out below takes account of the expectation that council taxes should be used to a greater extent than is being proposed to pay for council services in the current year.

That is why this Labour proposal seeks to protect in the coming year the lives, welfare and interests of Lincolnshire people who are in need of vitally important council services like child and adult support services including Children's Centres, road maintenance work, community safety initiatives and subsidies to bus services.

Accordingly It is proposed that the following amendments are made to the circulated 'Council Budget 2016/17' report:

REVENUE

Restore Commission activities in Children's Centres (Page 93 line 4) £662k.

Restore School Improvement service and activities for non-statutory support for children with disabilities (Page 11 para 5.7) £1.511m.

Make planned efficiency savings in home to school transport but use funds released to protect the service (Page 95 line 4) £1.47m.

Readiness for Adult Life – spend more on child support services with increasing demands in light of the County being the lowest spending upper tier council (apportion over Page 98 lines 1-7) £1.318m.

In respect of Children are Safe & Healthy restore Family Support; Commissioning & Performance; Targeted Support for Young People; and CAMHS (Section 75) (Page 99 lines 4 to 7) £589k.

In respect on Adult Safeguarding partially restore funding to DoLs Best Interest Assessments (Page 101 line 4) £1.35m.

In respect of Specialist Adult Services spend more on support for adults with learning disability, autism and mental health problems (apportion over Page 108 lines 1-6) £311k.

In respect of Adult Frailty do not increase user contributions (apportion over Page 103 lines 13-17) £2.478m.

Provide a budget for Local Welfare Support in addition to use of existing reserve (Page 109 line 11) £250k.

Partially restore Health Improvement activities (Page 111 line 4) £2.212m.

Partially restore Sexual Health Services (Page 111 line 9) £441k.

Substantially restore Prevention & Treatment of Substance Misuse (Page 111 line 10) £908k.

Restore spend for Transportation (bus subsidies) (Page 113 line 5) £1.563m.

Partially restore Highway Maintenance (Page 113 line 6) £1.400m.

Partially restore Highway Network Management (Page 113 line 7) £700k.

Protect spending on Household Waste Recycling Centres (Page 116 line 4) £298k.

Partially restore Sustaining and Growing Business and the Economy (apportion over Page 117 lines 4-7) £400k.

Substantially restore Fire & Rescue Services and remove threat of station closure (Page 119 line 8) £829k.

Partially restore Community Safety Initiatives budget (Page 119 line 5) £237k.

Restore Road Safety Partnership funding (Page 119 line 6) £119k.

## FUNDING

The above measures total £19.046m and the proposed sources of funding are as follows:

Reduce the Strategic Communications budget by a further £90k (Page 123 line 11).

Apply £18.956m from the Financial Volatility Reserves in the expectation that this will be supplemented and the coming year end by at least £10million from the anticipated underspend across the Council budget.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2016/17. The Council is predicting an ongoing budget deficit over the three financial years after 2016/17 and substantial savings or other actions

**10  
COUNCIL  
19 FEBRUARY 2016**

will need to be found in those years to deliver a balanced budget. These proposals reduce the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £3.75m.

**An amendment (ii) was moved and seconded by UKIP as follows:**

The UKIP Group would like to make the following amendments to the 2016/17 Council Budget.

Revenue Budget

The following changes are proposed to the Revenue Budget for next year.

- a) Remove the non-Adult Care precept element (1.95%) of the Council Tax increase (£4.549m).
- b) Restore the cuts made to the Bus Services & other transport initiatives (£1.563m).
- c) Restore the budget cut made to Highway Asset Maintenance (£3.084m).
- d) Include the sum of £300k to allow for the hire of more PSCOs.
- e) Under Children's Services - Kids are Safe & Healthy - give back the £589k reduction in budget and increase it by another £11k to round this up to £600k in total.
- f) Because the size of this council will not reduce this year we feel it is still important to retain the staff we have until after such changes are made. Therefore, we would like to re-fund the cuts in staff budgets on Business Support & Democratic Services (£1.328m).
- g) The Registrars, Celebrations & Coroners services will be moving into shared premises during this year to cut departmental costs. They will also be introducing initiatives which will provide income for their services. Once again, we would like to restore the modest cut of £60k to their department until after these changes have been made.
- h) A reduced saving in the revenue budget as a consequence of the proposal below to part fund the new capital allocation to Corporate Property from halving expenditure on the existing Street Lighting upgrade programme (£600k).

These proposals cost an additional £12.084m in 2016/17.

Capital Budget

The following changes are proposed to the Capital Budget for next year.

Add £5.0m to the Corporate Property Budget to give additional funding for the Adult Care 'Extra Care Housing Project'.

### Funding – Revenue Budget

The following changes are proposed to fund the £12.084m.

Use of the Financial Volatility Reserve (£9.402m)

Reduction in the General Reserve to 3% (£2.114m)

Reduce the Economic Development budget further (£0.384m)

Reduce the increase in Adult Care charges (£0.184m)

### Funding – Capital Budget

The following changes are proposed to fund the £5.0m.

Reduce the existing street lighting upgrade programme by £3m.

Allocate £2m from the Capital Contingency budget for next year.

We commend these changes to the Council.

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2016/17. The Council is predicting an ongoing budget deficit over the three financial years after 2016/17 and substantial savings or other actions will need to be found in those years to deliver a balanced budget. These proposals reduce the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £13.3m.

### **An amendment (iii) was moved and seconded by the Lincolnshire Independents as follows:**

This budget is too small to deliver the services that the residents of Lincolnshire expect and deserve. This government has severely reduced our income. At the same time they have added to the already rising demands, for example, by announcing a living wage, but not funding it. £44m Cuts proposed by the Conservatives in this budget are on top of the £125m taken out over the last four years.

We propose that an all-party campaign starts now to tackle the government on the amount of income tax that is returned to us for essential local services in future years.

This conservative budget proposes massive cuts to essential services an increased council tax and we are presented with a plan that is already propped up with £20m from reserves. We propose raising that slightly by £5m to invest to save as follows;

1) We propose keeping services that enhance the economy on which our future income depends. Thus we propose restructuring but not cutting rural transport, which underpins our rural and urban businesses and communities (£2.2m)

2) We propose fair school transport to the nearest appropriate school. All Lincolnshire children should be treated equally when it comes to school transport. For fairness no child should be prevented from attending the nearest appropriate school, when that is a grammar school, simply because their parents can't afford the bus fare. We propose this is implemented at cost, with a neutral effect on the budget.

3) We propose supporting youth, health and building the economy through converting our children's centres into family centres including help with work placements (£600k).

4) We propose keeping well supported local facilities that would only make a small saving if closed. Hence we propose Investing in our rural communities through the big society grant, rural touring and community grants and local facilities such as a recycling site (£400k).

5) We propose increasing the income to support our council services by a concerted effort to make our assets work better for us, not focused on selling them off. We recognise that means some sales, but also purchase and development of buildings to increase the rate of return in rents and build healthy communities at the same time. This could be through an arms-length profit-making organisation where the County Council is the shareholder. (Target 5pc return on capital investment.)

These proposals require £3.2m of revenue budget funding in 2016/17.

#### Funding

In response to comments from residents in our areas, the following changes are proposed to the Revenue Budget to fund the £3.2m.

Rebalancing the Special responsibility allowances to save 20% (£100k).  
Restructure the Council's Communications activity to save 20% (£200k).  
Reduce the Financial Volatility Budget (£2.9m)

The Director of Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2016/17. The Council is predicting an ongoing budget deficit over the three financial years after 2016/17 and substantial savings or other actions will need to be found in those years to deliver a balanced budget. These proposals reduce the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £20.1m.

A recorded vote was held for the amendment (i), and upon being put to the vote, the amendment was lost.

Details of recorded vote taken:

Those voting for the amendment (i):

K J Clarke, P M Dilks, S R Dodds, G J Ellis, N I Jackson, R C Kirk, D C Morgan, N M Murray, R B Parker, Mrs H N J Powell, J M Renshaw and R A Renshaw.

Those voting **FOR – 12**

Those voting against the amendment (i):

B Adams, M G Allan, W J Aron, A M Austin, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, C J Davie, R G Davies, R G Fairman, I G Fleetwood, R L Foulkes, M J Hill OBE, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, B W Keimach, S F Kinch, C E H Marfleet, J R Marriott, R A McAuley, D McNally, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, N H Pepper, R J Phillips, Mrs S Ransome, Mrs S Rawlins, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs E J Sneath, T M Trollope-Bellew, A H Turner MBE JP, W S Webb, M A Whittington, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, B Young.

Those voting **AGAINST – 49**

Those abstaining:

Mrs V C Ayling, R J Hunter-Clarke, C E D Mair, S L W Palmer, Mrs N J Smith.

#### **ABSTENTIONS - 5**

A recorded vote was held for the amendment (ii), and upon being put to the vote, the amendment was lost.

Details of recorded vote taken:

Those voting for the amendment (ii):

Mrs V C Ayling, J W Beaver, R G Fairman, R L Foulkes, D M Hunter-Clarke, R J Hunter-Clarke, C E D Mair, D McNally, Mrs H N J Powell, Mrs S Ransome, Mrs A E Reynolds, Mrs N J Smith,

Those voting **FOR – 12**

Those voting against the amendment (ii):

B Adams, M G Allan, W J Aron, A M Austin, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, C J Davie, R G Davies, I G Fleetwood, M J Hill OBE, D C Hoyes MBE, M S Jones, B W Keimach, S F Kinch, C E H Marfleet, J R Marriott, R A McAuley, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, N H Pepper, S L W Palmer, R J Phillips, Mrs S Rawlins, P A Robinson, Mrs L A Rollings, R A Shore, Mrs E J Sneath, T M Trollope-Bellew, A H Turner MBE JP, W S Webb, M A Whittington, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, B Young.

**14**  
**COUNCIL**  
**19 FEBRUARY 2016**

Those voting **AGAINST – 43**

Those abstaining:

K J Clarke, P M Dilks, S R Dodds, G J Ellis, N I Jackson, R C Kirk, D C Morgan, N M Murray, R B Parker, R A Renshaw.

**ABSTENTIONS – 10**

A recorded vote was held for the amendment (iii), and upon being put to the vote, the amendment was lost.

Details of the recorded vote taken:

Those voting for the amendment (iii):

M G Allan, A M Austin, Mrs M J Overton MBE, S L W Palmer, Mrs H N J Powell, P Wood.

Those voting **FOR – 6**

Those voting against the amendment (iii):

B Adams, W J Aron, Mrs V C Ayling, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, C J Davie, R G Davies, I G Fleetwood, R L Foulkes, M J Hill OBE, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, B W Keimach, S F Kinch, C E H Marfleet, J R Marriott, D McNally, P J O'Connor, C R Oxby, C Pain, N H Pepper, R J Phillips, Mrs S Ransome, Mrs S Rawlins, P A Robinson, Mrs L A Rollings, R A Shore, Mrs E J Sneath, T M Trollope-Bellew, A H Turner MBE JP, W S Webb, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth, B Young.

Those voting **AGAINST – 42**

Those abstaining:

J W Beaver, K J Clarke, P M Dilks, S R Dodds, G J Ellis, R G Fairman, R J Hunter-Clarke, N I Jackson, R C Kirk, C E D Mair, R A McAuley, D C Morgan, N M Murray, R B Parker, Mrs A E Reynolds, R A Renshaw, Mrs N J Smith.

**ABSTENTIONS – 17**

A recorded vote on the amended motion was taken. Upon being put to the vote, the motion was carried.

Details of the recorded vote taken:

Those voting for the amended motion:

B Adams, W J Aron, A M Austin, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, C J Davie, R G Davies, R G Fairman, I G Fleetwood, R L Foulkes, M J Hill OBE, D C Hoyes MBE, M S Jones, B W Keimach, S F Kinch, C E H Marfleet, J R Marriott, R A McAuley, P J O'Connor, C R Oxby, N H Pepper, R J Phillips, Mrs S Rawlins, P A Robinson, Mrs L A Rollings, R A Shore, Mrs E J Sneath, T M Trollope-Bellew, A H Turner MBE JP, W S Webb, M A Whittington, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, B Young.

Those voting **FOR – 41**

Those voting against the amended motion:

K J Clarke, P M Dilks, S R Dodds, G J Ellis, N I Jackson, R C Kirk, D C Morgan, N M Murray, Mrs M J Overton MBE, C Pain, R B Parker, Mrs J M Renshaw, R A Renshaw.

Those voting **AGAINST – 13**

Those abstaining:

M G Allan, Mrs V C Ayling, J W Beaver, D M Hunter-Clarke, R J Hunter-Clarke, C E D Mair, D McNally, S L W Palmer, Mrs H N J Powell, Miss F E E Ransome, Mrs A E Reynolds, Mrs N J Smith.

### **ABSTENTIONS – 12**

#### **RESOLVED**

- (1) That the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D "Budget Consultation") be noted;
- (2) That the Section 151 Officer's Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 10 – "Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves") be noted;
- (3) That the Impact Analysis relating to the increasing of Council Tax by 3.95% in 2016/17 set out in the appended Budget Book (Appendix C – Equality Impact Analysis relating to the increasing the Council Tax by 3.95% in 2016/17) be noted;
- (4) That the service revenue budgets for 2016/17 contained in the appended Budget Book (Table 2 "Net Service Revenue Budget 2016/17") be agreed;
- (5) That the capital programme and its funding contained in the appended Budget Book (Section 7 "Capital Programme") and (Appendix M "Capital programme") be agreed;

- (6) That the County Council element of the council tax for a band D property at £1,128.83 for 2016/17 contained in the appended Budget Book (Appendix B "County Precept 2016/17") be agreed;

And that together these form the Council's Budget

- (7) That the Council's Financial Strategy contained in the appended Budget Book (Appendix E "Financial Strategy") be approved;
- (8) That the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix L – "Prudential Indicators") be noted;
- (9) That a minimum revenue provision (MRP) be based on the asset life method and made in equal instalments over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 9 "Minimum Revenue Provision") be agreed.
- (10) That authority be delegated to the Executive Director of Finance and Public Protection to update the appended Budget Book to reflect any amendments agreed by the Council.
- (11) That the additional resources allocated by the government be used to continue funding for winter maintenance, bus subsidies and Children's Centres, as set out in the amendment above.

**56**     PAY POLICY STATEMENT

A report by the Executive Director Children's Services had been circulated.

It was moved, seconded and

RESOLVED

That the Pay Policy Statement attached at Appendix A to the report be agreed.

**57**     MEMBERS' ALLOWANCES 2016/17

A report by the Executive Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the Members Allowance Scheme as detailed in Appendix A of the report be adopted.

58 COUNCIL BUSINESS PLAN 2016/17

A report by the Chief Information and Commissioning Officer had been circulated.

It was moved, seconded and

RESOLVED

That the Council Business Plan 2016-2017 be agreed.

59 AMENDMENT TO ARTICLE 9 OFFICERS AND PART 3 (RESPONSIBILITY FOR FUNCTIONS) OF THE CONSTITUTION

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That the amendments to Article 9 (Officers) and Part 3 (Responsibility for Functions) of the Council's Constitution set out in Appendix A of the report be agreed.

60 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE COUNCIL'S CONSTITUTION

(1) Motion by Councillor Mrs V C Ayling

Prior to discussion of this motion Councillors Mrs M J Overton MBE and Mrs H N J Powell declared an interest as they held paid positions in the LGA and left the meeting at 3.20pm for the duration of the debate.

It was moved and seconded that:

The Government has imposed savage cuts upon this council, and there are more to come. Front line services are in desperate straits, so to preserve what's left we must be absolutely ruthless in getting rid of unnecessary spending.

One area in particular stands out as being 'especially' in need of the chop - the Local Government Association. It costs this council, in cash terms alone, £60,000 a year - and add to this the time spent on expenses and officer time.

We're asking taxpayers to stump up an extra 3.9%, so we must ask, "what benefit does the LGA bring to this council, and more importantly, the taxpayers of Lincolnshire?" It is little more than another bureaucratic talking shop which makes a lot of noise but achieves little. Could any of you here today justify it to your constituents whilst asking them for more money?

**18**  
**COUNCIL**  
**19 FEBRUARY 2016**

In this on-going Era of Austerity, we must now, more than ever, spend what little money we have for the benefit of our residents. The £60,000 would be far better spent on such things as adult or children's services. Officers could spend the time gained on making life better for 'all' the people of Lincolnshire, and have the satisfaction that they're really working for the people who pay their wages.

I therefore propose that Lincolnshire County Council agrees to leave the Local Government Association as soon as possible.

During debate, an amendment was proposed that the subject of the benefits of membership of the LGA be discussed by a scrutiny committee. This was accepted by the mover of the motion and became part of the substantive motion.

Upon being put to the vote, the motion was lost.

The Chairman determined that the motions by Councillors A Bridges and C Pain, and the amendment submitted by UKIP would be debated concurrently, but that there would be three separate votes.

(2) Motion by Councillor A Bridges

It was moved and seconded that:

The council welcomes The Prime Minister's decision to hold an in out referendum on our nation's membership of the EU so that we can all have a vote on this vital issue. In the ensuing negotiations the PM identified some clear objectives covering matters such as immigration, welfare and sovereignty which could form part of a revised relationship if we were to remain in.

Unfortunately, due to European intransigence the current "deal" offers very little in terms of delivering a sustainable and fair welfare and immigration policy for the UK or the ability to repatriate some powers back to this country.

Lincolnshire, particularly on the east coast has seen unprecedented rise in economic migration which inevitably has put pressure on public services many of which this council provides. It has also undermined social cohesion and confidence in some areas.

It is accepted that most migrants come to provide necessary labour and contribute in many ways. However, as the EU has totally failed to deal satisfactorily with mass migration from outside Europe it is vital that this country is able to control its borders before the situation becomes untenable.

We also need to reduce unnecessary interference and bureaucracy from the EU in order to successfully grow the Lincolnshire economy which does not seem currently likely.

This Council therefore resolves

That the current UK/EU deal does not offer a good opportunity for Lincolnshire and unless a better arrangement can be negotiated, the United Kingdom would be better placed to grow and develop outside the European Union.

An amendment (i) was proposed and seconded by UKIP as follows:

The council welcomes The Prime Minister's decision to hold an in out referendum on our nation's membership of the EU so that we can all have a vote on this vital issue. ~~In the ensuing negotiations the PM identified some clear objectives covering matters such as immigration, welfare and sovereignty which could form part of a revised relationship if we were to remain in.~~

Unfortunately, due to European intransigence the current "deal" offers very little in terms of delivering a sustainable and fair welfare and immigration policy for the UK or the ability to repatriate some powers back to this country.

Lincolnshire, particularly on the east coast has seen unprecedented rise in economic migration which inevitably has put pressure on public services many of which this council provides. It has also undermined social cohesion and confidence in some areas.

It is accepted that most migrants come to provide necessary labour and contribute in many ways. However, as the EU has totally failed to deal satisfactorily with mass migration from outside Europe it is vital that this country is able to control its borders before the situation becomes untenable.

We also need to reduce unnecessary interference and bureaucracy from the EU in order to successfully grow the Lincolnshire economy which does not seem currently likely.

This Council therefore resolves:

~~That the current UK/EU deal does not offer a good opportunity for Lincolnshire and unless a better arrangement can be negotiated, the United Kingdom would be better placed to grow and develop outside the European Union.~~

That the current UK/EU deal does not offer a good opportunity for Lincolnshire. Therefore this council supports a vote to leave the European Union.

### (3) Motion by Councillor C Pain

It was moved and seconded that:

Lincolnshire, particularly on the east coast, has seen an unprecedented rise in economic migration which inevitably has put pressure on public services, many of

which this council provides. It has also undermined social cohesion and confidence in some areas.

This has devastated Boston by increasing rental prices beyond affordability for locals. It has pushed the hospital, Doctors surgeries, policing, schooling, services to a breaking point. The last census of the population is inaccurate as the majority of mass occupancy homes did not submit the number of people in their dwellings, this means that there are an estimated 10,000 plus EU Migrants in the Boston area that are unaccounted for, meaning that we are not funded by government for this extra amount of population.

Often the migrants themselves are working on minimal wage with no contract of employment plus they are deducted over half of their money for accommodation, transport and the right for casual employment.

There have been many incidences of these migrants being found living in glass houses or old caravans that are unsuitable / unfit to live in. The effect of Unlimited Mass EU Migration has devastated the local community by forcing families, who have always done this type of work, into permanent unemployment leaving their siblings to a life on benefit payment dependency.

The migrants themselves send the majority of their money out of the local community and country, stopping the redistribution of money in local businesses. Then if the EU migrants go home for two months per year, they can claim back all of the tax and NI that they have paid in our country. They then can come back the next year, hence having a total negative effect on society.

A leading agricultural firm, are a prime example, where local people have always worked in the fields and pack houses, with some employees having worked there for 15-20 years. Then a large majority of its work force were needlessly made redundant and replaced with foreign labour. Locals have always gathered the produce from the fields and undertaken pack house work and still would do if given half a chance. In 2004 locals were doing piece work on the land were earning £14-£18 per hour whilst now EU Migrants are on day's pay less vast expense deductions.

At this firm they are charged for accommodation, bedding, transport etc and I roughly believe this levies the firm a further million pounds per year in monies. The cost to the local community is drastic.

The power industry have to pay all of their employees on NAECI (blue book) rates £15.28 per hour. EU companies quoting for the same work pay their EU employees far less with some paying minimum wage rate. Foreign Companies are quoting for the same jobs on power stations in the UK, but are paying the following reduction in pay to European workers.

Bulgarians pay £9.20 per hour

The Italians pay £7.56 per hour.

How can this be right that EU companies have the advantage of paying their employees less money on the same contracts and obviously making them more competitive than British ones?

Our off shore oil companies workers in Lincolnshire have also suffered similar disparities in wages.

The mass of Unlimited EU Migration into the UK has meant that the minimum wage has now become the maximum wage and that's if you're lucky enough to get employment. In fact the current EU Migration criterion is racist to all of those countries outside of the EU, especially to all of our friends in the Commonwealth Countries.

These actions have stopped local Cantonese and Indian restaurants recruiting suitable chefs and local people legitimately, bringing in their spouses from non EU countries.

Zero hour contracts might suit students at University, but are no good for people trying to live and enjoy life in our country, it only helps fat cats to get richer whilst taking workers' rights back into the dark ages.

We have the further issue that both David Cameron and the EU are pushing for both Turkey and Bosnia to enter the EU. This will mean that a further 80 million of their population will be entitled to come to the UK.

Once outside of the EU, we can install a full Australian Visa style points entry system into our country, but I feel that as the local County Council, we have to send this message to David Cameron, so that it will help inform him of the need to secure full UK border control. Whilst I feel his insistence of the UK being within the unelected control of the EU, with its associated consequences, it is against the will of the British public.

I have forwarded to councillors a range of information provided by Nottingham University and Professor Tim Congdon. Tim has worked hard over the years deploying in his own analysis the monetarist approach to macroeconomic policy. He has considerable experience working in the City of London and was the founder of the macroeconomic forecasting consultancy Lombard Street Research. Between 1993 and 1997, he was a member of the Treasury Panel that advised the Conservative government on economic policy.

I move that this Council urges the UK Government to adopt a Migration System so that EU Migrants are treated equally to non EU Migrants entering the UK, meaning that they need a work visa / work permits, allocated on a skill Points Based System (PBS) - Tier 1(high value); Tier 2 (skilled workers with a job offer); Tier 4 (students " who will pay the same amount as non EU students"). Tier 1 (unskilled) entry routes will no longer be open. This will involve re instilling full UK border control.

Upon being put to the vote, the amendment (i) was lost.

**22**  
**COUNCIL**  
**19 FEBRUARY 2016**

Upon being put to the vote, the motion (2) by Councillor A Bridges was carried.

Upon being put to the vote, the motion (3) by Councillor C Pain was lost.

**RESOLVED**

That the current UK/EU deal does not offer a good opportunity for Lincolnshire and unless a better arrangement can be negotiated, the United Kingdom would be better placed to grow and develop outside the European Union.

**(4) Motion by Councillor S L W Palmer**

We believe that this Council is facing unprecedented financial pressure with a perceived background of dissatisfaction with scrutiny and a disconnection of councillors not part of the administration.

It is therefore proposed that this Council establishes a cross party review to investigate all systems of governance available to recommend on best value, inclusion of all councillors in decisions and transparency to the residents of Lincolnshire that we are elected to represent.

Upon being put to the vote, the motion was lost

The meeting closed at 5.20 pm

## COUNTY COUNCIL MEETING – 20 MAY 2016

**Statement from: Councillor Mrs P A Bradwell, Deputy Leader and Executive Councillor for Adult Care and Health Services, Children's Services**

### **CHILDREN'S SERVICES**

#### **White Paper – Educational Excellence Everywhere**

As you may be aware the Government's White Paper, Educational Excellence Everywhere, was launched in March 2016. The paper made a number of recommendations to deliver educational excellence at every school and many of these proposals were welcomed by myself and the sector as we believe that the investment and reforms in teacher training and developing education leaders for the future as well as the proposals for a fairer funding system will improve our education system in the County. Specifically, we welcome the continued drive to a sector led model of school improvement and we are well placed to deliver this ambition through the recently launched Lincolnshire Learning Partnership which I refer to later in my statement.

However, I know that colleagues do not support forced academisation and consider that forcing schools to become academies raises serious questions around local needs and accountability. There is no evidence that academies perform better than council maintained schools and we had serious reservations about academisation as a panacea for poor performance.

We all agree that where a school is failing, there is no question that action must be taken – but converting every school, regardless of performance, to an academy will not tackle those issues and will have much farther reaching consequences. Schools value the option to become academies and the support they receive from their local councils to do so where they believe this is in the best interests of their students and communities. Forcing the change upon every school goes against, in many cases, what parents and teachers want and we consider this to be undemocratic.

It is also worth noting that there would have been a large financial implication for local authorities at a time when communities are already suffering the impact of significant budget cuts. We need to concentrate on the quality of education and a school's ability to deliver the best results for children, rather than on its legal status.

Parents, communities and governors have a basic right to participate in the discussions that should ultimately determine the model of schooling available to them. In Lincolnshire this has resulted in a rich and varied choice for parents and carers and more than 87% of our schools being judged Good or Outstanding by Ofsted. The proposed removal of parent governors would have further weakened vital local voices in our schools.

I have written to the Secretary of State, Nicky Morgan, to make my views clear and we are also working with the LGA and the CCN to collectively express our concern

over forced academisation. I am very pleased to report that the Secretary of State has responded positively to our concerns and has recently announced a review of these proposals. We await further details, but in the meantime we will positively engage with the Government to help shape proposals which are more relevant and suitable for local education.

## **Adoption**

As part of the Government's Action Plan for adoption in England, all local authorities are issued with scorecards to measure how quickly they place children for adoption. The scorecards ensure that local authorities' planning and decision making is rigorous and focused upon minimising delay for this vulnerable group of children. Scorecards also provide an opportunity for local authorities to learn, reflect and bring about improvement in their adoption services.

The latest scorecard was published on 29 March 2016, covering the performance of local authorities between April 2014 and March 2015. In response to Lincolnshire's high performance in adoption, Edward Timpson, Minister of State for Children and Families wrote to the Council on 30 March 2016, offering his congratulations. Extract of his comments are below:

*“As you are aware, 2015 Adoption Scorecards have now been published. I would like to congratulate Lincolnshire on the strong improvements made to adoption timeliness in 2014-15.*

*I note that you have met the Government's threshold for the time taken to place children with their adoptive families. In doing so, you have reduced the time children wait between entering care and being placed. You have also reduced the time between gaining a placement order and matching children with their adoptive family. I also note that Ofsted recently judged your adoption services as “Outstanding.”*

*I am pleased to see that Lincolnshire is part of the East Midlands Regional Adoption Agency. I am certain this will provide you with a real opportunity to improve your existing services and practice. I am also pleased to see that you are making good use of the Adoption Support Fund to provide therapeutic support to adoptive families and their children. This kind of support is critical for adopted children and their families and I hope you will continue to use the fund to complement the wider adoption support you provide. It is clear that you share the Government's commitment to ensuring no child waits too long to be placed in a safe and loving home.”*

## **Sector-led School Improvement goes live in September 2016**

Since October 2014 we have been working on redeveloping the way school improvement is delivered in Lincolnshire schools. The project has been led by Head teachers and supported by the County Council.

As an outcome of this work we now have in place the Lincolnshire Learning Partnership which all schools across Lincolnshire can join. This is governed by a smaller group of elected Head teachers who form the Lincolnshire Learning Partnership Board.

The board officially launched at a successful event on 22 April 2016.

The new sector led approach will replace the previously commissioned CfBT, contract. I am sure you would want to join me in thanking CfBT for their support to Lincolnshire schools and to the Council over the years. They will be leaving Lincolnshire in August 2016.

Looking forward, this is a real opportunity to develop educational expertise within Lincolnshire Schools. The national move towards a sector led self-improving system is set and there is extensive work being put into creating the conditions to enable this. Many of Lincolnshire's leaders have shown they are willing and able to develop a culture and practice of reflection and enquiry within and beyond their schools that underpins self-improvement.

To ensure LCC are still meeting their statutory duties, a new structure has been put in place and is being led by Heather Sandy, Assistant Director for Learning.

### **School Places**

The basic need work-stream of the capital programme continues to deliver new school places across the county. In March 2016 a further £11m was announced for 2018/19. By September 2019 over £70m will have been invested into Lincolnshire schools since 2011, to ensure that there are sufficient school places to meet the needs of local communities. The school age population of Lincolnshire continues to rise with additional school places being planned for both the primary and secondary sector for the years ahead. Over 1000 new primary school places will be created in the year leading up to September 2016, and there will be many more planned for and delivered in line with birth rates, migration and housing development over the coming years, particularly in the secondary sector as we plan for the increased numbers moving through the primary sector in certain areas of the county.

### **School Admissions**

This year's schools admissions saw the offer of 15,460 school places with both primary and secondary cohorts being larger than previous years. Maintaining a high first preference satisfaction rate of 93% is in keeping with previous years and remains slightly higher than our East Midlands neighbours. Out of the 15,460 places only 278 (1.8%) were offers other than the first three chosen by parents.

### **GCSE / A-level results**

Lincolnshire has maintained the attainment of previous years, at 56.1%; however, the gap between Lincolnshire's performance and national for this measure is closing.

Fourteen schools achieved in excess of 90% of students earning 5+ A\*-C including English and maths.

A-level passes are above the national figure; and in higher level grades awarded. The pass rate for 2 A-levels in Lincolnshire schools reached 97%. Seventeen of our schools achieved 100% of pass grades.

There has been a slight reduction in the percentage of students achieving 3 A\* - A grades or better, in line with the national trend. Performance remains consistently better than that nationally, regionally and that of our statistical neighbours.

## Ofsted Information

Ofsted % of providers in each category – Lincolnshire (National figures in brackets)				
	Outstanding	Good	Requires Improvement	Inadequate
2015	17 (20)	68 (64)	13 (14)	1 (3)
2014	15 (20)	69 (61)	14 (17)	2 (3)
2013	15 (20)	66 (58)	18 (19)	1 (3)

Source – Ofsted Data View

## Key Stage 1 and Key Stage 2 results

KS1 Attainment: There has been an improvement of 2% in attainment in reading, writing and mathematics at Level 2+ and L2B+ compared to 2014, with combined L2+ now 86% and combined L2B+ now 67%. However LA performance remains below the national overall. There have been improvements in L3+ outcomes for reading and mathematics improving by 1% from 2014; L3+ writing remains steady. Attainment at L3+ in reading, writing and mathematics remains just below the national.

KS2 Attainment: Level 4+ Grammar, Punctuation and Spelling has improved this year compared to last year and the rate of improvement in this area is greater for the LA than seen nationally. Performance at L4+ writing and mathematics has improved from 2014, reading has remained steady. However, Level 4+ attainment data for the LA remains below national figures, with combined L4+ now at 79% compared with 80% nationally. There has been a similar rate of improvement for attainment at L4B+ from 66% to 68%; however this is still below national at 69%.

There are improvements at L5+ compared with 2014 LA outcomes. Attainment at L5+ in Grammar, Punctuation and Spelling has continued to improve over time as has L5+ writing. Mathematics has increased from 2014. Although L5+ reading has fallen compared with 2014, the drop is not as great as seen nationally. L5+ attainment data for the LA remains below national for grammar, punctuation and spelling and for reading, writing and mathematics.

KS2 Progress: Expected progress in reading 91%, writing 93% and maths 87% is broadly in line with 2015 LA outcomes, however, Lincolnshire is now below national data in all three areas. Lincolnshire is broadly in line with East Midlands and statistical neighbours for expected progress in reading and writing and just below in mathematics.

## ADULT CARE

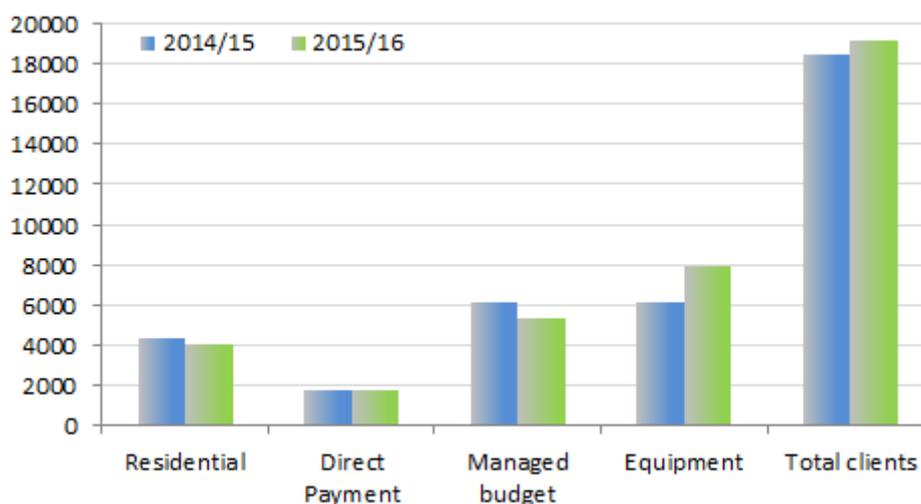
### Adult Care Services

Here in Lincolnshire – as nationally – health and care services are coming under increasing pressure and for those with a great deal of experience in the sector there has never been a busier time. The increasing needs from older people (notably over

85 years of age), and those with profound disabilities are compounded by increased demand for safeguarding investigations and to uphold vulnerable adults' Human Rights – in the form of Deprivation of Liberty assessments. To this we can add the additional pressures arising from ever busier hospitals supporting not just more people but more people with ever complex conditions.

Provisional figures for 2015/16 indicate that over 34,000 requests have been received by Adult Care, 2,000 more than the previous year. This increase in demand has been met with improved services at the front door. Two out of three requests are dealt with by information and advice and by directing people to other sources of support, such as charities and community groups, and to give advice to people who can afford to pay for their own care. A further 2,000 people have received Reablement services and 4,000 people have accessed the Wellbeing Service. Both services have contributed to delaying or reducing the need for more intensive services.

In total, 19,000 adults have received a service in the year, which is a 4% increase compared to the previous year. A higher proportion of adults have had their needs met with lower level services such as equipment. The profile of service provision is shown in the chart below.



The provisional results from the annual statutory Adult Social Care Survey show an improvement on customer satisfaction, with 66% of people who are 'extremely' or 'very satisfied' with the care and support they receive, and only 5% of clients not satisfied. The survey also shows that compared to the previous year, people have more control over their daily lives and experience a good quality of life.

With the Better Care Fund (BCF), a series of projects are in place to reduce the pressure on the health sector, and keep people at home for longer. Although there are current pressures around delayed discharges, delays attributable to Social Care are still relatively low. Adult Social Care and Health partners continue to work closely together to improve experiences for people accessing services both in and out of hospital. The primary objective for both organisations is to keep people in their own homes or as close to home wherever possible. Other measures that pertain to the effectiveness of the BCF from a Social Care perspective include recently published survey results which indicate that 94% of Adult Care clients enjoy a better quality of life as a result of the services they receive.

## **Services for Carers**

We all know how important carers are in supporting the many vulnerable adults living in Lincolnshire. From 1 June 2016 a new contract will commence for carers services. Following a thorough tender process the contract has been awarded to the experienced provider Carers FIRST who will work alongside our Customer Service Centre Care and Wellbeing Hub to deliver support to carers. Carers FIRST will also be our strategic partner for engaging with carers of all ages.

The new contract has provided the opportunity to ensure services have an increased focus on early help and prevention whilst helping us to meet our duties under the Care Act 2014 and Children and Families Act 2014. The new contract will also make access to services easier while offering more joined up support.

Almost 8,000 carers have been supported over the last 12 months, and since April there has been a definite shift in the pattern of support towards early intervention and prevention with 20% of carers having their needs met with information and advice.

## **Care Quality Commission**

In January 2016 a residential care home in Sleaford was the first in Lincolnshire to be given an overall rating of outstanding by CQC, one of only 57 nationally. The overall standard of regulated care in Lincolnshire homes continues to be good under these new style ratings. Of the published new style reports for social care locations in the county by March 2016 (184) 65% are rated as, good 33% requires improvement. There is only one care home rated as inadequate and this is being robustly monitored through the Council's Service Quality Review meeting

## **Sensory Impairment**

Adult Care in conjunction with Children's Services and Public Health recently recommissioned the sensory impairment service. From 1<sup>st</sup> April 2016 Action on Hearing Loss became the prime provider of the new service working in partnership with Lincoln and Lindsey Blind Society (LLBS) and South Lincolnshire Blind Society (SLBS), known locally as Lincolnshire Sensory Services. The new service will increase the number of people who are sensory impaired to retain their independence. It will assist in reducing social isolation, encourage better use of technology and have an integrated approach to working with health organisations and other partners.

## **Care Act compliance**

I am pleased to report that Lincolnshire County Council has been rated joint second in the country in an independent review of Information and Advice compliance with the Care Act. 'Independent Age' has assessed all 152 local authorities in the country, reviewing websites and using mystery shopping exercises. Lincolnshire scored 29/30, and is identified as care act compliant (only 45 out of 152 were deemed Care Act compliant).

## **Update on Day Services**

The review of Daytime Opportunities in Lincolnshire was conducted in order to make proposals for how these services need to be offered to service users now and in the future.

- Streamline services to the benefit of service users;
- Ensure we have daytime opportunities equally spread across the county
- merge some Daytime opportunities together and to then invest capital funding to improve the building base
- Daytime opportunities strategy to modernise the existing provision of services;
- Ensure Day Services are more sustainable.

The review included site visits, and engagement events with both Service Users and Staff, and where appropriate, with Parent/Carers, over the rationalisation of certain Day Centre buildings from which Day Services are currently provided.

Directly provided Day Centre provision will be located as follows:

- Ancaster Day Centre, Lincoln
- The Wong, Horncastle
- Wellington Road, Mablethorpe
- Alghitha Road, Skegness
- Alternative building to be confirmed, Louth
- Scott House, Boston
- Old Health Clinic, Market Rasen
- The Hastings Centre, Gainsborough
- Northgate, Sleaford
- Alternative building to be confirmed, Grantham
- Stamford Day Centre, Stamford
- Chappell Centre, Spalding

## **Contributions Policy for Non-Residential**

The policy has now been successfully introduced and service users, from 16 April 2016, are making their financial contributions towards the cost of their care packages in accordance with the new policy.

5,186 service users were notified during March 2016 by letter what their new contribution was to be. Effective arrangements were put in place within Adult Care, the SERCO Customer Service Centre and the Financial Assessment Team to deal with resulting queries. From this, 520 calls were received, 55% dealt with by the Customer Service Centre and 45% by the Financial Assessment Team, less than 10 were contributions policy queries. The new policy should generate in excess of £700,000 in additional income in 2016/17, rising to over £800,000 in 2017/18 as a result of the introduction of this new policy.

## **Hospitals**

The adult care teams supporting Lincolnshire residents have this winter seen and supported around 45 people a day. Adult Care staff offer advice to both Carers and people that fund their own care, they assess people's needs to support their safe

discharge home from hospital. This year has seen further joint working with health colleagues in the development of multi-disciplinary staffed 'hubs' within all three sites in Lincolnshire. Although Adult Care delayed discharges have increased by 14% over the past 12 months this remains below the national average. The majority of delays 70% remain health responsibility.

## **PUBLIC HEALTH**

### **Substance Misuse**

In December 2015, the Council published an invitation to tender for a Lincolnshire Alcohol and Drug Community Treatment Service and Lincolnshire Recovery Service. Following a robust tender process, Addaction was awarded the contract on 30 March 2016 for a period of five years, with an option to extend for up to a further two years. The new service is to start on 1 October 2016.

The new treatment service will reduce costs, improve service delivery and offer a new recovery service that will match best practice from across the country. It combines adult and young person services as well as drug and alcohol treatment in a package that is far more flexible and cost effective.

The recovery service has been developed following consultation with service users and benchmarking best practice across the country. The service will primarily use volunteers to develop a recovery community across the county that will change the perception of recovery and make it something to celebrate and not stigmatise people. It will act as a wraparound support network for those in treatment with the service, but also a gateway to support for those who are reluctant to enter formal treatment services or who require support rather than treatment.

The Public Health team are working closely with Addaction as part of the implementation of the new services, which will include the full detail of how services will be accessed from 1 October. Discussions with the exiting providers are ongoing as part of the exit strategy process.

### **Housing Related Support**

Housing Related Support services are performing well since a new service model was introduced on 1 July 2015. 1,829 individuals have been referred into services already via the new electronic referral system 'The Avenue'. Over 692 professionals from 39 organisations have signed up to use 'The Avenue' to make applications to our services, saving large sums in administration costs and ensuring consistency in access to services all over the county for vulnerable people.

The first year has seen 706 individuals leave the services and out of those, 509 were planned and successfully moved on into their own accommodation with or without support. This represents a 72% planned departure rate and is a strong indicator that the problems which brought the person into the service are being resolved. We are monitoring particular success in outcomes around maximising income, managing debt, improved physical health, improved mental health, maintaining accommodation, and access to settled accommodation.

An Oversight Board has been established and meetings have taken place on a quarterly basis since November 2015. In attendance are representatives from District Councils, housing providers, criminal justice organisations, mental health teams and wider stakeholders. This Board is proving to be a useful arena to facilitate partnership working and ensure our current services are doing as much as they can to support vulnerable adults. The Board's current work programme includes widening service user move on options and establishing priority user groups.

### **Wellbeing Service**

The contracts for our successful Wellbeing Service expire on 31 March 2017. The existing service is currently being reviewed to ensure that any potential future model is fit for purpose.

Benchmarking of similar Wellbeing services elsewhere within the country and internal engagement is well underway. Provider and stakeholder engagement events have been run in order to assist with this development. Work so far has highlighted some areas of best practice within Lincolnshire, as well as some areas for improvement to ensure that the service continues to develop to meet the needs of the population whilst meeting commissioning expectations.

The Wellbeing Service is a critical 'front-door' service that supports the Care Act requirements and assists in reducing demand on higher cost statutory care services provided by Adult Care. I am very pleased to say that the evaluation of the service in 2015 did clearly evidence that a key success of the current Wellbeing Service has been to reduce demand on statutory care services.

The procurement for a new service will commence during 2016 once the revised service model and approach to procurement are finalised and agreed.

This page is intentionally left blank

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor C J Davie, Executive Councillor for  
Economic Development, Environment, Planning, Tourism**

### **ECONOMIC DEVELOPMENT AND TOURISM**

#### **Investment**

Team Lincolnshire, a group of commercial developers and businesses work with us to promote Lincolnshire and the development opportunities that are associated with the County's economic growth. The Economic Development investment team facilitates the Team Lincolnshire approach. Team Lincolnshire was very well represented at March's MIPIM business investment fair. There were 70 attendees at Team Lincolnshire's event to showcase the county. In April more than 100 businesses and intermediaries attended Team Lincolnshire's business networking event.

UK Trade and Industry and LCC will establish a combined approach to working with the 80 foreign owned businesses in Lincolnshire. Foreign owned businesses traditionally make around two thirds of all investments in the UK economy, so it is important that we work effectively with them. Our officers will write out to these businesses and will offer to visit them in the coming weeks to help to facilitate their development plans.

#### **Export**

A recent report showed that there has been a reduction in the number of Lincolnshire businesses that trade internationally over the past decade. This has been due to international economic conditions, and we are working hard to increase the number of exporters. Giving Lincolnshire businesses and organisations the opportunity to meet helpful contacts from an area, and then giving them the opportunity to meet businesses directly, are two good ways of increasing export. I have developed relationships with Hunan (China) and increasingly with Pinellas (USA). The Vice-Governor of Hunan led a delegation to Lincolnshire just before March, and members of his delegation included business directors and top ranking civil servants. The delegation visited Dynex Semiconductors, which is three quarters owned by a major Hunan business, and a number of other Lincolnshire organisations including the board of the Greater Lincolnshire Local Enterprise Partnership.

I expect to welcome a similar delegation from Pinellas - focused on the defence engineering, health, and flood management sectors- later in the year.

At a more operational level, because of our links to UKTI we recently hosted an exporting day in partnership with University of Lincoln. The day included a drop-in session and various seminars. It was focused primarily on small businesses, and each of the seminars was well attended with around 24 small businesses directly benefitting.

## **Supply Chains**

We have focused our work with the manufacturing sector onto supply chain improvements. In March we held a manufacturing conference in partnership with Nat West. Over 130 businesses attended, and heard how to win contracts in the HS2 and Jaguar Land Rover supply chains.

Information about supply chain opportunities, along with plenty of other advice for businesses, is held on our website [www.businesslincolnshire.com](http://www.businesslincolnshire.com).

## **Coastal Development**

Conoco Phillips recently announced that they are reviewing the future of their operation at Theddlethorpe. Whilst any change to the centre could have devastating effects on the local community it should be recognized that Conoco Phillips's review will be done in the context of national energy conditions. Due to that, I have written to Amber Rudd, secretary of state at the Department for Energy and Climate Change asking for her assistance in this matter. I will also be meeting the UK President of Conoco Phillips soon; I wrote to him explaining about how important an employer Conoco Phillips is to Lincolnshire and he has agreed to meet me.

Turning to tourism, we have a long-term aim of broadening the coastal tourism season. The North Sea Observatory at Chapel Point is one of the ways that we will achieve this, and I am delighted to say that the construction phase is now underway and the piling is being installed –by a Lincolnshire based construction business.

Clearly the risk of coastal flooding affects investment decisions. The Environment Agency have agreed to join a workshop with major coastal developers to explore how coastal protection schemes can be designed to protect the area and to promote investment at the same time. I hope that joint working of this nature can be a feature of our future relationship with the Environment Agency.

## **Lincoln Tourism**

Both Councillor Nick Worth and I have regularly updated you on progress at Lincoln Castle.

1<sup>st</sup> April 2016 was the first anniversary of the castle's re-opening. 287,440 visitors enjoyed the castle during that year. As part of our lottery grant we have started to undertake a formal evaluation of the economic impact of the project, and I will be able to give you the formal figures from this review at a future council meeting. However, it is clear from our discussions with tourism businesses particularly the accommodation sector in both Lincoln and Lincolnshire that the project has had a significant benefit to their operation. The economic development team has spoken with many businesses who have seen a benefit from the project –and these businesses are not just in Lincoln but are from across the county.

The POPPIES: Wave exhibition will open from 28 May 2016, and this promises to be another highlight, attracting visitors from across the country to Lincoln. I hope that this influx of visitors will have the same impact on the local economy.

We are all very proud of the Lincoln Castle project, but it is good to be recognised more widely for our achievements. Lincoln Castle has recently won the Royal

Institute of British Architects (RIBA) East Midlands Award for architectural excellence. These awards are very important because they keep the project in the news –coverage of this award, for example, featured on the national BBC website.

### **Looking ahead –skills, devolution, and Midlands Engine**

For some time now we have identified the need to tackle Lincolnshire's skills gap. Developing a flexible approach to apprenticeships, providing a fund for employers to design training which directly meets their business need, and increasing the relationship between schools and employers have all been mentioned. The economic development team has been working closely with the Skills Funding Agency to design activity that meets these objectives, and we hope that training providers will be able to bid to deliver this work in the next couple of months and that training for an extra 4,500 Lincolnshire people will be starting in September.

The devolution agreement for greater Lincolnshire has a clear focus on economic growth. It will provide flexibilities and funding for growth schemes, and it has a strong focus on adapting government business support schemes to directly meet our local sectors' needs.

Government is promoting Midlands Engine, an initiative to raise the productivity of the whole of the Midlands ('From the Wash to Wales'). It is very important that Lincolnshire is seen as an important part of the Midlands Engine –our food production sector is critical to the region's economy, our advanced engineering contributes directly, and our educational institutions provide skills to grow the economy. In order to really make our mark on Midlands Engine, Greater Lincolnshire LEP organized a major business seminar on the event on 4 May 2016 which will be addressed by the Midlands Engine director.

## **ENVIRONMENT AND STRATEGIC PLANNING**

### ***Sustainability***

#### **Salix Revolving Energy Fund**

The £1 million fund has been used to fund 72 projects totalling £1.8 Million and is saving LCC £370,000 and 1,900 tonnes of CO<sub>2</sub> annually.

#### **SCoRE Project rollout**

The project is due to finish in August 2016 and has been delivered to 230 schools and 763 children have been trained as Lincolnshire Carbon Ambassadors. Additional investment triggered by SCoRE is valued at £2.2m, which is almost a 7:1 multiplier on the initial investment in project officers. Schools that have taken part in SCoRE have seen a reduction of 15% in electricity and 34% in gas between 2010/11 to 2015/16.

#### **Verge Biomass**

Work aiming to lead up to a pilot trial of the collection of verge vegetation used as a feedstock for biomass is continuing. Staff from the Sustainability Team have been briefing DEFRA who have expressed interest in the project.

## **Lincolnshire Energy Switch**

Registrations are being taken for the 7<sup>th</sup> round of the Lincolnshire Energy Switch. To date the previous 6 rounds have attracted 8,205 registrations, of which 2,788 decided to switch. This totals £616,100 savings which equated to an average household saving of £208.

**Climate Local** – Work has continued toward Climate Local with future actions including the following:

- Continued investment under the Council's Carbon Management Plan, including £5,000,000 investment in street lighting energy efficiency (full report to be considered as agenda item for this meeting).
- Considering how best to continue with the Lincolnshire Energy Switching scheme and fuel poverty schemes.
- Next stages of the District heat network study will be completed by December 2016.

## **Carbon Management Plan**

Work is beginning on the collation of data from the 1 April 2015 to 31 March 2016, that will show how well LCC is progressing towards its target of a 22% reduction by 2018. However, due to varying dates of utility billing, some data is not available until the end of July and this will mean that a complete picture is not available until August 2016.

## **Greenhouse Gas Emissions Reporting**

Work is beginning on the collation of data from the 1 April 2015 to 31 March 2016, from 40 data sources, that will allow LCC to publish its Greenhouse Gas Emissions report. However, due to varying dates of utility billing, some data is not available until the end of July and this will mean that a complete picture is not available until August 2016.

## **Property Rationalisation**

Working with the property team to give advice that will allow LCC building stock to be as energy efficient as possible. This currently includes Keily House, Orchard House and Lancaster House.

## **William Farr**

After successful projects to completely upgrade the schools lighting to LED and the installation of 185kWp of Soar PV the team are working with the school on a project that will completely replace all the schools heating system with 3 biomass boilers. If successful this would lead to the school being in the top few percent of energy efficient schools in the country.

## **England Coastal Path**

Work continues on the first two stretches of the proposed route which once complete will form Lincolnshire's only National Trail. Officers have continued to meet with

Natural England colleagues to assist in reviewing where the route may be laid out, in particular in relation to some of the stretches which need special consideration such as at Gibraltar Point where discussions with the Lincolnshire Wildlife Trust are helping to understand how the path can be laid out in this sensitive environment. Meetings with other affected landowners and interested parties have also assisted on other stretches of the route.

The section between Skegness Pier and Mablethorpe has nearly reached the stage where Natural England will conduct a full survey of the proposed route with a view to understanding what physical features, such as gates and signage, may be required. This includes reviewing the feasibility of constructing a boardwalk at Chapel St Leonards to provide better access to the promenade, a scheme that has been highlighted as desirable in the Lincolnshire Coastal Country Park Project.

### **Natural Environment**

Officers are currently reviewing the property portfolio of Environmental Services include all land held and leased to the Wildlife Trust and Countryside picnic sites. This review will assist in the decision making for the Council in determining how these sites can be managed in the future.

Also for this section the successful Tree and Woodland Grants scheme has enabled the Council to provide 22,000 trees and hedge plants to landowners. This scheme does not cost the Council anything and landowners pay the reduced cost of the trees utilising the buying power of the Council. Twenty-four Community Wildlife Grants were also awarded to the value of £7,815, which attracted 153% community match funding. Grants were used for projects such as community gardens, churchyard wildlife improvements and village tree planting.

### **Gibraltar Point Visitors Centre**

The Centre is substantially completed and is due to be open to the public in May. This project has been constructed within time, is within the budget and will provide a fantastic tourism attraction as one of 'jewels in the crown' along the Lincolnshire coastline for both holidaymakers and residents.

### **Public Rights of Way**

The section continues to ensure that wherever possible the rights of way network in Lincolnshire is open and available for use. Aside from this statutory duty, officers have also been reviewing the Viking Way long distance route to improve its alignment and structures as part of the 40 year anniversary of the opening of the route.

Officers are also working towards ensuring that access in the Coastal Country Park area is improved through sensible diversions and improvements to infrastructure.

### **Central Lincolnshire Local Plan**

The next stage in the process is a Proposed Submission Local Plan which was approved by the Central Lincolnshire Joint Strategic Planning Committee on 14

March 2016 for the purposes of public consultation. It is classified as an 'emerging' plan. All the policies have been reviewed to ensure they are up to date with the latest available evidence on, amongst other things, economic growth, job creation and housing needs. The area is expected to grow considerably over the next 20 years and the role of the Local Plan is to identify the correct level of growth and to plan for where this growth should occur. Suitable locations for growth are to be identified, based upon the evidence that has been collected. The focus is to ensure that growth is steered towards the most sustainable locations, balancing the planned levels of growth with the clear need to protect Central Lincolnshire's rich heritage and rural character. The draft plan will show proposed land allocations so that all consultees can clearly identify what kind of development will take place and where.

The proposed submission draft Local Plan is on target and under budget. Officers are of the opinion it is a sound plan and ready for formal consultation. Following approval of the Proposed Submission Local Plan, it is now subject to a final round of public consultation which will take place between 15 April and 26 May 2016.

Representations during this consultation will not be submitted to the Joint Committee as at previous stages, but will be considered by an Independent Inspector. Final consultation will start afresh and previous representations will have to be resubmitted if they are to be considered. At the conclusion of the consultation period, the representations will be uploaded to the consultation portal on the Central Lincolnshire website (<http://www.lincolnshire.gov.uk/central-lincolnshire/local-plan>) and key issues will be summarised.

The representations together with evidence material and the Local Plan and associated material will be submitted to the Planning Inspectorate for consideration. The scheduled time frame for this is late June 2016. Once the inspector has considered the representations, a 'Hearing session' will be held inviting those who wish their representations to be heard verbally. Officers will be invited to this hearing to defend the contents of the Local Plan. Finally, the Inspector will publish his findings in a report containing a list of main modifications. The main modifications would be binding on the Joint Committee in order to approve the Local Plan.

LCC officers have been fully engaged in supporting this work, particularly in the areas of demographics, housing targets, infrastructure delivery and energy policy and will provide support at the examination in public.

### **South East Lincolnshire Local Plan**

At its meetings held on 11 September 2015 and 27 November 2015, the South East Lincolnshire Joint Strategic Planning Committee (the Joint Committee) gave consideration to reports relating to the approval of the contents of the 'Draft Local Plan' for the purpose of public consultation. Following approval by the Joint Committee, a public consultation exercise was held between Friday 8 January and Friday 19 February 2016 inclusive.

A total of 433 individuals and organisations responded to the consultation, giving rise to 1666 separate comments. A number of key issues have been identified which are fundamental to the next stage of work on the Local Plan, that is evaluating new sites submitted as part of the recent consultation and then identifying the preferred sites. Part and parcel of this work will also be considering whether changes need to be made to the settlement hierarchy and also the levels of housing put forward for each

settlement. Other site-related work on employment land, retail and open space will also be ongoing. Key issues identified are:

- Objectively Assessed Housing Need
- A more permissive/flexible approach to housing development in the designated Countryside, particularly adjacent to settlement boundaries
- Whether to change the status of settlements in the settlement hierarchy
- Distribution of New Housing
- Sustainable Urban Extension for housing in Spalding
- Spalding Rail-Freight Interchange (RFI)
- Additional Retail Provision

These matters were discussed at the Joint Committee on 22 April 2016. LCC officers are playing a key role in supporting this plan through their work on infrastructure, viability, demographics and transport.

### **Triton Knoll**

The Examination in Public began on 1 September 2015 and closed on 3 March 2016. Lincolnshire County Council instructed a barrister to represent its interests during the examination and made robust representations to the Examining Authority in the form of a Local Impact Report and Written Representations. Officers worked closely with the Applicant (RWE) in agreeing a Statement of Common Ground which covered all relevant issues. Of particular concern to LCC were:

- The impact of the landfall and cable route at Anderby Creek and on the grazing marshes;
- The negative impact on the Coastal Country Park and tourism in the area;
- The effect on soil conditions and drainage of the chosen route;
- The cumulative impact of the proposed Viking Link Interconnector;
- Compulsory purchase of LCC land; and
- Impact on holiday traffic during the construction phase (if approved)

All of the above matters have been addressed by the LCC legal team and officers attending open floor sessions and issue specific hearings. I will keep you updated on the progress of the application and any matters arising. In the meantime, I have written to Amber Rudd, Secretary of State for Energy, to explain the local issues and why the scheme should be refused.

### **Planning**

#### **Minerals and Waste Local Plan**

The examination of the Minerals and Waste Local Plan Core Strategy and Development Management policies was completed in front of a Planning Inspector in October 2015. The Core Strategy will set out the key principles to guide the future winning and workings of minerals and the nature of waste management development in the County. The Development Management policies set out the criteria against which planning applications for minerals and waste development will be considered.

The Council received the Inspector's final report in February which confirmed that, subject to some minor modifications, the Core Strategy is sound and legally compliant and can proceed to adoption. Subject to Council resolving to accept the Inspectors report today the Core Strategy can be adopted and the Council will have made significant progress to adopting a Minerals and Waste Local Plan for the County.

The second part of the Local Plan is the site location document which sets out the Council's preferred waste and minerals sites to meet the projected need for minerals and waste sites over the plan period to 2031. The site location document was subject to the first round of public consultation in early 2016. A total of 100 representations were received which are currently being assessed. It is intended the meetings will be held with the minerals and waste industry over the summer to discuss making changes to their sites and/or provide further information in seeking to address the issues raised from public consultation. Following this a submissions document will be prepared capturing these changes and will be presented to the Environmental Scrutiny Committee and Executive before going out to consultation in autumn 2016. The site location document will then be submitted for examination in summer 2017 and presented for adoption in winter 2017.

Processing of planning applications for waste and minerals developments has been under taken significantly ahead of Government targets. In the first quarter of 2016 80% of applications for minerals and waste developments were determined within 13 weeks, well ahead of the Government's target of 65%. In addition, 80% of applications for the Council's own development were determined in eight weeks or less. This ensures that appropriate developments are coming forward in suitable locations with minimal delay caused by the planning process.

Finally enforcement and Monitoring Officers have been checking sites to ensure compliance with planning conditions and reports of unauthorised developments are investigated and resolved. To date over 75 monitoring and enforcement site inspections have been undertaken in the first quarter of this year.

## **Environment**

### **Flood Risk Management**

Last time I reported on the LEP's water management plan for Greater Lincolnshire. I am pleased to confirm that two bids have been made for a total of £1.5m of European funding to support improved sea defences at Wrangle and in Boston. Further bids have been also been made by our colleagues in North East and North Lincolnshire. Our bids have successfully passed their first hurdle, and my officers are now drafting detailed documentation in pursuit of these monies. If successful this will be the first time that EU funding will have been made available for flood risk management in the county, and it is an important step in opening up broader prospects for funding this area of work that is so important to sustaining Lincolnshire economy and environment.

### **Boston Barrier**

This is proceeding to schedule and we are working with the Environment Agency to secure the Transport and Works Act Order (TWAO).

## **COUNTY COUNCIL MEETING - 20 MAY 2016**

**Statement from: Councillor R G Davies, Executive Councillor for  
Highways, Transport, IT**

### **HIGHWAYS AND TRANSPORT**

#### **Lincoln Eastern By Pass**

The Public Inquiry into the Orders for the Scheme has now concluded and the Secretary of State has published his decision to confirm the Orders. The legal process can now continue to progress the acquisition of the land needed for the scheme.

A tender list has been selected and tenders are expected to be issued in mid May. This will allow a submission to DfT (Department for Transport) for approval to release the £50m funding they are contributing for the scheme. Once this has been confirmed contracts can be signed with the successful contractor. It is hoped to start on site in autumn 2016.

A track possession has been provisionally booked by Network Rail for October 2017, to allow them to construct the bridge that will take the Lincoln to Spalding railway over the bypass.

The scheme is being progressed as a single carriageway under the current funding arrangements. Central Government has indicated that their contribution (circa £50M) remains allocated for the scheme.

#### **Lincoln East West Link**

The works are now well advanced to both the highway works and heritage building on the corner of the High Street and Tentercroft Street. The access to the heritage building for the movement of materials on site requires the use of a tower crane which is located on the land created for the new highway.

The main WPD (Western Power Distribution) electricity cables were diverted over the new Tentercroft Street bridge on programme and the scheme is programmed for completion in September. Some of the land to the north side of Tentercroft Street, parallel with the railway, has been identified as a temporary bus station, if the Lincoln Transport Hub gains financial approval to proceed.

#### **Network Rail High Street Footbridge**

Work by Network Rail is continuing on site with a large majority of the structural steel work installed. The planning consents for the bridge and the remainder of 179 High Street have now been 'decoupled' meaning that work can continue on the bridge whilst alternative options for the demolition and development of the building are progressed. Completion of the footbridge is scheduled for June 2016.

### **Network Rail Brayford Wharf East Footbridge**

Network Rail has now secured the shortfall in funding to allow them to progress with this scheme. The scope of the bridge has been reduced to match this shortfall and no longer includes for the provision of lifts. A planning application is expected to be submitted in summer 2016, with the bridge opening in summer 2017 before students return to study at the University.

### **Skegness Countryside Business Park**

This project has made significant progress over the last two months and is now at the point where contractor procurement documents are being prepared. The relationship between the development timescales for the first site end user, the site servicing activities and the highway improvement works are being examined in detail in order to establish the critical date for contract award. Heads of Terms are being finalised between Croftmarsh and LCC to give both certainty of scheme delivery and the ability to award a contract.

### **Holbeach, Peppermint Junction**

Planning Permission has now been received for the Peppermint Junction improvement scheme, namely replacing the existing A17/A151 T Junction with a roundabout and introducing a second roundabout on the A151. Proposals for the neighbouring housing development are expected to be submitted for planning consent in the near future. Proposals for the Food Enterprise Zone to the west of the A151 continue to be developed.

At the consultation stage the proposal to dual a short section of the A17 adjacent to Peppermint Junction received a mixed response. Due to the high cost of this proposal the options for capacity improvement are being re-visited with a view to identifying the most economically advantageous method - with the current focus on the nearby Boston Road Round, including consideration of pedestrian safety.

Works are currently due to commence by March 2017, but we are looking at ways of bringing this date forward so that benefits can be realised as soon as possible.

### **Grantham – King31 Including A1 Connection (Spillgate Level, west to A1)**

Phase 1 of the King31 element commenced on site on 21 September 2015 and progress has been very good. Despite very wet weather in January, the programme is on target to finish by July 2016. Extending this phase, into Phase 2, has brought financial benefits by using cut material on site to reduce imported fill.

Phase 2 originally relied on an inherited planning permission from the developer for the grade separated interchange onto the A1. This proved too restrictive to provide an economic solution without significant departures. Discussions with both local planning authorities have resulted in a new application to LCC. This is now out to consultation and a decision is expected soon. Upon receipt of this we can then finalise approvals with Highways England and for them to issue Line Orders and a

small Public Right of Way diversion. A contractor from Midlands Highways Alliance has been appointed and work is underway agree a Target Cost in summer 2016 and award a contract for a start on site in autumn 2016.

### **Grantham – Southern Quadrant Link Road (SQLR)**

This is effectively Phase 3 of the Grantham Southern Relief Road.

LCC now have a new planning permission following approval of the S.73 change to planning. This has not resulted in a Judicial Review challenge. Larkfleet's final submission to the Supreme Court for leave to appeal the Judicial Review of our original application was rejected.

Work is progressing on completion of the detailed design and to prepare for the compulsory purchase orders (CPO) and the side road orders (SRO) ready for publication in autumn 2016 for this final element of the Grantham Southern Relief Road

### **Spalding Western Relief Road**

The housing developer is planning to submit a reserved matters planning application for the South phase of this road in the near future, with a view to gaining approval during 2016. We continue to liaise with the developer in view of gaining agreement from them on funding contributions for this section of the relief road.

The design for the North phase has been frozen, having been consulted on during Jan/Feb 2016 as part of the draft South East Lincolnshire Local Plan. The scheme received mixed response, mainly due to its association with related housing. This now awaits developer stimulation (separate to the South phase).

The middle section of SWWR is identified as a 'safeguarded corridor' within the South East Lincolnshire Local Plan.

### **Street Lighting Transformation**

This invest to save project is new to this report. Through capital investment of £6.4M the project will save £10M over ten years, achieves a 3.6 year payback, and contributes 6000 tonnes of Co2 savings to the authorities 18,000 tonne 5 year target.

We continue to raise awareness of the changes to street lights across the county through a communications campaign, which to date has been generally well received.

Work to upgrade around 17,000 street light to 'LED', and convert 38,000 residential area lights to 'part night' lighting, commenced on 4 April 2016 and is due to complete by the end of March 2017.

## **Winter Maintenance**

During this winter Lincolnshire fully implemented a new style of winter road weather forecasting, Route Based Forecast (RBF). This system allows each of the 43 gritting routes to have its own individual weather forecast allowing highways staff to make more targeted treatment decisions especially on the more marginal nights. This new system has contributed to a direct reduction in costs this winter of around £130,000.

## **Lincolnshire Road Safety Partnership (LRSP)**

The number of people killed or seriously injured in Lincolnshire in 2015 was 314. In 2014 it was 398. In 2015 there were 39 fatalities on the roads. In 2014 it was 41. Unfortunately, there have already been 21 fatalities in 2016.

In response to high number of fatal collisions the LRSP is currently undertaking a comprehensive review of all of its services and will be consulting with partners and the public in an effort to improve effectiveness and efficiency in its work and to ensure that it is better able to respond to public concern whilst remaining data led.

The Community Speed Watch (CSW) programme continues with 135 parishes having signed up and 78 interactive signs purchased. To date 939 passive signs have been distributed. The LRSP are currently working to introduce the CSW scheme to Lincoln wards. Speed limit wheeled bin stickers can also now be purchased as part of the scheme. A pilot CSW scheme specifically tailored to schools will commence soon.

The new average speed camera system on the A15 has now been operational for 5 months. On average is detecting approximately 10 offences per week. The two static cameras this system replaced was detecting in excess of 150 offences per week combined. This demonstrates greater speed compliance with the new system.

A new average speed camera system is being installed on the A1 at Stoke Rochford in May/June and will be operational shortly after.

Lincolnshire police are currently considering bids from manufacturers before issuing the contract to install an average speed camera system on the A16 at Crowland.

All 10 new fixed digital upgrade sites are now operational; all offence processing software and hardware has been installed and is operational.

The following completed National Driver Offender Rehabilitation Courses in Lincolnshire in 2015:

Speed Awareness Course: 12,531

Driver Alertness Course: 323

What's Driving Us Course: 941

Drive4Change Course: 6

Ride Motorcycle Course: 17

The LRSP has just finished writing Operation Octane with our Police colleagues. This operation will target motorcycle safety throughout April – October. A combination of enforcement, education, engagement and training will be utilised. Operation Octane is likely to reintroduce STEALTH which will focus on both covert and overt enforcement of high end offenders on the roads.

### **Lincolnshire's Total Connect Project**

In January, Essential Fleet Services (EFS) announced their intention to exit the Passenger Transport market. EFS are a major service provider, particularly in respect of the CallConnect services, SEND and Social Care specialist transport, operating over 50 contracts (c. £3.5M pa). Response to the subsequent retendering exercise was poor, particularly in the south of the county and tender prices showed significant increase in some areas. As a result, market moderation options were considered and a business case developed. Members considered and recently agreed the way forward, which sees the formation of a Teckal Company, through which LCC will operate passenger transport services. The company will initially focus its activities in the south of the county, covering high cost and/or displaced contracts of a specialist nature. Temporary contract extensions have been negotiated with EFS to allow time to establish the Teckal company (TransportConnect Ltd).

Some of the additional funding received through the Government's Financial Settlement has been targeted to protect supported bus services which otherwise would have seen over £2M worth of cuts. The additional funding is allowing us to maintain public transport, particularly in the rural areas, although the current supported bus services are all subject to market forces and therefore may still see some changes in order to contain the spend within existing budgets.

In advance of any future decisions in respect of Public Transport, the Passenger Transport Unit is currently reviewing and seeking to refine the criteria for bus service support. The adoption of a criteria based approach helps to provide a fair and objective means of decision making and provides some defence against subjective and 'he who shouts loudest' pressures. Once completed, it is proposed to consult on the refined methodology.

Other strands of the Total Transport Project, sees the discussion with the CCG's over health transport at a critical juncture as NSL, the current provider of Non-Emergency Patient Transport, has indicated they have no desire to see the contract extended beyond summer 2017.

## **INFORMATION MANAGEMENT AND TECHNOLOGY**

### **Overview**

IMT Services being delivered by Serco are continuing to slowly improve, and most services are stable following twelve months of service. There remain some areas where the breadth of services delivered by Serco, and level of service are falling short of expectations.

Whilst there are continued delays in implementing key IT transformation projects, which are hampering the delivery of key IT-enabled improvements, day to day user experience of the service desk remains high.

The Council has recently experienced a malware attack which invoked Business Continuity Plans across Council services. The response to this was generally positive and LCC and Serco colleagues continue to work collaboratively on lessons learnt and enhancements.

In February 2016, the Council was subject to an audit by the Information Commissioners Office (ICO). This audit has recognised the improvements made over the previous twenty four months and reaffirmed that our forward plans are appropriate.

### **ICO Audit**

In summary the audit has provided benefit to LCC through recognising areas of good practice and confirming the need to enhance a number of areas already planned for improvement.

The audit consisted of:

- A 3 day on site visit by two ICO auditors.
- A review of over 120 individual pieces of documentary evidence.
- 28 interviews primarily with the Information Governance Team but with crucial support from Children's Services; Adult's Services; Public Health; Business Support; Legal Services; People Management; Serco (Lincoln); and Restore (off-site storage contractors).

As a result of the above the overall result is that the ICO has reasonable assurance the council is delivering data protection compliance.

## **Malware Attack**

On Tuesday the 26th January 2016, Lincolnshire County Council was subject to a malicious software attack known as ransomware. The issue was managed by the council's IMT team with Serco and they worked with services across the council in the application of business continuity plans. This enabled services to be maintained and risks to be appropriately managed.

The approach undertaken was verified by Lincolnshire Police's Cyber Crime unit.

An in-depth review of the security and response arrangements in place is on-going in collaboration with colleagues at Serco, and in discussion with the wider Security community to see if improvements can be identified for the future.

Whilst there is outstanding contract work due from Serco in respect of disaster recovery this does not detract from the excellent work and expertise the 'on the ground' Serco engineers brought to the incident, and it is noted that their commitment to the Council and to rectifying the situation was excellent.

## **User Experience**

The end users of the IT Service remain satisfied with the level of service achieved day to day with an average of 87% of staff rating the service as 'good' or 'excellent'.

Whilst there are issues with the wider IT service, most users are still receiving a good level of service which enables the 'as is' functioning of the Council to continue.

Requests for 'business as usual' non-project work are taking longer than would be expected and key supporting systems still require remedial work to ensure the services to be delivered and associated timescales match contracted expectation.

## **Project Delivery**

Project delivery remains the most challenging part of the Serco service, with small 'business as usual' projects taking longer to commission than expected.

The Information Management Team (IMT) and Serco colleagues have introduced Operational Level Agreements to clarify expectations and work through the backlog of project work. This is continuing to have a positive effect and backlogs are largely cleared. It is the aim that all small projects are delivered within six weeks from commission.

## **Transformation Technology**

Whilst many of the outstanding projects now have plans, some further planning and prioritisation work is required. Where plans are now available, Serco and the IMT team are working to ensure interdependencies of the remaining transformation projects are clear and milestone dates are established.

### **Broadband**

#### Phase 1

The main broadband project (Phase 1) was concluded on its scheduled date of 31 March 2016. At the end of Phase 1 150,775 premises had been successfully fibre enabled, which equates to 738 roadside cabinets. This was against a contractual target of 148,334 premises. In addition to this successful delivery the project came in under budget. This saving is earmarked for broadband delivery and will now be used to enable additional broadband improvements.

#### Phase 2

Phase 2 of the project commenced 1st April 2016 as planned and includes the first group of additional areas identified as being in need of further investment. The full deployment plan for Phase 2 is still to be finalised with BT. In the interim, work has commenced on the areas already agreed.

The final Phase 2 plan will be published as soon as it has been agreed with BT, and the original Superfast coverage figure for Phase 2 of 4801 premises will be significantly improved upon. As Phase 2 progresses further areas that are in need of better broadband and represent value for money will be included and therefore, the deployment plan will grow and change.

It is expected that it may not be possible to reach some areas with the existing BT technologies and alternative technologies are being investigated.

Overall, we remain confident that Phase 2 will allow us to go further with faster broadband than we had originally anticipated, but we remain committed to ensuring value for money for the numbers of premises covered and end user speeds achieved, when determining where to invest further funding.

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor M Jones – Executive Councillor for Finance and Property**

### **FINANCE MATTERS**

#### **Outturn and Final Accounts Preparation**

Work is presently underway to close the accounts of the County Council and to prepare the formal financial statements for 2015/16. As members are well aware this has been the first year in which the Agresso system has been in use and it has presented a number of significant challenges to the Finance Team both during the year and now as the accounts are closed down. Initial work has focused on ensuring all relevant data, particularly from the payroll system, is complete and accurate within the ledger. This has taken additional time as this issue does not normally arise. The consequences of the issues with Agresso may mean some changes are required in due course to the timetable to both scrutinise and approve the outturn position and the financial statements. The ultimate approval dates are 16 September Full Council for the outturn position and 26 September Audit Committee for the financial statements. Members will be informed if it is necessary to alter any of these dates.

#### **The Four Year Funding Deal from Government**

Members may recall that as part of the Local Government Finance Settlement announced over last Winter the Government made an offer to all local authorities to sign up to accept a four year settlement covering essentially Revenue Support Grant, the top-up element of business rates and some other centrally provided funding like the rural services grant and the new component of the Better Care Fund. The deal would cover the four years until the end of 2019/20. The Government have now issued some guidance in terms of what is required in order to accept the four year deal. Authorities have until 14 October this year to accept the offer. The guidance requires the production of a document called an 'efficiency plan' which is in essence a high level medium term financial strategy. It is the intention to ask the Full Council meeting on 16 September to consider the issue of acceptance, or not, of the four year funding deal.

#### **Localisation of Business Rates**

In Autumn 2015 the Chancellor announced that all local authorities would see a change in their funding over the life of this Parliament away from direct Government grant and towards a funding mechanism based on full local retention of business rates income. This is a major change and has potentially significant implications for all local authorities in all regions of the county. Whilst the exercise is planned to be fiscally neutral from the HM Treasury perspective, it will result in more activity being decentralised to local from central government. A range of working groups at a national level is now being formed to take this work forward. These Groups operate at

both member and officer level and deal with both the principles of the changes and their technical detail. I will ensure Members are kept up to date on the progression of this key development.

### **Appointment of External Auditors**

Prior to its dissolution, the Audit Commission undertook a national tendering exercise to appoint external auditors on a regional basis to all major public sector bodies. These contracts were very effective in reducing the cost to authorities of their external audit service. The current external auditors of the Council are KPMG, who won the East Midlands contract offered by the Audit Commission. That contract ends with the audit of the 2017/18 financial statements and it is therefore necessary to award a new contract from April 2018. Whilst it is possible for the Council to appoint its own auditors, there is a general consensus within local government that the award of bulk contracts at a national level has resulted in good value for money and that new contracts should be awarded on that basis. The Council has therefore indicated to the LGA, who will coordinate the new tender exercise, that it supports a bulk procurement.

### **CORPORATE PROPERTY**

Capital receipts continue to be generated through the sale of surplus assets and this includes the recent successful sales of Boston County Hall and Castle Moat House in Lincoln.

An enhanced target for capital receipts is being put in place for the next three years to support the greater flexibility now provided to Local Authorities in the use of capital receipts for revenue costs of transformation projects.

The Property Services contract with VINCImouchel has been in place for twelve months and has performed to target. A key part of the contract is a continuous improvement programme.

The Council has been successful in its bid to Government for entry into the One Public Estate Programme. The bid was made on behalf of the Greater Lincolnshire Partnership and will provide £340,000 to enable local and national public bodies, including the MoD and NHS, to work together to utilise property assets more effectively in support of economic growth in the County.

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor P A Robinson, Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity**

### **FIRE AND RESCUE**

#### **Emergency Services Collaboration**

The move of Fire and Rescue to the Home Office and the response to the consultation on '*enabling closer working between emergency services*' provides a clear signal of intent from the Government with regards to future blue light collaborative working. While some broader fire reforms are likely to result from the Home Office move, the outcome of the consultation will see a duty being introduced on emergency services to work closer together. It will also enable, where a local case is made, Police and Crime Commissioners to take responsibility for Fire and Rescue services. From our perspective, Lincolnshire Fire and Rescue already works closely with its blue light partners, an example being its co-responder scheme, which is delivered in partnership with East Midlands Ambulance Service (EMAS). It is also continuing to explore other areas of collaboration with both EMAS and Lincolnshire Police with a view to enhancing both operational and financial effectiveness.

#### **Support to Medical Emergencies**

Over the last year the service has expanded its co-responder scheme to a further five fire stations around the county bringing the total number of stations which operate the scheme to 25. The recent expansion has been achieved as part of a wider regional fire and ambulance initiative and continues to enhance the response to life-threatening emergencies within our communities. The results of the Joint Ambulance Conveyance Project have also proved very positive and we are looking, as a minimum, to continue operating the system from the three existing stations over the next year. Should appropriate health funding be identified we would look to expand the project to another five fire stations.

#### **Integrated Risk Management Planning**

As you will be aware the service has recently undertaken a public consultation around a number of proposals which could have an impact on service delivery. The proposals include the introduction of a revised three-year strategy document which outlines key community risks and the service's approach to mitigating those risks, a proposal to change the crewing arrangements at Lincoln South fire station in order to meet anticipated savings targets and a proposal to introduce a charge for businesses which generate repeated unwanted fire signals from automatic fire alarm apparatus. The consultation closed on the 16 May 2016.

#### **Flooding Deployments**

In the aftermath of storm Desmond the service deployed three water rescue teams to support the flooding events in Cumbria during December 2015. Crews from Boston, Sleaford and Gainsborough focussed much of their early rescue work in Carlisle assisting local crews and the RNLI. Between Christmas and New Year, crews were also deployed to Yorkshire where they provided assistance to vulnerable people in

Leeds and York and, working with other agencies, helped to reconnect services impacted by the collapse of Tadcaster Bridge.

### **New Station at Sleaford**

Work on the new fire station at Sleaford is due to begin in the next few months. The development will take place on the Eastgate centre site and will include a new fire station and county council office accommodation. There also remains the potential for EMAS to share the site. The work is due to be completed by May 2017.

## **TRADING STANDARDS**

### **In The Courts**

Court work in this period has again been dominated by seizures of illicit tobacco and alcohol. The trouble taken to build hides in some retail outlets continues to provide a challenge but with the support of Lincolnshire Police, who have identified many of the businesses involved as being parts of organised crime groups, progress continues to be made. Premises continue to be subject to successful review of their alcohol licence if they are caught with these goods and Trading Standards assisted LCC to evict the tenants from a shop in Lincoln that persistently sold illicit tobacco. A further premise has been re-let by the private sector landlord in similar circumstances and tobacco products can no longer be sold from there.

There are a wide range of ongoing investigations within the service at this time, ranging from animal welfare on farm and in transit, to toy and product safety, illicit tobacco and counterfeit goods. Additionally an importer was required to recall a plastic ladle, which was found not to comply with Articles and Materials in contact with food legislation, in that it leached non-permitted chemicals into food, a number of restaurants in the county have been advised about the illegal use of colours in their food and furniture and soap manufacturers are being advised about technical safety legislation with which their products do not comply.

Last Autumn Anthony and Jack Newbury pleaded guilty to a series of fraud offences relating to over-pricing of and poor workmanship on driveways sold to elderly residents of Lincolnshire and Nottinghamshire. Sentencing took place at Lincoln Crown Court on 3 December 2015. Anthony Newbury pleaded guilty to eight offences of Fraud and one offence under the Trade Marks Act and was sentenced to 27 months imprisonment, whilst Jack Newbury (son) pleaded guilty to one offence of Fraud and one offence under the Trade Marks Act and was sentenced to 27 weeks imprisonment.

In January, Ahmed Iftakahr, received a confiscation order of £683,144 at the Crown court under the Proceeds of Crime Act. Mr Iftakahr, along with his two sons was jailed last spring after a three year investigation into sales of counterfeit goods. The order demonstrates the level of criminality involved in the organised crime that is product counterfeiting. Often the goods are poor quality (like Mr Iftakars trainers and clothing) and unsafe (like some of the electrical goods, toys, tobacco and alcohol). The money made at retail level often funds more serious crime in the black economy such as drugs, gun running and modern day slavery – as Trading Standards publicised last summer after seizing over 9,000 counterfeit items from an East coast market.

## **Primary Authority Partnerships**

Two schemes are now in place to provide bespoke Trading Standards support to businesses in Lincolnshire. Nine locally based national businesses have already decided to form statutory Primary Authority Partnerships and will be looking to use the service's expertise in fields as diverse as food, animal feed, weights and measures, firework safety, toy and novelty safety and furniture safety. The complexity of this legislation is immense and the service will be looking to re-focus the generalist work of nominated officers to become subject experts in a way that has not been possible in recent years.

The Council has also just approved a 'Pay As You Go' advice scheme for traders who do not want or are not eligible for a Primary Authority Partnership. This scheme started formally on 1 April 2016 and several local, but nationally trading, firms are also taking advantage of this. In one case the advice requested goes far beyond legislation into food technology and a Senior Trading Standards Officer is using technical and sampling skills, alongside the science of the Public Analyst, to assist the business involved.

## **Scam Mail Project**

The Scam Mail project, built on intelligence from the National Trading Standards Scams Team, has now conducted over 70 visits to more than 40 victims of scam mail. The project has been running as a pilot in the Lincoln area and is gradually training up and utilising Neighbourhood Policing Teams to deliver messages and assess the safeguarding needs that will help protect the estimated 1,500 victims countywide from this financial abuse.

It is anticipated that the project will move into East Lindsey in late May 2016 and be cascaded across the County after that. Feedback and reviews suggests that the work so far has saved victims over £100,000 a year, as victims interviewed send between £40 and £200 per week to these plausible fraudsters.

This page is intentionally left blank

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor R A Shore, Executive Councillor for Waste & Recycling**

### **PRESENT SITUATION**

#### **Service Changes**

Decisions have recently been finalised for changes to take place in the waste and recycling service in order to help the Council to fill the shortfalls in the budget. These included:

- Our Household Waste Recycling Centre (HWRC) policy is to make sure that 95% of residents are within a 12 mile radius of a recycling facility and the closure of the Centre at Whisby and Leadenham, won't affect that. Additionally, these sites are not owned by the Council and would require additional costs to the Council and staff resource to make required improvements. Residents who previously took their recycling to the HWRC at Leadenham are encouraged to visit the newly built HWRC at Sleaford instead; those who used Whisby are encouraged to visit the site at Great Northern Terrace in Lincoln.

We understand this may mean slightly longer journeys for some people and there is a concern that this will result in increase in fly-tipping. As most fly-tip waste is trade in origin, it is considered that the vast majority of Lincolnshire residents are law abiding and the potential for an increase in fly-tipping is minimal.

- We have stopped offering recycling credits to voluntary and charity groups. Unfortunately, due to budgetary constraints, we can no longer afford to do this. This was a difficult decision, but it is necessary to ensure the Council continues to provide the core waste disposal service which is essential for our residents. This will not affect the ability for charities to generate their own income by collecting recycling.
- Payment to North Lincolnshire Council for residents to use the HWRC facilities at Kirton Lindsey and Barnetby Top has stopped as we have two new HWRCs at Market Rasen and Gainsborough to improve services in those areas.
- In consideration of South Holland District Council undertaking a garden waste collection trial and the County Council continuing to provide 7 day opening at the Spalding Household Waste Recycling Centre for another year, due to the volumes of presented green waste, the supplementary service has been stopped.

- After careful consideration of the needs of the local extensive population and by taking on board comments from the Environmental Scrutiny Committee there will be a reduced Saturday supplementary service at Mablethorpe and Stamford, being residual waste collection only. There are no longer green waste collections and the recycling provision at the Mablethorpe site has been stopped.

Members will be aware that these changes were discussed at a number of stages in the process including three Environmental Scrutiny Committee meetings, a Full Council Meeting, and at Executive. Any comments made were fed back to the Executive for consideration.

## **District Heating**

### **Background Information**

Element Energy (EE) were appointed in 2015 to carry out a feasibility study to establish whether it is feasible to progress with a District Heating (DH) project and if so, how best to achieve it. The study would also look at cooling and private electricity wire possibilities.

The two stage study was programmed to look at the following:

- Stage 1 – Energy Mapping Study.
- Stage 2 – Energy Master Planning Study.

Stage 1 is now complete. EE have collected data on energy demand in the Greater Lincoln area. A database of potential heat users has been developed, a Heat Map which shows the locations and density of energy zones. This has involved consultation with property owners.

Stage 2 began in October. This has focused on more detailed scenarios being produced. Seven distinct areas have been analysed with economic assessments carried out to establish the viability of DH for those potential end users. The southernmost area extends to Witham St Hughes and the northern most extends to the city centre incorporating the County Hospital and the Prison. These two properties represent the largest anchor loads. The third largest loads are the University and surrounding commercial developments.

EE will now analyse the different data and make further contacts with potential users to establish if it is economically viable for a potential switch to DH. One of the main economic restrictions around viability is the distance of the end user from the EfW plant. Up to 70% of the cost of DH is in providing the pipe network and therefore locations closer to EfW may be more realistic around the Teal Park and LN6 area. However all options are still being considered.

The issue around feasibility is that there must be a financial benefit to a customer of switching from being an existing gas user to DH. This is ordinarily achieved by buying the heat at a rate lower than the gas market price. The capital outlay of providing the pipe network, pump station and back up boiler by the authority along with the operating cost must be offset by the sale of heat to customers. Long term commitments can be difficult to obtain with small scale developments but properties such as hotels and leisure centers are ideal for this type of energy.

Once Phase 2 is substantially completed the findings will be presented to myself, the Executive Member for Economic Development and to the Environmental Scrutiny Committee for their consideration. I will then feed back to Council through this report.

At the end of phase two, Executive Councillors will determine a way forward based on evidence gleaned during the review stage.

### **Materials Reclamation Facility (MRF) / Kerbside Sorting**

As part of the present waste review, the Council was considering the option to develop the capacity to deal with our own recycling by building and managing our own facility, perhaps in partnership with other authorities both inside and outside Lincolnshire.

The initial business case for such a project was made and showed present viability. However, during the investigations of this changing scenario, through expected future commodity pricing and also present and projected government thinking, it may be that kerbside sorting of recycling may prove to be a better way forward, although there is a cost implication to this.

If it were to go ahead, the separated waste streams would be presented for collection at the kerbside thus helping to establish a much cleaner and less contaminated mix which would in turn hugely increase the value of the product. Certainly, if national policy were to move down this road, and there are indications that they may, then any spending on expensive facilities such as a MRF, would be wasted cash.

### **Contamination / Education**

Meanwhile, our education programme to 'clean up' our recycling, continues. This months County News featured information and advice on recycling, which was agreed by all the Authorities across our county. This content included all the recyclates which are common to each District with a little more advice about any differences which may remain - for example, East Lindsey District Council does not recycle glass in their kerbside collection; instead they collect this separately. Points such as these will be reiterated in future publications so that residents are as clear as they can be about what is and what is not acceptable in their recycling bin.

## **Deceased Animals**

Of course, what is utterly unacceptable is the dumping of deceased pets in the bin whether recycling or otherwise. Unfortunately, a recent spate of incidents where deceased animals have been seen on the picking lines of our recycling plants, have shocked both workers at the plant and the general public. The advice is always to seek out your local vet who will dispose of the animal in a dignified and safe manner. Meanwhile, we have insisted that digital microchip readers are available at the plant in order to identify ownership. Also, we have ensured that systems are in place to deal effectively with any future incident.

## **CHALLENGES**

### **Mixed Dry Recycables**

Contamination is presently averaging around 18% across the County. The national figure is 14%. As stated in Contamination/Education section above, we need to find ways to address this issue, as contamination costs us all as taxpayers. The vast majority of people are effective recyclers but it only takes a few thoughtless individuals to devalue a large batch - here the adage, 'it only takes one rotten apple to spoil the barrel', is very apt.

## **SUCSESSES**

### **Bourne**

The brand new, purpose built facility in Bourne is now open for business and will increase LCC owned, Gold Service centres to nine, with at least two more to come in the near future.

This was officially opened on the 10<sup>th</sup> May, although residents have been enjoying the facilities for somewhat longer and I am proud to include this HWRC in our portfolio.

### **Boston**

Boston will be our next project and will become number ten of our recycling sites. Presently plans for developing this site to open in April 2017 are underway and will again be a purpose build facility, second to none.

## **FUTURE AMBITIONS/CONSIDERATIONS**

### **Kirkby on Bain**

A new HWRC in the Kirkby on Bain area is now being discussed to replace the one not owned by the Council in that part of the County. This would be the County Councils' eleventh HWRC, providing over 95% coverage of the population within the 12 mile radius policy.

### **Future HWRC provision**

To investigate the possibility for HWRC cost savings, the haulage, staffing, income and operation of all LCC owned HWRC is being considered for a longer term of 7+ years and to be within one overarching contract. It is fortunate that all the present contracts co-terminate on the 31<sup>st</sup> March 2017, so this is the ideal opportunity to look into significant potential savings.

This page is intentionally left blank

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor Mrs S Woolley, Executive Councillor for  
NHS Liaison and Community Engagement**

### **LINCOLNSHIRE HEALTH AND WELLBEING**

#### **Better Care Fund**

In the Chancellor's Statement in November 2015 he announced 'an extra £1.5bn into the Better Care Fund (BCF) by 2019/20 through local authorities' (though the phasing in of this increase will not commence until 2017/18), the financial effect for us in Lincolnshire is profound as the value of the increase will result in an extra £25m approximately by 2019/20. In addition there will be twice as much being allocated to support improved housing for vulnerable people via the Disabled Facilities Grant.

The negotiations with NHS partners to secure a BCF for this year were particularly challenging. Primarily this is because of the increasing financial difficulties experienced by the NHS nationally and, locally – which reminds us that the BCF is not new money and is transferred from the NHS. Furthermore new national guidance came out very late - leaving just two weeks to produce a first BCF submission - and, new national conditions were added.

Notwithstanding the challenges of securing future 'protection' for social care via the BCF, it is clear that the Government intends that integration between health and care will be required within the life-time of this Parliament and, that local plans must be in place by March 2017.

#### **Diabetes Prevention**

The NHS Diabetes Prevention Programme (NHS DPP) will commence a phased roll out and delivery in England. Type 2 Diabetes represents 90% of all diabetes and it is largely caused by lifestyle factors which can be modified. The NHS DPP will offer people who are at risk of developing Type 2 diabetes the opportunity to take action to reduce their risk factors. NHS England have selected four providers that will sit on a national framework. We are in the process of selecting our provider for Greater Lincolnshire. It is aimed that people will start being referred into the programme in June 2016.

#### **Joint Strategic Needs Assessment**

The Joint Strategic Needs Assessment (JSNA) reports on the health and wellbeing needs of the people of Lincolnshire. It brings together detailed information on local health and wellbeing needs and looks ahead at emerging challenges and projected future needs. The JSNA is the overarching evidence base and is used by the Health and Wellbeing Board to inform the shared priorities in the Joint Health and Wellbeing Strategy (JHWS) and as the basis for the planning and commissioning of services.

Since 2012 responsibility for producing the JSNA sits with the Lincolnshire Health and Wellbeing Board. The current JSNA has been in place since 2011 and is

constructed around 35 individual topics that consider specific areas of need. In March 2015 the Board agreed to review the JSNA and an initial phase of stakeholder engagement, focusing the processes, content and structure of the current JSNA, concluded in December 2015. A number of recommendations on the future provision of Lincolnshire's JSNA were agreed by the Board in March 2016.

A fundamental review of the JSNA began in April 2016 and a phased work programme has been put in place to ensure all the topics are updated by early 2017. Alongside this, any potential new JSNA topics identified as part of the review progress will be considered and timetabled into the review programme as appropriate. The topic reviews will be undertaken by Expert Panels made up of representatives from the county council, clinical commissioning groups, and other partner agencies. Each Expert Panel will be supported by a data analyst and a JSNA officer.

The refreshed JSNA will be published by April 2017 in time to inform the priority setting for the new Joint Health and Wellbeing Strategy.

### **Pharmaceutical Needs Assessment**

The Health and Wellbeing Board is also required to produce a Pharmaceutical Needs Assessment (PNA). This document reviews pharmaceutical provision in Lincolnshire and identifies any gaps or deficiencies that need to be addressed. NHS England is required to take account of the PNA when commissioning pharmaceutical services in Lincolnshire.

Lincolnshire's current PNA was published in March 2015 and the PNA Steering Group met at the end of March 2016 to assess if any changes need to be made to the document. Specialists were in attendance to update the Group on any changes to demographics (ie the need) in the last year. A review of pharmacy applications dealt with by NHSE over this intervening time period was also carried out. The Group was also tasked with assessing any other factors which may affect pharmaceutical provision in the county. The Group noted the new pharmacy has opened Wragby and a number of sizeable new housing estates are planned for parts of the County which may alter need in the future. However, the Group concluded no significant change in need or provision has taken place since March 2015 which requires the PNA to be republished.

On 3 May 2016, an awareness session was held for Board Members and wider partners on Community Pharmacies. The session, run in conjunction with NHS England Area Team and the Lincolnshire Local Pharmaceutical Committee, provided information on the Community Pharmacy Contractual Framework and the regulations relating to pharmacy applications. It also provided an opportunity for partners to discuss the Community Pharmacy consultation – *Community Pharmacy in 2016/17 and beyond* – currently being undertaken by the Department of Health and NHS England.

## **My Rural Life**

In March 2015 the Health and Wellbeing Board awarded £10,096 of HWB Grant Funding to Sortified Ltd for a project call 'My Rural Life'. This was a short term project to develop a toolkit for people at risk of social isolation in the most rural parts of Lincolnshire. The toolkit has been developed in consultation with older people and allows people to see how much they could be at risk of isolation by answering some simple risk based questions. The project concluded in January 2016 and further information is available on the My Rural Life website - [www.myrurallife.org.uk](http://www.myrurallife.org.uk)

## **Investing in Volunteers**

Lincolnshire County Council achieved 'Investors in Volunteering' accreditation, with no conditions in January of this year for a three year period. For such a large organisation with diverse service areas, this is a significant achievement. In fact, only one other top-tier authority in England (Warwickshire) holds the standard. The accreditation is designed to improve the experience of our volunteers and those who support them in their volunteering. The 'Investing in Volunteers' standard enables people to volunteer in a positive and supportive environment, with reassurance that proper management systems are in place.

## **Big Society Fund 2015/16**

Allocations of grants from the Big Society Fund are now being wound up with a total of 343 awards having been made during the 2015/16 year. Over 1,700 awards totalling over £735,000 have been made over the five years that the fund has been running. A diverse range of projects have benefitted: from equipment for pre-school groups to Christmas lunch for senior citizens through to equipment for village halls and training for people to become proficient in British Sign Language.

Monies have also been spent on helping to refurbish sports pavilions and provide equipment for clubs for people of all ages across the County.

## **Armed Forces Community Covenant**

I am pleased to report that following two funding rounds of the Covenant Fund during 2015/16, two projects from Lincolnshire have been successful in their applications; congratulations to Digby Memorial Hall and to Lincolnshire County Council's Memories and Memorials Project.

I, together with Commodore Luck, as co-Chairs of the Partnership are currently reviewing membership of the Partnership Board and are hoping this will ensure a streamlined and effective source of co-ordination into the future.

We are now working alongside the Royal British Legion to deliver another effective and informative Annual Conference on the issues around military and community co-operation. This is likely to be held in June/July 2016 and I would urge you to look out for the date in due course.

## **Community Grant Aid/Funding and Information Events**

The Community Grants programme came to an end on 31 March 2016. However we still have 51 'live' projects across the County, each at different stages of delivery. The most recent round of awards was made in February 2016 and all of these projects are yet to start.

The seventh of seven 'Funding and Information' events took place on 5 April 2016 in Mablethorpe. Whilst not as well attended as previous events, the advice and support we, and other funders, were able to give was just as valuable. Over the course of all events we have offered advice and support to more than 250 people from community organisations across the County. In addition, funders, including organisations such as Big Lottery, Lincolnshire Community Voluntary Services, Volunteer Centre Services, Lincolnshire Co-op and WREN, have been able to attend.

## **Lincolnshire Sport**

Lincolnshire Sport continues to provide a wide range of services to the sporting network across the County. The networks include community clubs, District Councils, facilities, schools, Further and Higher Education Institutes, local communities, the Health Sector, local business and individuals.

In the last 12 months over £244,406 has been secured in Lincolnshire, of funding through Sport England projects and programmes.

### **National Governing Bodies of Sport**

*Rounders* - Lincoln Ladies league up and running again, so far 6 teams have confirmed entry

*Bowls* - 188 new members in clubs, 22 new disabled members in the 16–54 age range at Louth and Lincoln Clubs. Just Bowl – Students from Lincoln College have been trained to deliver the Just Bowl project at Ancaster Day Centre in Lincoln.

*Athletics* - Couch 2 5K currently has 298 new runners, while Park Run for Lincoln stands at 250, Gainsborough at 50, Belton Woods at 180, Boston at 80 per week.

*Workplace Challenge* – 384 businesses and 2162 participants taking part in the 12 week programme..

*Disability* - Get Out Get Active - Spirit of 2012 bringing £300,000 in to Lincolnshire (East Lindsey) over 3 years. Workign in partnership with the English federation for Disability Sport.

*Club Link Maker (Satellite Clubs)* - 1,243 participants (11- 18) in the Satellite programme over the last year with 40 clubs being set up.

*Primary School Support* - The annual conference is booked in with Bishop Grosseteste University on Tuesday 14 June 2016. The focus will be health and wellbeing along with the new sports strategy.

*Sportivate* - 1,556 young participants (14-25) over the last twelve months and out of these over 556 were inactive. The next round of funding aimed at women and girls projects we have 40 projects.

*School Games* - Winter Festival was successfully delivered. 24 trained university volunteers staffing the event in total of 102 young volunteers involved delivering the event.

Sports included Badminton, New Age Kurling, Goalball, Indoor Rowing and Swimming and 427 athletes took part on the day. There was girls (211) and boys (216) 43 with special educational needs and/or a disability.

## **Health**

Attended a number of CCG 'Emerging Priorities' event, providing contribution from a stakeholder's perspective on cancer services in Lincolnshire. Macmillan have indicated that there is a strong possibility that the Get Active Feel Good (GAFG) programme will be supported for one final year from November 2016. This programme continues to develop – over 200 cancer sufferers have been supported since it started.

This page is intentionally left blank

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor C N Worth, Executive Councillor for  
Libraries, Heritage, Culture, Registration and Coroner's  
Service**

### **LIBRARY SERVICES**

Following their successful bid, the contract with Greenwich Leisure Limited (GLL) has been signed with a seamless handover of operations on 1 April 2016. Members of the public saw no difference in service at handover and no IT or operational issues were reported.

The new service was officially launched on 4 April 2016 with 'welcome and words' from myself, followed by a statement from GLL and a meet and greet at Lincoln Central Library. Myself, a senior team from GLL and a number of the operational staff were present and their feedback on their first days of working with GLL were all positive.

The sale of the Isaac Newton shopping centre in Grantham has created a delay in the transfer of this site to GLL and we are yet to receive agreement from the landlord to our sub-letting the site to GLL. Grantham Library staff therefore, remain LCC employees for now, although they are supported operationally by the GLL management team. There is no indication that the owners will reject the request.

The Community Hub roll-out is well progressed. 31 Community Hubs have gone live, including five in communities which previously had no static library provision. In addition, the Community Hubs in Waddington and Saxilby, which were developed as pilots to these new Hubs, continue to operate.

All sites have been received well in the local communities and are receiving ongoing support from library officers and community advisers.

A further three sites (Sutton Bridge, Swineshead and Wainfleet) are scheduled to go live over the coming months, bringing the total number of Community Hubs to 36.

I am delighted that overall, this change will see more libraries open for more hours than before, whilst delivering a significant saving to local tax payers.

I am sure that you appreciate that this has been a period of fundamental change for the library service with many greatly valued colleagues leaving after many years of dedicated service and I would like to put on record my gratitude and appreciation for all their hard work and commitment to the County Council over the years.

GLL is an excellent partner and I am sure you will all look forward to seeing these services come into their own again over the next few years. An excellent library service, making a further significant contribution to our financial challenge, is a great outcome for everyone.

The Secretary of State for Culture, Media and Sport has a duty to oversee the delivery of each library authority's delivery of its duty to provide a 'comprehensive and efficient' library service to its local population. In the early part of 2015 a Lincolnshire citizen made a complaint under these provisions that this Council's service would not meet this test after our new model was introduced.

The Secretary of State has considered evidence from the complainant; other local people and Council Officers in the intervening period. I am pleased to be recently in receipt of correspondence to the complainant, from DCMS, confirming that the minister is not minded to order an enquiry into their complaint.

This decision removes the final potential risk to the success of our new model of service, and the efficiencies it is already achieving.

## **HERITAGE AND CULTURE**

### **Lincoln Castle**

The Castle continues to go from strength to strength since its spectacular re-opening in 2015. The appreciation of the site by the public is now beginning to reap recognition from industry bodies and I would highlight that:

- The Castle has been shortlisted for the National Museums and Heritage 2016 Awards in two categories – Best Conservation Project and Best Marketing. Being shortlisted in itself is a significant achievement and the winners will be announced at a ceremony in London in May 2016.
- In addition, the Castle Learning Team has been inspected for the Sandford Awards for Museum Education, a national award scheme. The result of this will be released in the summer.

In the meantime, plans are progressing well for the Castle to host 'The Poppies: Wave' between 28 May and 4 September, a fitting tribute in this 100<sup>th</sup> Anniversary year to the seven Lincolnshire Battalions that fought in The Battle of the Somme.

### **Aviation Heritage**

Following the successful completion of a four year Arts Council funded Aviation Heritage learning project, the Aviation Heritage team has supported West Lindsey District Council in their submission of an application for funds for the next stage of development for aviation heritage. A substantial Heritage Lottery Fund application will develop projects to tell the stories of the anniversaries of the beginning and growth of military aviation in the county.

## **REGISTRATION AND CORONER'S SERVICES**

### **Registration Service**

The Registration Service wishes to be proactive under the Greater Lincolnshire devolution agenda. Meetings are being held with North Lincolnshire and North-East Lincolnshire to discuss collaborative working; for example, this could include the use of shared marketing materials and training resources. Senior managers and councillors will be kept updated regarding these positive talks. A mapping exercise will now be completed including benchmarking from other areas and then a further meeting will be arranged.

The Registration Service completed an intensive General Register Office (GRO) Stock and Security Review in March 2016 and is awaiting the final report.

A review of the impact of the introduction of new legal and standard wedding ceremonies in 2014/15 has found that this change delivered approximately £20k in savings.

Two Marriage Registration Private Members' Bills were debated in parliament in January 2016 regarding adding space for mother's details in marriage registers and introducing a schedule system for marriages (similar to the one already in use for civil partnerships) which would replace marriage registers. Further information will follow as it becomes available.

### **Coroners Service**

Professor Forrest resigned from post as Senior Coroner to South Lincolnshire on the 1 April 2016. He has been temporarily replaced by Acting Senior Coroner Paul Cooper for a period of twelve months. This post was approved by the Ministry of Justice and the Chief Coroner. He will be assisted by the appointment of Assistant Coroner Marianne Johnson, and the existing Assistant Coroner Murray Spittal.

On the 5 April 2016 the Council's Executive Committee approved the decision to amalgamate Coroners areas within Lincolnshire to a Single Coroner Area. This will involve the merger of the South and Central Lincolnshire Coroner areas. There will be an appointment of a full-time Senior Coroner, supported by a part-time Area Coroner. The detail of the merger is still in its early days, and a business case is to be submitted to the Ministry of Justice.

### **Coroners' Court Support Service**

Coroners' Courts Support Service (CCSS) is a charity run volunteer service, who provide practical and emotional support to both family members and witnesses throughout the inquest. I am delighted that they will be providing their services to Lincolnshire shortly. CCSS have carried out the recruitment and selection process and volunteers are currently undertaking their training. It is anticipated that they will be providing volunteers at inquest from June.

This page is intentionally left blank

## **COUNTY COUNCIL MEETING – 20 MAY 2016**

**Statement from: Councillor B Young, Executive Councillor for  
Crime Reduction, People Management, Legal**

### **CRIME REDUCTION**

#### **Safer Communities**

The Service has continued to facilitate the anti-social behaviour case management project. A workshop has been held which saw attendance from a number of partners. Using the information gathered during this event and subsequent project meetings, a report is being prepared and will be presented to the next Anti-Social Behaviour Strategic Management Board (SMB).

The Substance Misuse SMB has a target to reduce the number of alcohol related police incidents. The first two quarters of this year saw reductions, however in quarter three incidents were 1.8% higher than the same quarter the previous year. There are a number of projects which are in place which it is anticipated will have a positive impact on the indicator. Op Quicksand in Lincoln has been adapted to incorporate a Pubwatch ban as well as a fine if the awareness course (offered for being drunk and committing a low level offence) is not taken up. The Blue Light Outreach project is seeing a reduction in the amount of incidents those engaging with the scheme are involved in. The Chamber of Commerce have been commissioned to develop a standardised Pubwatch across the county and ensure they are implemented in areas where there isn't one currently. A dual diagnosis strategy has also been developed with the commissioners of mental health and substance misuse services.

To support the Lincolnshire Community Safety Partnership (LCSP) priority of sexual violence, a profile of this area has been produced. The intention behind the profile was to provide partners with a greater understanding of sexual violence in the county in order to help inform the development of a delivery plan. The Substance Misuse Co-ordinator has been tasked with providing a co-ordination role to sexual violence. As such, in line with the LCSP structure, a Sexual Violence SMB and Sexual Violence Delivery Group have been established. Using the findings of the profile, a delivery plan will be written and implemented by these groups.

Positively, incidents of domestic abuse reported to the police are 4.2% higher than the same quarter last year. However, the county has seen one domestic homicide this year; a domestic homicide review (DHR) is underway.

A strategic overview of domestic abuse has been produced and members of the SMB have worked through the report to explore the data, identify gaps and make recommendations which will form part of the delivery plan going forward. The Domestic Abuse Protocol was successfully launched at an event which saw over 150 practitioners in attendance. The partnership has experienced a significant challenge in securing funding for support services for 2016/17. Whilst this has been achieved, the partnership faces difficulties maintaining these services longer term.

In relation to reducing offending, the key piece of work being progressed this year is the re-design of the Integrated Offender Management (IOM) model. Historically, this has been delivered by Police and Probation and has failed to engage social care or focus on the complex reasons for offending. The previous model was populated from offenders who committed Serious Acquisitive Crime (theft from cars, shop lifting, or burglary) and failed to address perpetrators of domestic abuse, violence, sexual crime etc. The new model brings together a team drawn from Police, Youth Offending Service, Community Rehabilitation Company, National Probation Service, Families Working Together, Lincolnshire Partnership NHS Foundation Trust (LPFT), Prison Service, Housing and Department for Work and Pensions. The model will be populated by those offenders who pose the most threat and risk (top 2% {130} who commit 13% of offences where the offender is known) and focus on the cause of the problem rather than the symptoms. We are also integrating the LFPT commissioned domestic abuse perpetrator work into this programme.

In January 2016 a joint (Police and LCSP) strategic review was completed. The purpose of the document was to review the crime and disorder areas in order to assess whether the existing priorities are still appropriate and whether there are any emerging issues to consider. Whilst violence was recommended as a priority, the LCSP felt that this was addressed through the existing priorities of domestic abuse, sexual violence, substance misuse and serious & organised crime). The service, however, having identified a trend in increasing levels of violence crime are due to carry out some analysis to explore this in more detail. Other areas recommended as priorities were:

- Terrorism - LCSP felt they could enhance their contribution in this area
- Child Sexual Exploitation and Indecent Images of Children – both areas are currently led by the Lincolnshire Safeguarding Children Board
- Cyber Crime, Modern Slavery and Fraud – the LCSP already has a Serious & Organised Crime priority which covers these areas

The service works effectively in partnership to ensure appropriate joint working takes place and no duplication of effort occurs. Whilst this happens routinely, more recognised arrangements are in place via the Board Business Managers meeting and the Public Protection Board.

The service also continues to co-ordinate the LCSP. As reported above, we have jointly produced the strategic review in partnership with the police. Proposals for the development of the LCSP website have been agreed and are in the process of being implemented. We have also enhanced the performance management of the LCSP via agreeing suitable indicators for each priority and collating these in to a dashboard

### **Youth Offending**

The Youth Offending Service continues to perform to a very high standard. However, last year the service experienced a significant reduction in funding from LCC, OPCC and the Youth Justice Board. To enable the service to continue to deliver its statutory outcomes, which are: 1. reduce the number of young people entering the criminal justice system and 2. reduce the number of young people re-offending, the service

has withdrawn resource from the early intervention project. Early intervention worked across partners in tackling young people who were showing early signs of offending, i.e. exclusion from school, low level ASB or have siblings who are offending, the objective was to prevent offending in the first place. The focus is now on young people referred, by police, following offending and those referred by the court following serious offending. It should be noted, the service are still waiting for the 2016/17 YJB settlement. It is anticipated that the grant will be reduced by another 12%, which will have a significant impact on the service. Plans are in place to manage this.

The service was inspected by HMIP in November, the HMIP summaries their report as follows:

### **Summary**

*The published reoffending rate for Lincolnshire was 29.3%. This was better than the previous year and better than the England and Wales average of 37.4%.*

*Overall, we found the YOS committed to achieving positive outcomes. It provided good advice to courts for sentencing, engaged well with children and young people and their parents/carers and demonstrated much good practice. However, there was work to be done to ensure practice was consistently effective, especially when managing risk of harm and vulnerability.*

*The YOS will be disappointed that performance has dipped since our last inspection. However, we were encouraged by its commitment to improvement and trust, as it enters a time of stability after restructure, that it will use the findings of this SQS to further inform its development.*

The service has in place an improvement action plan, in place before the inspection, which has progressed significantly since Nov 2015. The service will undergo a Peer review in the summer to test progress.

## **PEOPLE MANAGEMENT**

### **Apprenticeship Reforms - Update**

#### Background Information

As part of the Autumn Spending review, the Government announced the introduction of an Apprentice Levy due to be implemented from 6<sup>th</sup> April 2017. The levy will be applicable to employers with a wage bill in excess of £3 million at a rate of 0.5% and will be collected through PAYE alongside income tax and national insurance. This will mean the levy for the Council will be approx. £500,000 based on the Council's current 'pay bill'. There will also be a £15,000 fixed annual allowance for employers to offset against their levy.

The levy will be used to support apprenticeships for all ages and all levels up to degree where appropriate. Organisations will be able to recoup the levy if they meet the required performance in employing apprenticeships. They will be able to do this via electronic vouchers to commission training and development for apprenticeships from accredited colleges, universities and private training providers.

Apprenticeship targets for the public sector have been proposed as 'starts per annum' of 2.3 % of the total workforce headcount. The government has consulted on proposed apprenticeship targets and the result of that consultation is expected to be published early June 2016.

A new national body – the Institute for Apprenticeships will be established in April 2017 whose responsibility will be to oversee and approve all new apprenticeship standards and to 'ensure the quality of apprenticeships'

#### **Council response to the Consultation**

The current government proposal is that Fire and Rescue Services will be set a separate target. In view of the fact that Lincolnshire has a combined Fire and Rescue Service, the Council has responded that this should be a joint target for both the Council and Lincolnshire Fire and Rescue.

The consultation also proposed that the target for maintained schools would sit with the local authority. The Council have responded that we do not agree that this should be the case; again, we await the government response expected in June.

#### **Preparation plans for the introduction of the Apprenticeship Reforms,**

The Director with responsibility for People Management has established a Strategy Group with representation from service areas to plan for the changes.

A project plan has been developed and approved which will be reviewed and amended as updates and new information are received from Government.

The Group have started to assess current apprenticeship activity within the Council, including the current apprenticeship contract that is held with Lincoln City Council, and evaluate how the current arrangement will be affected by the reforms.

A mapping exercise is being carried out through the service areas leads to look at which existing and vacant roles can be mapped across to both the new and developing apprenticeship standards, and to identify opportunities to grow the apprenticeship programme, in particular where it can be used to replace 'non apprenticeship' training and development currently taking place with the Council.

The aim will be to ensure that at the very least, the Council recoups its full levy payment, however a full financial plan will be difficult to confirm until the final funding rules are known, which we have been advised by the Department for Business, Innovation and Skills will not be published until December 2016.

## **LEGAL SERVICES**

Legal Services Lincolnshire continues to provide legal support to the County Councils initiatives. Noteworthy achievements include property support to the library project and the successful obtaining of approval for the order for implementing the Lincoln Eastern bypass. Current priorities include implementation of the devolution deal and Better Care Fund and supporting work to pool the Lincolnshire Pension Fund.

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Appointment of Parent Governor Representatives</b>

**Summary:**

To advise the Council of the appointment of two Parent Governor Representatives to sit on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Committee.

**Recommendation(s):**

That the appointment of Mrs Patricia Barnett and Dr Emile van der Zee as Parent Governor Representatives be noted.

## **1. Background**

All local authorities are required by the Parent Governor Representatives (England) Regulations 2001 to include Parent Governor Representatives (PGRs) on their overview and scrutiny committees dealing with education matters. PGRs represent all parents whose children attend a local maintained school, or are in some form of education provided by the local authority.

By law, there must be at least two and not more than 5 PGR's on each overview and scrutiny committee dealing with education. In Lincolnshire there are two PGRs on each such committee.

On 3 March 2016 the term of office for both of Lincolnshire's Parent Governor Representatives came to an end.

On 15 January 2016 the Council wrote to the 541 parent governors serving on the governing bodies of all Lincolnshire County Council maintained schools, inviting them to stand for election as a PGR on the Children and Young People Scrutiny Committee and Overview and Scrutiny Management Committee.

The deadline for nominations was 12 February 2016, by which time the Council had received two nominations.

As nominations for only two vacancies were being sought and two nominations were received, there was no requirement to hold an election and the two nominees were appointed to the positions.

Therefore, the following two parent governors were appointed to the position of Parent Governor Representative on 4 March 2016 until 3 March 2020:

- Mrs Patricia Barnett
- Dr Emile van der Zee

## **2. Conclusion**

The Council is asked to note the appointment of the two Parent Governor Representatives.

### **3. Legal Comments:**

The Council must appoint at least two but not more than five parent governor representatives to each of their overview and scrutiny committees and sub-committees the functions of which relate wholly or partly to any education functions which are the responsibility of the authority's executive.

The Report notifies the Council of its compliance with that requirement.

### **4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendation in this report

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

n/a

### **c) Scrutiny Comments**

n/a

### **d) Policy Proofing Actions Required**

n/a

## **6. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Rachel Wilson, who can be contacted on 01522 552107 or [rachel.wilson@lincolnshire.gov.uk](mailto:rachel.wilson@lincolnshire.gov.uk).

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Political balance on committees and sub-committees and allocation of places to political groups</b>

**Summary:**

There is a duty to review political balance on committees and sub-committees and allocation of seats to political groups at the annual meeting of the Council. Since the last review in May 2015, the vacancy in the Grantham Barrowby Electoral Division has been filled following a by-election. While this has increased the number of councillors from 76 to 77, the allocation of places to political groups has not been affected.

**Recommendation(s):**

- 1) That Council notes the change in the number of councillors on the Council since the last review.
- 2) That Council adopts Appendix A as the amended political balance of committees, sub-committees and outside bodies.

## **1. Background**

1.1 The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the allocation of seats to political groups on committees and sub-committees. Under the Council's Constitution the composition of committees and sub-committees is the responsibility of the full Council. This was last reviewed at the annual meeting of Council on 15 May 2015 when the Council had a membership of 76 councillors and one vacancy.

1.2 At a by-election on 2 July 2015 Mark Whittington was elected as councillor for the Grantham Barrowby Electoral Division, increasing the number of councillors from 76 to 77.

1.3 The impact of this change is shown in the table below:

	15 May 2015 (Council)		20 May 2016 (Now)	
	Members	%	Members	%
Lincolnshire Administration	41	53.9%	42	54.5%
Labour	12	15.8%	12	15.6%
UKIP	12	15.8%	12	15.6%
Lincolnshire Independents and Independents	8	10.5%	8	10.4%
Independence from Europe	3	3.9%	3	3.9%

1.4 In allocating seats on politically balanced committees, sub-committees and outside bodies the Council must only make such determinations as give effect, so far as reasonably practicable, to the following principles (in the order shown)

- a) that not all of the seats on the body are allocated to the same political group
- b) that the majority of seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership
- c) that the number of seats on the ordinary committees of the Council which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the Council as is borne by the number of members of that group to the membership of the Council and
- d) that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

In applying principles c) and d) above the proportion of members of a group to the membership of the Council is calculated using the % above. The legal entitlements for all the political groups applying the above principles will be attached as an appendix to this report.

## 2. Conclusion

It is a matter for the Council to allocate seats on committees and sub-committees to the political groups on the Council, which it must do in accordance with the law

relating to proportionality. The change to membership slightly affects the percentage of entitlement, but this does not impact on the number of seats each political group is legally entitled to.

### **3. Legal Comments:**

Council is required to allocate seats on the Committees of the Council to political groups in accordance with the law relating to proportionality as set out in the Report.

The decision is within the remit of the Council.

### **4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendations in this report.

### **5. Consultation**

#### **a) Has Local Member Been Consulted?**

n/a

#### **b) Has Executive Councillor Been Consulted?**

Yes

#### **c) Scrutiny Comments**

n/a

#### **d) Policy Proofing Actions Required**

n/a

### **6. Appendices**

These are listed below and attached at the back of the report

Appendix A	Allocation of places to political groups.
------------	---

### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

This page is intentionally left blank

	Committee Members				"Actual"						Proportional entitlement					Control Totals
	Cllrs	Others	Total on Committee per Constitution	Total seats when applying proportionality and Education rules	Lincolnshire Administration	Lab	UKIP	Lincs Ind	Independence from Europe	Control total for Councillor seats	Lincolnshire Administration	Lab	UKIP	Lincs Ind	Independence from Europe	
Seats on the Council											42	12	12	8	3	77.00
<b>Party Balance</b>											54.5%	15.6%	15.6%	10.4%	3.9%	100%
Overview and Scrutiny Management Committee	13	4	17	21.0	11	2	2	1	1	17.0	7.1	2.0	2.0	1.4	0.5	
Adults Scrutiny Committee	11	0	11	11.0	6	2	2	1	0	11.0	6.0	1.7	1.7	1.1	0.4	
Children and Young People Scrutiny Committee	13	4	17	21.0	11	2	2	2	0	17.0	7.1	2.0	2.0	1.4	0.5	
Community and Public Safety Scrutiny Committee	11	0	11	11.0	6	2	2	1	0	11.0	6.0	1.7	1.7	1.1	0.4	
Economy and Culture Scrutiny Committee	11	0	11	11.0	6	2	1	1	1	11.0	6.0	1.7	1.7	1.1	0.4	
Environmental Scrutiny Committee	11	0	11	11.0	6	2	1	1	1	11.0	6.0	1.7	1.7	1.1	0.4	
Flood and Drainage Management Scrutiny Committee	11	0	11	11.0	6	1	2	1	1	11.0	6.0	1.7	1.7	1.1	0.4	
Highways and Transport Scrutiny Committee	11	0	11	11.0	6	2	2	1	0	11.0	6.0	1.7	1.7	1.1	0.4	
Value for Money Scrutiny Committee	11	0	11	11.0	6	2	2	1	0	11.0	6.0	1.7	1.7	1.1	0.4	
Appointments Committee	12	0	12	12.0	7	2	1	1	1	12.0	6.5	1.9	1.9	1.2	0.5	
Audit Committee	7	1	8	8.0	4	1	1	1	0	7.0	3.8	1.1	1.1	0.7	0.3	
Pensions Committee	8	3	11	11.0	4	1	2	1	0	8.0	4.4	1.2	1.2	0.8	0.3	
Planning and Regulation Committee	15	0	15	15.0	8	2	2	2	1	15.0	8.2	2.3	2.3	1.6	0.6	
Health Scrutiny Committee for Lincolnshire	8	8	16	16.0	4	1	2	1	0	8.0	4.4	1.2	1.2	0.8	0.3	
<b>Totals (excludes Executive)</b>	<b>153</b>	<b>20</b>	<b>173</b>	<b>181.0</b>	91	24	24	16	6	161.0	83.45	23.87	23.84	15.90	5.96	153.02
										<b>181.0</b>	<b>83</b>	<b>24</b>	<b>24</b>	<b>16</b>	<b>6</b>	153.00
<b>Sub-Committees</b>																
Pay Policy Sub-Committee	7	0	7		4	1	1	1	0	7.0	3.82	1.09	1.09	0.73	0.27	
Definitive Map & Statement of PROW Sub-Committee	7	0	7		4	1	1	0	1	7.0	3.82	1.09	1.09	0.73	0.27	
<b>Total Sub-Committees</b>	<b>14</b>	<b>0</b>	<b>14</b>		<b>8</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>14.0</b>	7.46	2.18	2.18	1.46	0.55	14.01
											<b>8</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	14.00
<b>Outside Bodies - Politically Balanced</b>																
IFCA	2	0	2		1	0	1	0	0	2.0	1.09	0.31	0.31	0.21	0.08	
ESPO Management Committee	2	0	2		1	0	1	0	0	2.0	1.09	0.31	0.31	0.21	0.08	
Gibraltar Point Joint Advisory Committee	4	0	4		2	1	0	0	1	4.0	2.18	0.62	0.62	0.42	0.16	
South East Lincolnshire Joint Strategic Planning Committee	3	0	3		2	0	0	1	0	3.0	1.64	0.47	0.47	0.31	0.12	
Central Lincolnshire Joint Strategic Planning Committee	3	0	3		2	1	0	0	0	3.0	1.64	0.47	0.47	0.31	0.12	
Snipe Dales Joint Advisory Committee	4	0	4		2	1	1	0	0	4.0	2.18	0.62	0.62	0.42	0.16	
Wolds AONB Member Joint Advisory Committee	2	0	2		1	0	0	1	0	2.0	1.09	0.31	0.31	0.21	0.08	
<b>Total Outside Bodies</b>	<b>20</b>	<b>0</b>	<b>20</b>		<b>11</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>20.0</b>	<b>10.91</b>	<b>3.12</b>	<b>3.12</b>	<b>2.08</b>	<b>0.78</b>	<b>20.00</b>
											<b>11</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>1</b>	20.00

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and Wellbeing Board, the Health Scrutiny Committee for Lincolnshire and the Bourne Town Hall Trust Management Committee)</b>

**Summary:**

The purpose of this report is to consider the appointment of Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees for the Municipal Year 2016/17.

**Recommendation(s):**

That the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees be considered and approved.

## **1. Background**

The Council has approved, under the preceding item of business the allocation of seats to political groups and the appointments to Committees and Sub-Committees.

Nominations for the appointment of Chairmen and Vice-Chairmen will be circulated.

## **2. Conclusion**

Under the Council's Constitution it is for the Council at the Annual General Meeting of the Council to appoint the Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee. Councillors are asked to consider the nominations circulated at the meeting.

### **3. Legal Comments:**

The Council's Constitution provides for the Council to appoint the Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees, (with the exception of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee) and for appointment to take place at the Annual Meeting.

### **4. Resource Comments:**

There are no direct financial implications arising from the adoption of the recommendations in this report.

### **5. Consultation**

#### **a) Has Local Member Been Consulted?**

n/a

#### **b) Has Executive Councillor Been Consulted?**

Yes

#### **c) Scrutiny Comments**

n/a

#### **d) Policy Proofing Actions Required**

n/a

### **6. Appendices**

These are listed below and attached at the back of the report

Appendix A	Nominations for the positions of Chairmen and Vice-Chairmen of Committees and Sub-Committees – to be circulated in the Order of Proceedings
------------	---

### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk)



County Council

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Calendar of Meetings 2016/17</b>

**Summary:**

This report proposes a calendar of meeting dates, shown in Appendix A, for the year 2016/17.

**Recommendation(s):**

That the calendar of meeting dates 2016/17, as shown in Appendix A, be approved.

**1. Background**

The Council's Constitution requires that the Council sets the meeting dates for each Council year.

Attached is a schedule of proposed dates for 2016/17. The 2016 dates are based on those agreed by the Council in May 2015, as later amended, and the 2017 dates are based on the 2016 schedule.

**2. Conclusion:**

The Council's Constitution states that the Annual General Meeting of the Council will approve the Calendar of Meetings. Councillors are asked therefore asked to consider the Calendar of Meetings for 2015/16 as detailed in Appendix A.

**3. Legal Comments:**

The Council's Constitution provides for Annual Council to approve a programme of ordinary meetings of the Council for the year.

#### **4. Resource Comments:**

There are no specific financial implications arising from the recommendations of this report.

#### **5. Consultation**

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

#### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Calendar of Meetings 2016/17

#### **6. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

	MAY 2016	JUNE 2016	JULY 2016	AUGUST 2016	SEPTEMBER 2016	OCTOBER 2016	NOVEMBER 2016	DECEMBER 2016
Sat/Sun	1					1 & 2		
Mon	2			1		3 Planning and Regulation 10:30		
Tue	3			2		4 Executive 10:30	1 Executive 10:30	
Wed	4 Executive 10:30	1 Community & Public Safety Scrutiny 10:00		3		5 LSF 2:00	2 Community & Public Safety Scrutiny 10:00	
Thu	5	2 Pensions 10:00		4	1	6 Pensions 10:00	3	1
Fri	6	3	1	5	2 Environmental Scrutiny 10:00	7	4	2 Environmental Scrutiny 10:00
Sat/Sun	7 & 8	4 & 5	2 & 3	6 & 7	3 & 4	8 & 9	5 & 6	3 & 4
Mon	9 Planning & Regulation 10:30	6 Planning and Regulation 10:30	4 Planning and Regulation 10:30	8	5 Planning and Regulation 10:30	10	7 Planning and Regulation 10:30	5 Planning and Regulation 10:30
Tue	10	7 Executive 10:30 Health and Wellbeing Board 2:00	5 Executive 10:30	9	6 Executive 10:30	11	8	6 Executive 10:30 Health & Wellbeing Board 2:00
Wed	11	8	6	10	7 Adults Scrutiny 10:00	12	9	7
Thu	12	9	7	11	8	13	10	8 Pensions 10:00
Fri	13 Flood & Drainage Management Scrutiny 10:00	10 Environmental Scrutiny 10:00	8	12	9 Children & Young People Scrutiny 10:00	14 Environmental Scrutiny 10:00	11	9 Flood & Drainage Management Scrutiny 10:00
Sat/Sun	14 & 15	11 & 12	9 & 10	13 & 14	10 & 11	15 & 16	12 & 13	10 & 11
Mon	16	13 Highways & Transport Scrutiny 10:00	11 Highways & Transport Scrutiny 10:00	15	12 Highways & Transport Scrutiny 10:00	17	14	12
Tue	17	14	12 Economic Scrutiny 10:00	16	13 Economic Scrutiny 10:00	18 Economic Scrutiny 10:00	15	13
Wed	18 Health Scrutiny 10:00	15 Health Scrutiny 10:00	13 Community & Public Safety Scrutiny 10:00	17	14 Community & Public Safety Scrutiny 10:00	19 Adults Scrutiny 10:00	16	14
Thu	19	16	14 Pensions 10:00	18	15	20	17	15
Fri	20 County Council (AGM) 10:30	17	15 Children & Young People Scrutiny 10:00	19	16 County Council 10:30	21 Children & Young People Scrutiny 10:00	18	16 County Council 10:30
Sat/Sun	21 & 22	18 & 19	16 & 17	20 & 21	17 & 18	22 & 23	19 & 20	17 & 18
Mon	23	20 Audit 10:00	18 Audit 10:00	22	19	24 Highways & Transport Scrutiny 10:00	21 Audit 10:00	19
Tue	24 Economic Scrutiny 10:00	21 Value for Money Scrutiny 10:00	19	23	20	25	22 Value for Money Scrutiny 10:00	20 Executive (Budget) 10:30
Wed	25 Adults Scrutiny 10:00	22	20 Health Scrutiny 10:00	24	21 Health Scrutiny 10:00	26 Health Scrutiny 10:00	23 Health Scrutiny 10:00	21 Health Scrutiny 10:00
Thu	26 Overview & Scrutiny Management 10:00	23	21	25	22	27 Overview and Scrutiny Management 10:00	24 Overview and Scrutiny Management 10:00	22 Overview and Scrutiny Management 10:00
Fri	27 Children & Young People Scrutiny 10:00	24	22	26	23 Flood & Drainage Management Scrutiny 10:00	28	25 Children & Young People Scrutiny 10:00	23
Sat/Sun	28 & 29	25 & 26	23 & 24	27 & 28	24 & 25	29 & 30	26 & 27	24 & 25
Mon	30	27	25 Planning & Regulation 10:30	29	26 Audit 10:00	31	28 Highways & Transport Scrutiny 10:00	26
Tue	31	28	26 Value for Money Scrutiny 10:00	30	27 Value for Money Scrutiny 10:00 Health and Wellbeing Board 2:00		29 Economic Scrutiny 10:00	27
Wed		29 Adults Scrutiny 10:00 LSF 1:00	27	31	28		30 Adults Scrutiny 10:00	28
Thu		30 Overview and Scrutiny Management 10:00	28 Overview and Scrutiny Management 10:00		29 Overview and Scrutiny Management 10:00			29
Fri			29 Environmental Scrutiny 10:00		30			30
Sat/Sun			30 & 31					31

	JANUARY 2017	FEBRUARY 2017	MARCH 2017	APRIL 2017	MAY 2017	JUNE 2017	JULY 2017	AUG 2017	SEPTEMBER 2017	OCTOBER 2017	NOVEMBER 2017	DECEMBER 2017
Sat/Sun	1			1 & 2			1 & 2			1		
Mon	2			3 Planning & Regulation 10.30	1		3 Planning & Regulation 10.30			2 Planning & Regulation 10.30		
Tue	3			4 Executive 10.30	2		4 Executive 10.30	1		3 Executive 10.30		
Wed	4 Executive 10.30	1	1	5 Adults Scrutiny 10.00	3 Executive 10.30		5	2		4	1	
Thu	5 Pensions 10.00	2	2	6 Pensions 10.00	4	1 Pensions 10.00	6	3		5 Pensions 10.00	2	
Fri	6	3	3 Flood & Drainage Management 10.00	7 Environmental Scrutiny 10.00	5	2 Flood & Drainage Management 10.00	7	4	1 Flood & Drainage Management 10.00	6	3 Environmental Scrutiny 10.00	1 Children & Young People Scrutiny 10.00
Sat/Sun	7 & 8	4 & 5	4 & 5	8 & 9	6 & 7	3 & 4	8 & 9	5 & 6	2 & 3	7 & 8	4 & 5	2 & 3
Mon	9	6 Planning & Regulation 10.30	6 Planning & Regulation 10.30	10 Highways & Transport 10.00	8	5 Planning & Regulation 10.30	10	7	4 Planning & Regulation 10.30	9	6 Planning & regulation 10.30	4 Planning & Regulation 10.30
Tue	10 Economic Scrutiny Committee 10.00	7 Executive 10.30	7 Executive 10.30	11	9	6 Executive 10.30 Health & Wellbeing Board 2.00	11 Value for Money Scrutiny 10.00	8	5 Executive 10.30	10	7 Executive 10.30	5 Executive 10.30 Health & Wellbeing Board 2.00
Wed	11 Adults Scrutiny 10.00	8	8 Community & Public Safety Scrutiny 10.00	12 Health Scrutiny Committee 10.00	10	7 Community & Public Safety Scrutiny 10.00	12 Adults Scrutiny 10.00	9	6 Community & Public Safety Scrutiny 10.00	11 Community & Public Safety Scrutiny 10.00	8	6 Adults Scrutiny 10.00
Thu	12	9	9	13	11	8	13 Pensions 10.00	10	7	12	9	7 Pensions 10.00
Fri	13 Environmental Scrutiny 10.00	10	10 Children & Young People Scrutiny 10.00	14	12	9 Children & Young People Scrutiny 10.00	14	11	8 Children & Young People Scrutiny 10.00	13	10	8 Environmental Scrutiny 10.00
Sat/Sun	14 & 15	11 & 12	11 & 12	15 & 16	13 & 14	10 & 11	15 & 16	12 & 13	9 & 10	14 & 15	11 & 12	9 & 10
Mon	16 Planning & Regulation 10.30	13	13	17	15	12 Highways & Transport 10.00	17 Highways & Transport 10.00	14	11 Highways & Transport 10.00	16	13	11 Highways & Transport 10.00
Tue	17 Value for Money Scrutiny 10.00	14	14	18 Value for Money Scrutiny 10.00	16	13 Economic Scrutiny Committee 10.00	18	15	12 Economic Scrutiny Committee 10.00	17 Economic Scrutiny Committee 10.00	14	12 Value for Money Scrutiny 10.00
Wed	18 Health Scrutiny Committee 10.00	15 Health Scrutiny Committee 10.00	15 Health Scrutiny Committee 10.00	19 Community & Public Safety Scrutiny 10.00	17	14 Health Scrutiny Committee 10.00	19 Health Scrutiny Committee 10.00	16	13 Adults Scrutiny 10.00	18 Health Scrutiny Committee 10.00	15 Health Scrutiny Committee 10.00	13 Health Scrutiny Committee 10.00
Page 20	19	16	16	20	18	15	20	17	14	19	16	14
Page 20	20 Children & Young People Scrutiny 10.00	17 Environmental Scrutiny 10.00	17	21 County Council 10.30	19 County Council (AGM) 10.30	16 Environmental Scrutiny 10.00	21 Children & Young People Scrutiny 10.00	18	15 County Council 10.30	20 Children & Young People Scrutiny 10.00	17	15 County Council 10.30
Sat/Sun	21 & 22	18 & 19	18 & 19	22 & 23	20 & 21	17 & 18	22 & 23	19 & 20	16 & 17	21 & 22	18 & 19	16 & 17
Page 20	23 Highways & Transport 10.00	20	20	24	22	19	24 Audit 10.00	21	18	23 Highways & Transport 10.00	20 Audit 10.00	18
Tue	24	21 Economic Scrutiny Committee 10.00	21	25	23	20	25 Economic Scrutiny Committee 10.00	22	19 Value for Money Scrutiny 10.00	24	21	19 Executive (Budget) 10.30
Wed	25 Community & Public Safety Scrutiny 10.00	22 Adults Scrutiny 10.00	22	26	24	21	26 Community & Public Safety Scrutiny 10.00	23	20 Health Scrutiny Committee 10.00	25 Adults Scrutiny 10.00	22 Community & Public Safety Scrutiny 10.00	20
Thu	26 Overview & Scrutiny Management 10.00	23 Overview & Scrutiny Management 10.00	23	27 Overview & Scrutiny Management 10.00	25 Overview & Scrutiny Management 10.00	22	27 Overview & Scrutiny Management 10.00	24	21	26 Overview & Scrutiny Management 10.00	23	21 Overview & Scrutiny Management 10.00
Fri	27	24 County Council (Budget) 10.00	24	28 Children & Young People Scrutiny 10.00	26	23	28 Environmental Scrutiny 10.00	25	22 Environmental Scrutiny 10.00	27	24 Flood & Drainage Management 10.00	22
Sat/Sun	28 & 29	25 & 26	25 & 26	29 & 30	27 & 28	24 & 25	29 & 30	26 & 27	23 & 24	28 & 29	25 & 26	23 & 24
Mon	30 Audit 10.00	27 Highways & Transport 10.00	27 Audit 10.00		29	26 Audit 10.00	31 Planning & Regulation 10.30	28	25 Audit 10.00	30	27	25
Tue	31	28 Value for Money Scrutiny 10.00	28 Economic Scrutiny Committee 10.00 Health & Wellbeing Board 2.00		30 Value for Money Scrutiny 10.00	27		29	26 Health & Wellbeing Board 2.00	31 Value for Money Scrutiny 10.00	28 Economic Scrutiny Committee 10.00	26
Wed			29		31 Adults Scrutiny 10.00	28		30	27		29	27
Thu			30 Overview & Scrutiny Management 10.00			29 Overview & Scrutiny Management 10.00		31	28 Overview & Scrutiny Management 10.00		30 Overview & Scrutiny Management 10.00	28
Fri			31			30			29			29
Sat/Sun									30			30 & 31

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Appointment to Outside Bodies</b>

**Summary:**

This report requests that the Council review its appointments to outside bodies as detailed at Appendix A.

**Recommendation(s):**

That the Council approves the appointments as circulated at the meeting.

## **1. Background**

The Council's Constitution provides the Council with responsibility for appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of the Constitution, or has been delegated by the Council.

Under Part 3 of the Constitution the Executive has responsibility to make appointments to all outside bodies except joint committees of one or more local authorities or politically balanced bodies. The bulk of the outside body appointments will therefore be made by the Executive. However, under the Council's Constitution it falls to the Council to make appointments to joint committees and to those bodies, the membership of which is politically balanced.

Council Procedure Rules advise that the Council shall make appointments to outside bodies at the Annual General meeting.

A list of organisations to which the full Council must make appointments is attached at Appendix A, showing the number of appointments that the Council is entitled to make to each.

The Council is requested to make appointments as required. A populated copy of Appendix A will be circulated at the meeting.

## 2. Conclusion

The appointments to outside bodies will assist Councillors participating strategically and in the wider community. It will also provide Councillors with additional knowledge and expertise which can be shared with fellow Councillors.

### 3. Legal Comments:

The making of appointments to the bodies set out in Appendix A is within the remit of the Council.

### 4. Resource Comments:

There are no direct financial implications arising from the adoption of the recommendations in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

n/a

### d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Outside Bodies Statutory and Other
------------	------------------------------------

## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

**STATUTORY ORGANISATIONS**

<b><u>NAME OF BODY</u></b>	<b><u>NUMBER OF APPOINTMENTS</u></b>
Anglian (Northern) Regional Flood and Coastal Committee	3 + 1 jointly with North Lincolnshire Council <i>(each for a 1 year period North Lincolnshire Council to make the joint appointment for 2016 - 2017)</i>
Eastern Inshore Fisheries & Conservation Authority <i>(politically balanced)</i>	2
Lincolnshire Police and Crime Panel <i>(politically balanced)</i>	3
Lincolnshire Standing Advisory Council for Religious Education (SACRE)	3
Secure Accommodation Review Panel	2 (+ 2 substitutes)

## OTHER ORGANISATIONS

<u>NAME OF BODY</u>	<u>NUMBER OF APPOINTMENTS</u>
Central Lincolnshire Joint Strategic Planning Committee <i>(politically balanced)</i>	3 (+1 substitute)
Eastern Shires Purchasing Organisation - Management Committee (ESPO) <i>(politically balanced)</i>	2
Eastern Shires Purchasing Organisation - (ESPO) Finance and Audit Sub-Committee	1 <i>(appointment to be made from the members of the ESPO Management Committee)</i>
Gibraltar Point Joint Advisory Committee <i>(politically balanced)</i>	4
Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) Member Joint Advisory Committee <i>(politically balanced)</i>	2
Snipe Dales Joint Advisory Committee <i>(politically balanced)</i>	4
South East Lincolnshire Joint Strategic Planning Committee <i>(politically balanced)</i>	3 (+3 substitutes)

**Open Report on behalf of Councillor M J Hill OBE, Leader of the Council**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Executive Decision – Rule 17 (Special Urgency)</b>

**Summary:**

To inform Members of an urgent decision taken by the Executive Councillor Adult Care and Health Services, Children's Services.

**Recommendation(s):**

That the Council note the report.

## **1. Background**

1.1 Rule 17 of the Access to Information Procedure Rules in the Council's Constitution allows for specially urgent Key Decisions which are not included in the Executive's Forward Plan to be taken without giving the prescribed public notice of five clear working days, and provides that the decision may only be made where the decision maker has obtained agreement from:-

- The Chairman of the relevant Overview and Scrutiny Committee; or
- If there is no such person, or if the Chairman of the relevant Overview and Scrutiny Committee is unable to act, the Chairman of the Council; or
- Where there is no Chairman of either the relevant Overview and Scrutiny Committee or of the Council, the Vice-Chairman of the Council

that the making of the decision is urgent and cannot reasonably be deferred.

1.2 Rule 18.3 states that the Leader is required to submit quarterly reports to the Council on the Executive decisions taken in circumstances as set out in Rule 17 (special urgency) in the preceding three months. The reports must include particulars of each decision taken and a summary of the matters in respect of which those decisions were taken.

- 1.3 There has been one such decision in the last three months.
- 1.4 A report on the Lincolnshire Better Care Fund Submission 2016/17, which had not been included on the Forward Plan was considered by the Executive Councillor for Adult Care and Health Services, Children's Services on Tuesday, 26 April 2016.
- 1.5 The reason for urgency in this instance was that that agreement on the terms of the Better Care Fund Submission was not reached until Friday 22 April 2016, and the requirements of Rule 16 of the Access to Information Procedure Rules could not be met until Monday 25 April 2016. As the final date for the making of the Lincolnshire submission on behalf of the County Council and the Clinical Commissioning Groups was 3 May 2016 this did not allow sufficient time for compliance with the 5 clear working days' notice requirement of Rule 16. A notice was therefore published in accordance with Rule 17.
- 1.6 The matters in respect of which the decision was taken were the submission by the Council and the Clinical Commissioning Groups (CCGs) of a Better Care Fund Submission for 2016/17, the contents of that submission (including in particular the amount provided for the protection of adult social care) and the entering into of various contractual and section 75 partnership arrangements with the CCGs to give effect to the pooling of funds set out in the submission and address the necessary risk share arrangements.
- 1.7 The particulars of the decision are set out in the decision notice attached to this Report, a copy of which all Councillors were provided with together with a link to the County Council's website to view the report and associated appendices at the time of the decision being taken.

## **2. Conclusion**

- 2.1 The Report informs the Council of a decision taken under the special urgency provisions of the Access to Information Procedure Rules of the Constitution taken in the last three months as required by the Constitution.

### **3. Legal Comments:**

Rule 18.3 of the Access to Information Procedure Rules of the Constitution requires the Leader of the Council to submit quarterly reports to the Council on the Executive decisions taken in circumstances as set out in Rule 17 (special urgency) of the Access to Information Procedure Rules in the preceding three months.

#### **4. Resource Comments:**

There are no financial implications arising from acceptance of the recommendation in this report. The financial implications relating to the urgent decision itself were covered in the earlier reports relating to that decision.

#### **5. Consultation**

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

#### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or [Nigel.West@lincolnshire.gov.uk](mailto:Nigel.West@lincolnshire.gov.uk)

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Overview and Scrutiny Annual Report 2015-16</b>

**Summary:**

This report invites the County Council to consider and approve the Annual Report for Overview and Scrutiny for 2015-16.

**Recommendation(s):**

To approve the Overview and Scrutiny Annual Report for 2015-16.

**1. Background**

Annual Report for 2015-16

The Overview and Scrutiny Annual Report for 2015-16 is attached at Appendix A to this report.

The Annual Report represents an ideal opportunity to highlight the scrutiny work that has taken place throughout the last year and to look forward to the year ahead.

**2. Conclusion**

The Overview and Scrutiny Annual Report for 2015-16 provides an opportunity to consider the work of the Overview and Scrutiny function and the County Council is invited to approve this year's report.

**3. Legal Comments:**

The Report introduces for approval the Annual Scrutiny Report. Overview and Scrutiny is an important aspect of the Council's functions and the report enables the Council to assess the carrying out of this function in the last year. The matter is within the remit of the full Council.

#### **4. Resource Comments:**

There are no financial implications arising from acceptance of the recommendation in this report.

#### **5. Consultation**

##### **a) Has Local Member Been Consulted?**

n/a

##### **b) Has Executive Councillor Been Consulted?**

n/a

##### **c) Scrutiny Comments**

The Overview and Scrutiny Management Committee met on 28 April 2016 and considered and approved the Overview and Scrutiny Annual Report for 2015-16.

##### **d) Policy Proofing Actions Required**

This report does not require Policy Proofing.

#### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Overview and Scrutiny Annual Report 2015-16

#### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

# Overview and Scrutiny Annual Report 2015-16



## Foreword

---

I am pleased to present this year's Overview and Scrutiny Annual Report. The report contains key scrutiny activity over the last year and information about some of the subjects our committees will be scrutinising over the next 12 months.

It has been a challenging year for the Council and also for scrutiny. The Council continues to deliver services to the people of Lincolnshire with less and less money and our councillors involved with scrutiny are tasked with analysing this work and its outcomes and providing constructive challenge.

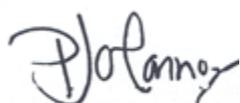
The future delivery of library services in Lincolnshire has continued to generate considerable interest both within the Council itself and in the wider community. Concerns were raised over the decision-making process surrounding the libraries proposals and an Internal Audit Review took place that culminated in a final report with recommendations for improvement including aspects of the scrutiny process. The County Council agreed at its meeting in February 2015 that an external review of the scrutiny function should be carried out. Scrutiny seeks assurance over the successful delivery of services, so it is only right it should seek assurance around its own performance.

In April 2015 East Midlands Councils was invited to undertake a review into the Council's approach to overview and scrutiny. The review was carried out by Dr Stuart Young, Executive Director of East Midlands Councils and included informal discussions with councillors and officers, first hand observations at scrutiny meetings and research into good practice elsewhere.

The outcome of the review of scrutiny was considered by the Council in December 2015 and highlighted recommendations on five aspects of scrutiny;

- Increasing the impact of scrutiny
- The effectiveness of the approach
- Behaviours and culture
- Sound and effective governance
- Learning from good practice

I look forward to the successful completion of the Review and on the introduction of improvements to scrutiny in next year's Annual Report. In the meantime, if you would like to know more about overview and scrutiny at Lincolnshire County Council then please feel free to get in touch using the contact details at the end of the report.



**Councillor Pat O'Connor**  
**Chairman, Overview and Scrutiny Management Committee**

## Introduction to Overview and Scrutiny

---

Overview and scrutiny is the process whereby non-executive councillors of the Council examine the authority's functions and services, plus those of partner organisations.

Key aims of scrutiny are to;

- Provide healthy and constructive challenge
- Give voice to public concerns
- Support improvement in services
- Provide an independent review

Overview and Scrutiny is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. All non-Executive councillors are eligible to participate in the work of scrutiny. Joining them to scrutinise particular issues are parent governors, church representatives, councillors from the district councils and representatives from other local organisations.

The Council has ten overview and scrutiny committees that consider new policies and strategies, existing policies to see how well they are working and performance information to check that the Council is meeting the standards that have been set.

Each of these committees is also able to establish time-limited Task and Finish Group reviews that focus on a particular issue and consider it in greater detail than is possible at Committee. These reviews will typically last around six months and will include a mixture of interviews with relevant council officers, research of best practice elsewhere, meetings with service users and community groups and consultation with wider parts of the community. These reviews culminate in a final report with recommendations which are then presented to a meeting of the Council's Executive.

Committees can also establish working groups to work in a less formal way either working independently or in collaboration with Council officers. These working groups have responded to national consultations, reviewed existing policies and looked to develop new policies in conjunction with officers.

## Overview and Scrutiny Management Committee

---



### Chairman

**Councillor  
Pat O'Connor**



### Vice-Chairman

**Councillor  
Mrs Angela Newton**

One of the outcomes of the review of scrutiny at Lincolnshire County Council has been the higher profile afforded to its Overview and Scrutiny Management Committee.

The Council, at its meeting in December 2015, recognised the need to give this overarching scrutiny committee the lead role in the scrutiny function of the Council. Its terms of reference were amended to ensure the scrutinising of the Council's budget and performance was carried out by the Overview and Scrutiny Management Committee, a task previously under the remit of the Value for Money Scrutiny Committee. The Committee will continue to co-ordinate the scrutiny work through the work programmes of each of the scrutiny committees.

During the year a core activity of the Committee has been the review of scrutiny at the Council. Initially a working group drawn from the Committee's membership was formed to support Dr Stuart Young in his review. The working group was chaired by Councillor Pat O'Connor and also included Councillors Mrs Jackie Brockway, Robert Foulkes, Alan Jesson, Mrs Angela Newton, Mrs Marianne Overton MBE, Ron Oxby, Rob Parker, Nigel Pepper and Martin Trollope-Bellew.

In February 2016, after being delegated the job of overseeing the implementation of the report's recommendations, the Committee formed a working group to report back on how things could be improved which is chaired by Councillor Rob Parker and also includes Councillors Chris Brewis, Mrs Jackie Brockway, Alan Jesson, Colin Mair, Mrs Angela Newton, Mrs Marianne Overton MBE and Lewis Strange. The working group has split its work into three areas:

- Relationship between Executive and Scrutiny
- Culture
- Structure

The Chairman of the Overview and Scrutiny Management Committee now regularly attends meetings of the Executive, along with chairmen of the various scrutiny committees. Their role is not only to relay the recommendations of scrutiny committees to the decision makers, but to offer a flavour of the scrutiny debate. There is now a standing item on the Overview and Scrutiny Management Committee for the Chairman to report back to non-executive members on the response from Executive Councillors.

Over 2016/17, the Committee will receive monthly updates from the working group with a view to improvements and a new scrutiny structure being in place before the County Council election in May 2017. In addition, it will continue to receive regular updates on the Council's performance and budget.

## Adults Scrutiny Committee

---



### Chairman

**Councillor Hugo Marfleet**



### Vice-Chairman

**Councillor Rosie Kirk**

The Committee's consideration of the Contributions Policy for Non-Residential Social Care is an example of where the Adults Scrutiny Committee enriched the Executive's decision making process: ten members of the public attended the Committee and made statements, also questioning the officers present. Their comments, together with those of the Committee, were passed to the Executive, to support its final decision-making.

The Committee also considered the outcomes of the Review of In-House Day Services and was reassured that thirteen financially sustainable day centres, in strategic locations, would be the best approach in securing future provision.

The overall financial position, including the impact of the age demographic, continues to have an impact on the Adult Care budget. The Adults Scrutiny Committee monitors these finances regularly, seeking reassurance that funding is being used to best effect. Linked to the overall financial position, the Committee has continued to monitor the Better Care Fund, which aims for further integration of health and social care.

Like most scrutiny committees, the Adults Scrutiny Committee receives quarterly performance information. The Committee has taken this a stage further, by linking performance information with budgetary and service volumes. This adds more depth to the Committee's understanding of the issues affecting the service.

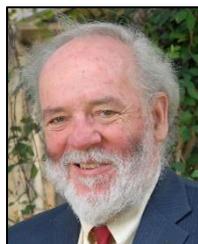
The Care Quality Commission (CQC), which stresses the importance of the Overview and Scrutiny function, has advised that 65 per cent of residential and nursing homes in Lincolnshire were rated as good or outstanding. The Committee was reassured that the Council and the Lincolnshire Care Association were offering support to the remaining 35 per cent of homes, so that they could improve and raise their standards for all their residents.

Procurement is a key element of Adult Care, with over 90% of its services subject to contractual obligations. However, the Overview and Scrutiny function is not simply a contract monitoring activity, and in this regard the Committee will continue to seek the attendance of service providers at meetings, as this has continued to enhance the Committee's activity.

In 2016/17, the Committee will continue to monitor the Better Care Fund, to ensure it supports the integration of health and social care, as well continuing to monitor the adult care budget, to seek assurance that resources are being used to the best effect. The Committee will also continue to receive reports from the CQC, including updates on residential and nursing homes. The Committee will engage with relevant providers and members of the public, to seek their views on services and any proposed changes.

## Children and Young People Scrutiny Committee

---



**Chairman**

**Councillor John Hough**



**Vice-Chairman**

**Councillor Ray Wootten**

The Children and Young People Scrutiny Committee has had another very busy year. One of its main activities has been the Review of the Council's Home to School Transport Policy in relation to Discretionary Grammar School Transport, looking at whether the current Grammar School Transport Policy is fair, affordable and consistent. The Grammar School Transport Policy, which is discretionary and has been in place for over 30 years, is provided as an additional benefit to enable more pupils to access a grammar school education.

During 2014/15, a group of parents in villages north of Grantham had campaigned for changes to the Home to School and College Transport Policy in respect of transport to the county's Grammar Schools. Councillor Mrs Patricia Bradwell, Executive Councillor for Adult Care and Health Services, Children's Services, asked the Committee at its meeting on 24 April 2015 to review the grammar school entitlement policy and consider whether any changes could and/or should be made to meet the parents' requests, and what the implications of changing the policy would be on schools, cost, and parents. A Task and Finish Group was established which was chaired by Councillor Mrs Jackie Brockway and also included Councillors Chris Brewis, Colin Mair, Charmaine Morgan, Mrs Marianne Overton MBE, Mrs Christine Talbot, William Webb, Paul Wood, and Ray Wootten.

The Group reviewed the current discretionary Grammar School Transport Policy and the costs involved in providing this policy, examined Grammar School Transport policies at other councils with grammar schools, and held an engagement day with Headteachers and Chair of Governors of a selection of grammar and non-grammar schools, parents, campaign groups, and the Youth Cabinet. The Group also examined a range of options for changing the current Grammar School Transport Policy to address the issues and concerns raised by parents, schools and young people. The Task and Finish Group put forward one recommendation to the Executive which consisted of two options, which were to leave the Grammar School Transport Policy as it is but review it in two years, or charge pupils living in grammar school DTAs for transport to a grammar school where it is not the nearest suitable school. A decision by the Executive Councillor for Adult Care and Health Services, Children's Services on whether to accept either of these options will hopefully be taken in June 2016. The Committee will closely monitor the outcomes from this review and the decision taken by the Executive Councillor.

Over the last year, the Committee has received a number of reports relating to the closure of schools in Lincolnshire. Schools are now principally financed by the numbers of pupils on roll and there is little flexibility when these numbers reduce. The changes to the national curriculum and inspection regimes also pose particular challenges for schools when there are funding issues.

One example of this was the potential closure of Monks Dyke Tennyson College's Mablethorpe site, and consolidating provision at the Louth site as a single site school. In June 2015, the Committee established a working group consisting of Councillors Sarah Dodds, Andrew Hagues, John Hough, Mrs Lesley Rollings and Ray Wootten to consider the potential options for the future of the Mablethorpe site and conduct a site visit of the school. Feedback from the working group was received at the Committee meeting in July 2015 when the Committee discussed the various options for the Mablethorpe site. At the meeting in January 2016, the Committee heard from the Headteacher and Vice Chair of the Governing Body of the college, and two members of the campaign group who were looking into setting up a free school in Mablethorpe to provide alternative secondary education. The Committee supported the recommendation to close the Mablethorpe site, but recommended that the site should be held onto for 12 months to allow time for further exploration of alternative secondary education provision in Mablethorpe. This additional recommendation from the Committee was accepted by the Executive Councillor for Adult Care and Health Services, Children's Services.

The Committee also established a working group consisting of Councillors Sarah Dodds, John Hough and Ron Oxby to consider the potential closure of Saltfleetby Church of England Primary School. The working group visited the school and met with the Headteacher and Chair of the Interim Executive Board, and spoke to some parents and pupils about the school. Feedback from this visit was reported to the Committee meeting in April 2016 when it considered a report on the proposed closure of the school. The Committee made the difficult decision to support the recommendation to close the school due to concerns around the financial and educational viability of the school.

Furthermore, the Committee has set up a number of other working groups over the last year. Councillors Mrs Jackie Brockway and Sarah Dodds and Mrs Emma Olivier-Townrow, former Parent Governor Representative, formed a working group to look at the new School Improvement sector led model which will establish a collaborative Lincolnshire Learning Partnership delivering a tiered approach to School Improvement including peer review, quality assurance and appropriate governance arrangements. The working group reported back to the Committee in January 2016 on a number of benefits and concerns about the new model, and going forward, the Committee will monitor the implementation of the new sector led model on a regular basis. A working group consisting of Councillors Mrs Jackie Brockway, Sarah Dodds, John Hough and Mrs Helen Powell has also been established to work with officers on the modelling options for the future delivery of Early Years and Children's Health Services. These cover early childhood and 0-19 health services, including Children's Centre services, Health Visiting service, Antenatal Weight Management service and School Nursing service. The outcomes from the working group and commissioning review will be reported to a future meeting of the Committee. The Committee has also just established a working group consisting of Councillors Mrs Jackie Brockway, Sarah Dodds, John Hough and Mrs Lesley Rollings to review school performance, particularly at Key Stage 4. Whilst there have been some year on year improvements in pupil outcomes, there are still a number of key actions needed in order for all groups of Lincolnshire pupils to be achieving at least at levels seen nationally.

The Committee has recently considered the implications of the Government's White Paper "Educational Excellence Everywhere". This White Paper has a number of implications for the Council particularly in relation to the enforced academisation of

all schools by 2020, which will remove all schools from local authority control, and the proposal to transfer responsibility for school improvement from local authorities to school-led systems. The Committee unanimously decided that the Council should oppose the forced academisation of schools in Lincolnshire.

Over the next year, the Committee will be monitoring the implications of the White Paper, in particular the forced academisation of schools, and the impact it will have on Children's Services. In addition, it will be scrutinising children's safeguarding arrangements in detail, by using the key questions identified in the Centre for Public Scrutiny's Guide to Scrutinising Children's Safeguarding Arrangements.

## Community and Public Safety Scrutiny Committee

---



**Chairman**

**Councillor Chris Brewis**



**Vice-Chairman**

**Councillor Linda Wootten**

Over the past year the re-shaping of the library service has been an area of great interest for many local residents and councillors. The Committee has continued to be consulted and received regular updates by officers on the progress towards the introduction of a new model of library provision for Lincolnshire. The Committee has had the opportunity to review the competitive tendering process and make recommendations towards the implementation of an enhanced library service which includes a network of more than 30 community hubs, developed with local community groups which also include added library provision.

In November 2015 the Committee considered the revised library service proposals and unanimously supported the recommendations for the Council's Executive to award a contract for the delivery of library services to Greenwich Leisure Limited (GLL). Over the coming year the Committee will monitor the performance of the library service and the contract with GLL to ensure value for money. During the coming year, members of the Committee are planning to meet with GLL and visit a local library and community hub to see first-hand the developments made as part of the new contract.

The Committee continues to support and take a great interest in the Joint Ambulance Conveyance project which involves Lincolnshire Fire and Rescue, East Midlands Ambulance Service and Lincolnshire Integrated Voluntary Emergency Service working together to respond to 999 medical emergencies. The project continues to be a success and has already won two national innovation awards. During the past year the Committee undertook a visit to the EMAS control centre at Bracebridge Heath in Lincoln to see how the project ensures a timely patient conveyance and the highest level of clinical intervention possible. The Committee will continue to scrutinise the outcomes of this project over the coming year.

The Committee has responded to a number of formal consultations over the past year. In September 2015 the Committee considered a national consultation being conducted by the Ministry of Justice to rationalise the court estate which included a proposal to close both Grantham and Skegness Magistrates Courts. As part of its response, the Committee highlighted the impact of the changes on local justice as well as the possible impact on victims and witnesses. Unfortunately, in February 2016 the Ministry of Justice confirmed that both Grantham and Skegness Magistrates' Courts would close. Concerns remain about the accessibility to justice for offenders, witnesses and victims and the Committee will review the impact of these changes and the decline in the criminal justice infrastructure at future meetings.

In October 2015 the Committee considered a report regarding the Government's consultation on a series of measures to transform the delivery and drive greater collaboration between the police, fire and rescue, and NHS ambulance services. As part of its response, the Committee highlighted concerns that one size would not fit all services and that the existing collaboration between blue-light services in Lincolnshire had been very successful and was well regarded.

Over the coming year, the Committee will continue to respond to and monitor the outcome of consultations which affect Lincolnshire, and help work towards a positive outcome.

In January 2016 the Committee considered a proposal regarding bespoke business advice provided by Trading Standards. The proposal included the provision of advice to businesses along with a degree of consultancy type services. The Committee supported the recommendations to provide businesses in Lincolnshire with quality advice whilst saving businesses the time and expense of engaging consultants or solicitors. The Committee will monitor the implementation and outcomes of this new service over the coming year.

The Committee was pleased to welcome Peter Wright, Governor of HMP Lincoln, to its meetings over the past year. In January 2016 the Committee was advised that Lincoln Prison was significantly overcrowded and the view from Central Government was that 19<sup>th</sup> century prisons may no longer be an appropriate place to hold prisoners anymore. However, the Committee felt that holding prisoners within communities was important and that a local solution should be found. The Committee will continue to support and monitor the situation at HMP Lincoln over the coming year.

The Committee also sits as the Council's statutory **Crime and Disorder Committee**, and has been able to review on the Integrated Offender Management (IOM) model which brings a cross-agency response to the crime and reoffending threats faced by local communities. The Committee supported the need to drive forward the Integrated Offender Management review and the need to maximise engagement within the Lincolnshire Community Safety Partnership.

During the coming year the committee expect to assist in finding ways to ensure that, in these financially difficult times, those areas of activity which fall within the remit of the Community and Public Safety and Crime and Disorder Committee are efficient. To minimise adverse impacts on residents the committee will be considering the future of heritage services, and showing close regard to proposed changes to justice and restorative justice. In the autumn the committee will be looking at Greenwich Leisure Limited contract to run libraries, and how it has worked.

## Economic Scrutiny Committee

---



**Chairman**

**Councillor Tony Bridges**



**Vice-Chairman**

**Councillor Chris Pain**

Since the completion of the scrutiny review on the Impact of Transportation on Maximising Economic Growth in June 2014, the Committee has been monitoring the outcomes arising from the review. The recommendations from the review hinged firmly on the need to raise the profile of the economic benefits of transportation schemes in Lincolnshire. The review report described the importance of economic corridors such as the A17, A46/A15 and the importance of rail infrastructure. The Committee was pleased to hear that the Greater Lincolnshire Local Enterprise Partnership (GLLEP) is adopting a transport strategy that identifies the key transport corridors across the area which includes the A15 and the A46 around Lincoln. This transport strategy will provide the catalyst for a revised approach to reviewing the need for A15 improvements. In addition, the Committee was delighted to hear that Lincolnshire County Council, North Lincolnshire Council, and West Lindsey District Council have commissioned a study into the economic benefits of improving the A15. This study will recognise the important context of making improvements from Newark into Lincolnshire as well as the A15 itself. The Committee will continue to monitor the ongoing work in this area.

In October 2015, the Committee established a working group to conduct a review into the Council's approach to tourism development. It was carried out by Councillors Bob Adams, Tony Bridges and Mrs Jackie Brockway and was done in the context of reducing budgets and of consolidating the outcomes of 2015, Lincoln Castle Revealed's opening, and the good publicity that was received as a result of that work. The review identified seven recommendations for the Council to undertake itself, such as PR work; for the Council to undertake in partnership, especially strengthening the role of the [www.visitlincolnshire.com](http://www.visitlincolnshire.com) website; and in support of the private sector, such as addressing the demand for hotel accommodation. The Committee will be monitoring the implementation of these recommendations over the coming year.

The Economic Scrutiny Committee has continued to scrutinise the work and policies of the GLLEP. The Committee has reviewed the refreshed GLLEP's Strategic Economic Plan, which sets out a clear agenda for economic development in the coming years and focuses on sector development and on improving economic opportunities across the area. The Committee suggested a number of amendments to the refreshed plan which have been incorporated into the document. The Committee has also scrutinised the GLLEP's Water Management Plan and Coastal Vision. The GLLEP has prioritised agri-food and the visitor economy as the key sectors for economic growth in Greater Lincolnshire and effective flood risk and water resource management is considered fundamental in realising these opportunities.

The Committee has considered a number of reports around the skills agenda, particularly in relation to its concerns around the skills shortage in the health sector. The GLLEP has identified the health and care sector as one of Lincolnshire's most important growth sectors, with the potential to boost the economy and provide employment across all skills levels. It is predicted that by 2022 the sector could need to fill 30,000 jobs in Lincolnshire and that the workforce will need to be more highly skilled than they are at the moment to take on the opportunities that become available in the future. At its meeting in July 2015, the Committee heard from Health Education East Midlands about the skills and workforce shortage in the medical sector and agreed that more work was needed to inform people of the opportunities within the sector in Lincolnshire. The Committee also heard from the University of Lincoln at its meeting in April 2016 about the substantial amount of medical sector training that is being offered in Lincolnshire and supported the need to promote local vacancies to students in the medical sector. At its meeting in April 2016, the Committee also reviewed Apprenticeships in Lincolnshire and what Lincolnshire County Council's role could be in increasing the levels of Apprenticeships in light of the Government's Apprenticeship reforms which are currently underway.

The Committee has also helped to develop and shape strategies to support business growth. This has included reviewing the development of the Business Lincolnshire Growth Hub and web portal ([www.businesslincolnshire.com](http://www.businesslincolnshire.com)), which the Council secured £300,000 of revenue funding from the Department for Business Innovation and Skills (BIS) to further develop. In addition, the Committee has considered a proposal to participate in a pan-Midlands financial fund. This financial fund, through a variety of financial instruments, will create several types of finance for businesses which will help them grow. The Committee fully supported this proposal and will be receiving regular updates throughout the process.

Over the forthcoming year, the Committee will continue to monitor the outcomes from the scrutiny review on the Impact of Transportation on Maximising Economic Growth, which will include considering the GLLEP's Rail Strategy. The Committee will also be scrutinising future plans for tourism in 2017, such as preparations for the Commemoration of the Battle of Lincoln Fair and the Mayflower celebrations. Skills and training will also continue to be scrutinised through consideration of post 16 vocational training, adult learning and training to fill vacancies which are difficult to fill.

## Environmental Scrutiny Committee

---



**Chairman**

**Councillor  
Lewis Strange**



**Vice-Chairman**

**Councillor Mrs  
Victoria Ayling**

Over the past year, the Committee has continued to build a positive working relationship with Anglian Water and received regular updates on odours emanating from Water Recycling Centres across the County. Whilst the Committee acknowledged the odour at Ingoldmells has improved, the situation still remains a concern elsewhere in Lincolnshire.

In March 2016 the Committee considered reports on both the proposed changes to the provision of Household Waste Recycling Centres and the proposals to establish a Council-owned Household Waste Recycling Centre in Boston. As part of these discussions, councillors who were not members of the Committee were also given the opportunity to address the meeting to ensure a wide range of views were heard. The Committee supported both recommendations but made a number of additional recommendations, including that additional consideration be given to retain the supplementary service for Stamford and the continuation of the Saturday supplementary service for Mablethorpe. These recommendations were considered by the Executive Councillor for Waste and Recycling and have now been incorporated into the final decision.

The Committee continues to take a great interest in the Lincolnshire Energy Switching Scheme (LESS); a joint exercise by Lincolnshire County Council and District Councils to promote and facilitate collective switching, potentially reducing households' energy bills. Although the framework under which the scheme is run has now expired the Committee continues to support the scheme and work is underway to find compliant ways of continuing the scheme in the future.

In December 2015 the Committee received a presentation from North Kesteven District Council (NKDC) in relation to its Fly Tipping Enforcement approach. The Committee supported NKDC's presumption to prosecute approach, and noted the good return on cases which progressed to court.

The Committee continues to support and take a key interest in the Energy from Waste (EfW) plant in North Hykeham. During the past year the Committee was advised that the EfW facility was approaching 20,000 hours of operation and that work was underway towards achieving 'R1 Status' to allow the plant to be certified as a recovery facility instead of a disposal facility. The Committee will continue to receive updates on the Energy from Waste plant at future meetings.

Over the coming year, the Committee will continue to work with Anglian Water to scrutinise Water Recycling Centres across the County where 5 or more odour complaints have been received. The Committee will also continue to monitor the progress on Fly Tipping Enforcement across the County.

## Flood and Drainage Management Scrutiny Committee

---



**Chairman**

**Councillor  
Lewis Strange**



**Vice-Chairman**

**Councillor  
Mrs Victoria Ayling**

The Committee continues to work closely with other partners and agencies in working to protect Lincolnshire from flooding. This has included the seven district councils, Environment Agency, Anglian Water, Anglian Northern Regional Flood and Coastal Committee and Internal Drainage Boards. As part of the County Council's duties as a Lead Local Flood Authority, the Committee has continued to monitor the investigations carried out following flooding incidents on a quarterly basis, as required by the Flood and Water Management Act 2010.

In September 2015 the Committee responded to the Environment Agency's Black Sluice Catchment Consultation and considered how the proposals may impact upon the future of the Black Sluice Pumping Station and the implications relating to the establishment of Boston as a waterways destination. In December 2015 the Committee was informed that the Environment Agency and Black Sluice Internal Drainage Board had agreed to move forward jointly. The Committee welcomed the joint approach and acknowledged that a collective voice could help to find future funding opportunities.

During the year, the Committee has continued to challenge the progress made by the Environment Agency in delivering two flood alleviation schemes in Louth and Horncastle and received regular progress reports on the work being undertaken to develop a tidal flood barrier in Boston. In April 2016 the Committee undertook a visit to the Horncastle flood alleviation scheme and the new visitor centre at Gibraltar Point Nature Reserve, to see for themselves the developments and progress made on these infrastructure projects.

In May 2015 the Committee received a report in connection with emergency evacuation route signage from those areas of the county subject to severe coastal flooding. The Committee fully supported the recommendation to the Council's Executive to invest in the pre-production, installation and maintenance of signage in order to facilitate a safe and effective self-evacuation strategy that maximises public safety.

The Committee has also continued to highlight concerns in relation to surface water arising from new housing developments and the need for changes to the statutory planning consultation process. In September 2015 the Committee received a presentation by Anglian Water on growth and its impact on infrastructure, alongside the legislation and regulation covering the water industry. The Committee continue to support proposals that Anglian Water should be a statutory consultee for planning applications and in February 2016 agreed to set up a working group to examine with officers what further steps could be taken to move this forward.

Over the forthcoming year, the Committee will continue to take a leadership role in relation to flood and drainage management and monitor the effectiveness of the partnership framework. In September the Committee will welcome Mary Dhonau, Independent Community Flood Consultant to provide an update on Property Level Preventative Measures.

## Health Scrutiny Committee for Lincolnshire

---



### Chairman

**Councillor  
Mrs Christine Talbot**



### Vice-Chairman

**Councillor  
Chris Brewis**

A recurring theme in all the Committee's work over the last year has been the need to recruit and retain health care staff in Lincolnshire. This applies across all services, from GPs to nurses to hospital consultants. The Committee has sought the views of Health Education East Midlands on this topic, and found that trainees have a tendency to seek work in the areas where they train. As fewer trainees come to Lincolnshire, this continues to be a factor in the ability of local providers to recruit and retain staff. One of the ways to address is looking to establish a medical school in Lincolnshire. The Chairman was a co-signatory to a letter, co-ordinated by the Lincolnshire Local Medical Committee, to the Secretary of State for Health, requesting that he give serious consideration to establishing a medical school in the county.

To meet the staffing shortfall, the NHS has to use agency and locum staff in hospitals. In spite of the national cap on payments to agencies, this has led to significant financial challenges for the NHS in the Lincolnshire area. For example, the leading acute hospital trust began the year with an approved deficit of £40 million, but this target has already been exceeded and the trust is now anticipating a deficit of £57 million. The Committee has regularly sought reassurance on how the budget can be controlled, including a session questioning the Trust Development Authority and NHS England on the Lincolnshire Recovery Programme. The requirement under the Sustainability and Transformation Plan arrangements for balanced budgets within local health economies will be a recurring theme in our future activity.

One of the Committee's particular concerns is the response time of emergency ambulances. While there have been improvements in the response times in the last year, they remain a concern in the east and south of the county. The Committee will continue to monitor improvements in the coming year and will be asking the ambulance service to report to us at least every quarter.

The Care Quality Commission (CQC) has a specific role in inspecting and rating all providers of NHS-funded services. The Committee's role is not to duplicate the activity of the CQC. Nevertheless the Committee seeks assurance from local providers in an open session on their plans to meet and respond to any requirements, or enforcement action, from the CQC. The Committee believes that this gives an opportunity to providers to reassure both the Committee and the general public on the quality of their services and their plans to improve.

Providers of NHS-funded services prepare a clinical strategy, which sets out their own plans for implementing and developing their services. The Committee has reviewed the clinical strategies of the three main local providers and the Committee

has confirmed that these providers have taken account of the plans of commissioners, in developing these strategies. The Committee established a working group, jointly with Healthwatch, comprising Councillors Mrs Christine Talbot and Steve Palmer, together with the Chief Executive of Healthwatch, to review the priorities in the clinical strategy of one of the health trusts. This enabled the trust's priorities to reflect the comments made by the Committee. The Committee's direct engagement with local providers will continue in accordance with the Secretary of State's guidance, which reflects the findings of the Francis Report.

The Committee also responded to the consultation on the approaches to the engagement activity prior to the review of the Joint Strategic Needs Assessment (JSNA). A working group, comprising Councillors Mrs Christine Talbot, Chris Brewis (South Holland), Jackie Kirk (Lincoln City) and Mrs Sue Wray drafted a response to the consultation, which acknowledged the importance of the JSNA as the evidence base for the JSNA.

Every year each provider of NHS-funded services is required to share with the Committee its draft 'quality account', which summarises the provider's performance over the previous year and includes the provider's priorities for the coming year, as well as progress with the previous year's priorities. The Committee may review the draft quality account of local NHS providers and make a statement, which has to be included in the published quality account. During 2015 the Committee, working jointly in a working group with Healthwatch Lincolnshire, made five statements on local providers. Councillors Mrs Christine Talbot, Chris Brewis (South Holland) and Steve Palmer were members of the working group.

Following district council elections in 2015, and the appointment of several new members to the Committee, there has been a training session which provided background on the NHS and the roles and responsibilities. The Committee is also planning a training session on the background to mental health, to further develop the Committee's understanding of this matter.

In the coming year the Committee is expecting to respond to local NHS commissioners on their proposals for a reconfiguration of parts of the health service in Lincolnshire, as part of the Lincolnshire Health and Care programme, which will support the aims of the Lincolnshire Sustainability and Transformation Plan. The Committee will continue to explore the topic of recruitment and retention of health care staff. The Committee will also continue to focus on the acute hospital trusts, which provide services to the residents of Lincolnshire. Quarterly reports from the ambulance service will also form a key element of the Committee's work programme.

## Highways and Transport Scrutiny Committee

---



### Chairman

**Councillor  
Michael Brookes**



### Vice-Chairman

**Councillor  
Andrew Hagues**

Lincolnshire's highways network is one of the largest in the country and comprises over 8,700km of carriageway, 4,000km of footways and 70,000 street lights. Over the past year, the Committee has continued to review and monitor the delivery of a number of key infrastructure schemes which will have a significant impact on the people who live and work in in the County. These include the Lincoln East West Link Road, the Lincoln Eastern Bypass, Grantham Southern Relief Road, A17/A151 Peppermint Junction Holbeach and the building of footbridges over the High Street Level Crossing and the Brayford Wharf Level Crossing in Lincoln. As part of its work the Committee will continue to monitor the delivery of these high profile schemes to ensure they are completed within time and budget and cause as little disruption as possible.

One of the main items of interest for the Committee over the past year has been the proposed implementation of a new Total Transport Initiative, to be known as 'TotalConnect', which aims to transform existing transport arrangements across Lincolnshire. The Committee was pleased to note that the TotalConnect Initiative had secured £400,000 of Department for Transport (DfT) funding, to enable feasibility work and pilots to be undertaken to further the goal of total service integration and better passenger services. The Committee will continue to receive updates on this topic over the coming year.

Over the previous year, the Committee has continued to support the "Asset Management" approach to managing and maintaining the highways network. In December 2015 the Committee supported the introduction of a Highways Asset Management Policy, which aims to deliver a structured, long term approach to planning optimal maintenance and renewal of the highways infrastructure. In April 2016 the Committee was informed that Lincolnshire had successfully achieved the highest "Band 3" for the DfT's assessment which will protect the level of capital maintenance grant funding. Lincolnshire is one of only two County Councils in the country to achieve this.

In September 2015 the Committee gave consideration to the draft revised Speed Limit Policy and the new Traffic Policy for Schools. As part of this discussion the Committee highlighted that there was a need for more compliance with school travel plans and for more work to be undertaken to tackle parking issues around schools.

The Committee continues to support and take a key interest in Civil Parking Enforcement (CPE) throughout Lincolnshire. During the past year the Committee has been able to consider how since the introduction of the CPE scheme in 2012, there has been improvements to traffic movements and a slow change in drivers' behaviour which was now starting to be noticed. Over the coming year the

Committee will continue to review how the surplus from enforcement penalties is used to further improve transport related schemes in the County.

One example of this has been the consideration by the Committee in April 2016 of a report to introduce a pilot scheme for the use of CCTV parking enforcement outside schools. This pilot scheme will be funded by surplus income from parking enforcement penalties and will operate at 8 schools initially. The pilot scheme seeks to improve the safety of pedestrians and deter drivers from parking in an area that jeopardises the safety of children.

In September 2015 the Committee supported a revised Street Lighting Policy, which was amended in March 2016 to include provision for dimmed LED lights and part-night lighting. Going forward, the Committee will monitor the outcomes of the 'Street Lighting Transformation Project' which aims to save £1.77M annually by 31 March 2017, through a combination of LED conversions with dimming, part night lighting and some switch offs.

Throughout the winter period the Committee continues to receive regular updates on the winter maintenance arrangements for the County. This year the Committee was informed that due to more detailed Met Office forecasts the Council had been able to improve the efficiency and effectiveness of salting. Going forward, the Committee agreed in April 2016 to form a working group to review the winter maintenance plan and make recommendations on areas of possible savings, with particular focus on the equipment available for severe weather events. The working group will report back to the Committee by September 2016 in time for the preparations for Winter 2016/17.

In January 2016 the Committee reviewed the 2016/17 budget proposals for Highways and Transportation as part of the wider public consultation process. The Committee highlighted concerns regarding the proposal to reduce the gritting network from 33% to 25%, and asked the Executive to re-examine the proposals, who agreed to maintain the level of service as part of the 2016/17 budget. Over the coming year, in collaboration with officers the Committee will monitor the implications of a reduced budget for Highways and Transportation, to assist in ensuring that resources are being used to the best effect.

The Committee has also continued to monitor the long standing Lincolnshire Highways Alliance, a partnership between the County Council, Kier, Mouchel and Dinniq which delivers the majority of highway services through a number of contracts. Over the coming year the Committee will monitor key performance indicators through quarterly performance reports to ensure continued value for money. These include the condition indicators for the highways network, the National Highways and Transport (NHT) report on public perception, as well as Customer Satisfaction Information which includes service specific complaints and compliments. The Committee will also continue to monitor and comment on areas of work designed to support and improve the performance of the Highways service. The Committee will also be involved in scrutinising the development of the Future Service Delivery model, as well as the work being undertaken to enhance the experience of customers through greater access to information. The Committee will also look to consider the proposed Community Speed Watch pilot scheme tailored to schools, as well as review the introduction of the pilot CCTV Parking Enforcement Scheme outside schools from January 2017.

## Value for Money Scrutiny Committee

---



### Chairman

**Councillor  
Mrs Angela Newton**



### Vice-Chairman

**Councillor  
Mrs Jackie Brockway**

The Committee has continued to promote paperless working at meetings with members using electronic devices to follow the agenda and reports.

Its focus has changed considerably since the Council's decision to amend the terms of reference of the Overview and Scrutiny Management Committee to give it the oversight of the Council's performance, budget management and customer satisfaction.

Since that decision in December 2015 the Value for Money Committee has continued to play a lead role in the scrutiny of new contract awards for support and property services provided by Serco and VINCIMouchel respectively. It has also more recently turned its attention towards scrutinising the Council's Property Strategy.

The Committee has also continued to receive quarterly updates on the Council's Treasury Management performance. In 2016/17, the Committee will continue to monitor the performance of the corporate support services contract and property assets.

## SUB COMMITTEES

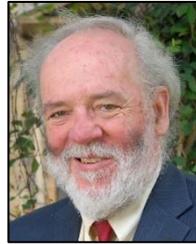
---

### Corporate Parenting Panel



**Chairman**

**Councillor  
David Brailsford**



**Vice-Chairman**

**Councillor  
John Hough**

The Corporate Parenting Panel is an internal meeting which meets on a quarterly basis and reports into the Children and Young People Scrutiny Committee. Its role is to scrutinise and monitor services provided for Looked After Children and Care Leavers. This includes receiving regular reports on fostering, adoption, residential homes, health, education, and the leaving care service provided by Barnardo's. The Panel also considers quarterly updates regarding the work of the V4C (Voices for Choices), which is Lincolnshire's Children in Care Council, from the V4C representative on the Panel.

In the previous year, the Corporate Parenting Panel helped to compose the Corporate Parenting Strategy which was approved by the County Council at its meeting in December 2014. Following the Strategy's approval, all the Council's scrutiny committees were invited to appoint a Looked After Children / Care Leavers Representative to make sure that the Committee actively considers the potential or likely impact upon Looked After Children and Care Leavers of any policy, strategy, action or decision making carried out by the Committee. Training was then provided to the new Looked After Children / Care Leaver Representatives to ensure that they were able to carry out their new role. The Strategy also proposed that regular training should be provided to all councillors regarding their role as a Corporate Parent and as a result, a training session was held in March 2016.

Members of the Corporate Parenting Panel have attended previous BIG Conversation events and were invited, along with the Looked After Children / Care Leaver Representatives, to attend the BIG Conversation 9 event in April 2016 to work with looked after children and care leavers to identify new priorities for 2016. In addition, the FAB! Awards held in March 2016, which celebrate the achievements of Looked After Children and care leavers, were attended by members of the Corporate Parenting Panel. Going forward, the Panel was keen to have councillor representation at all V4C Executive meetings to input into their discussions and hear about any issues which are raised, and as a result the Panel and Looked After Children / Care Leaver Representatives have been invited to attend future meetings of the V4C Executive.

The low educational attainment of Looked After Children, particularly at Key Stage 4, has continued to be an area of concern for the Panel this year. The Virtual School for Looked After Children has improved its internal approach to tracking, monitoring and evaluating the attainment and progress of its pupils. Education Co-ordinators are using a formalised system which helps them to focus on the academic outcomes for

these children and gather relevant. However, despite this positive step forward, the collection and reliability of pupil related performance information continues to be a struggle for the Virtual Team. In addition, a Looked After Children Designated Teacher Conference was held in February 2016 which was attended by almost 100 schools. This focused upon the importance of understanding the developmental and emotional needs of Lincolnshire's Looked After Children and some practical examples of possible interventions for schools to address these and promote learning.

In relation to this, the Panel received a report in March 2016 regarding the national work being undertaken around the educational progress of Looked After Children. National research has shown that care was generally a protective factor with early admission to care being associated with better educational outcomes. A number of recommendations have been made, some of which will be for local authorities to action, which will significantly improve the educational outcomes for children in care. There is also a central recommendation to create a new national system for monitoring educational outcomes and progress for children in care.

Going forward, the Corporate Parenting Panel will continue to closely monitor the educational performance of Looked After Children at each meeting and will also be reviewing the situation regarding Unaccompanied Asylum Seekers including Syrian refugees.

## **Lincolnshire Safeguarding Boards Scrutiny Sub Group**



**Chairman**

**Councillor Ron Oxby**



**Vice-Chairman**

**Councillor Sarah Dodds**

The Lincolnshire Safeguarding Boards Scrutiny Sub Group is an internal meeting which meets on a quarterly basis. Its role is to scrutinise and monitor the Lincolnshire Safeguarding Children Board (LSCB) and the Lincolnshire Safeguarding Adults Board (LSAB).

At each meeting there is a general update report from both the LSCB and LSAB. In addition, a member of the Sub Group regularly attends each meeting of the LSCB and LSAB as an observer. Both the general update report and the attendance of a Sub Group member enables the Sub Group to confirm that the agencies and organisations represented on each board are working well together.

The LCSB is responsible for serious case reviews and the LSAB is responsible for safeguarding adult reviews. In every instance final reports are brought to the Sub Group, and the Sub Group seeks reassurance that both the LSCB and the LSAB are taking forward any required actions and recommendations.

Over the last year the Sub Group has also reviewed the Joint Domestic Abuse Protocol; the Section 11 [of the Children Act 2004] Audit and Assessment; and the

LSAB Multi-Agency Policy and Procedure. The Sub Group also receives regular updates on the Identification and Prevention of Child Sexual exploitation

Over the coming year, the Sub Group will continue with its activities across all the areas outlined above.

## **Training and Development**

---

A series of development opportunities for scrutiny councillors have been provided over the last year.

### **Do You know How Well the Council is Performing?**

One of the most complex areas of scrutiny work is around understanding detailed performance information. A development session was run by officers in July 2015 to provide members with an overview of the Council's Business Plan which sets out what the Council wants to achieve over the next year.

The session introduced Councillors to proposals for a new performance dashboard which includes a simple infographic tick or cross using traffic light colours to display performance information. Officers also explained how the new style reporting could help Councillors effectively review and scrutinise performance and inform effective decision making.

The session was well attended and feedback showed that levels of understanding rose considerably as a result.

### **Making a Bigger Difference Through Scrutiny**

In February 2016 a development session was offered entitled 'Making a Bigger Difference Through Scrutiny'. The session was facilitated by David McGrath of Link Support Services (UK) and focused on how prioritising big hitting scrutiny topics and the use of good committee skills and transformational thinking could help aid positive outcomes through the Scrutiny process. The session also included group working focused on the positive outcomes and real solutions which could be achieved through effective Scrutiny Reviews.

The session was well attended with the majority of councillors stating that the course had met their personal objectives for attending and helped increase the understanding of their role in the scrutiny process.

## Looking Ahead

The Council and the Councillor Development Group continue to recognise the importance of developing its councillors and this will include scrutiny development.

The Overview and Scrutiny Management Committee will receive monthly updates from the Review of Scrutiny working group with a view to improvements and a new scrutiny structure being in place before the County Council election in May 2017.

To facilitate this, a scrutiny induction programme will be developed for May 2017 onwards to enable councillors to improve their understanding of the scrutiny function and their role, and develop their skills to become an effective scrutineer.

## Contact Us

---

If you have any questions regarding the overview and scrutiny process, or any of the work we have undertaken then please get in touch with one of the officers listed below.

### **Nigel West**

Head of Democratic Services and  
Statutory Scrutiny Officer  
01522 552840  
[nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk)

- Overview and Scrutiny Management Committee
- Value for Money Scrutiny Committee

### **Tracy Johnson**

Senior Scrutiny Officer  
01522 552164  
[tracy.johnson@lincolnshire.gov.uk](mailto:tracy.johnson@lincolnshire.gov.uk)

- Children and Young People Scrutiny Committee
- Economic Scrutiny Committee
- Corporate Parenting Panel

### **Simon Evans**

Health Scrutiny Officer  
01522 553607  
[simon.evans@lincolnshire.gov.uk](mailto:simon.evans@lincolnshire.gov.uk)

- Adults Scrutiny Committee
- Health Scrutiny Committee for Lincolnshire
- Lincolnshire Safeguarding Boards Scrutiny Sub Group

### **Daniel Steel**

Scrutiny Officer  
01522 552102  
[daniel.steel@lincolnshire.gov.uk](mailto:daniel.steel@lincolnshire.gov.uk)

- Community and Public Safety Scrutiny Committee
- Environmental Scrutiny Committee
- Flood and Drainage Management Scrutiny Committee
- Highways and Transport Scrutiny Committee

Or write to us at The Scrutiny Team, Lincolnshire County Council, Room 5, County Offices, Lincoln, LN1 1YL

**General Email:** [Scrutiny@lincolnshire.gov.uk](mailto:Scrutiny@lincolnshire.gov.uk)

This page is intentionally left blank

**Open Report on behalf of Tony McArdle, Chief Executive**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Devolution - Governance Review and Draft Scheme</b>

**Summary:**

The Report sets out the latest position in relation to the implementation of the devolution agreement for Greater Lincolnshire. The Report sets out the results of a Governance Review under section 108 of the Local Democracy Economic Development and Construction Act 2009 and on the basis of that Review seeks the support of the Council for the publication of a Scheme for consultation under section 109 of the Act.

The final decision on the publication of a Scheme is a matter for the Executive.

**Recommendation(s):**

- 1 That council endorses the signing of the Greater Lincolnshire Devolution Agreement by the Leader of the Council and delegates authority to the Leader and Chief Executive to engage in negotiations with Government regarding the potential devolution of further powers, responsibilities and resources.
- 2 That the contents of the Greater Lincolnshire Governance Review, attached at Appendix A are noted.
- 3 That, on the basis of the Governance Review, the council concludes that the establishment of a Mayoral Combined Authority for the Greater Lincolnshire area would improve the exercise of statutory functions in that area.
- 4 That, accordingly, the council supports the preparation and publication of a Scheme for the establishment of a Mayoral Combined Authority for the Greater Lincolnshire area under section 109 of the Local Democracy, Economic Development and Construction Act 2009.
- 5 That the council supports the publication of the draft Scheme for a Greater Lincolnshire Mayoral Combined Authority as attached at Appendix B for consultation purposes, subject to such final revisions as may be approved by the Chief Executive, in consultation with the Leader, and prior to the commencement of the formal consultation exercise.
- 6 That the outcome of the consultation exercise is submitted to the Secretary

of the State by the Chief Executive in consultation with the Leader.

- 7 That council meets not later than 20 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Greater Lincolnshire.
- 8 That insofar as any of the matters referred to in this report concern the discharge of non-executive functions, authority is delegated to the Chief Executive, in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in this report.
- 9 That further reports are presented to council and the executive as appropriate as the Devolution process develops.

## 1. Background

- 1 Council received the Greater Lincolnshire Devolution Interim Governance Proposal and the then latest version of the deal document at its meeting on 18 December 2015. Council, amongst other things:-
  - Supported the development of the Greater Lincolnshire devolution expression of interest, submitted to Government on 4 September 2015, into a fit for purpose devolution deal document via continued formal engagement with Government
  - Supported in principle the carrying out of a governance review
  - Supported in principle the establishment of a Combined Authority for the Greater Lincolnshire geography if that was the most efficient and effective means of securing strategic economic (and related) growth and
  - Endorsed certain principles as those that should underpin and inform the establishment of any formal governance arrangements.
- 2 Further discussions and extensive work have culminated in the Devolution Agreement being signed by the ten Greater Lincolnshire Council leaders and Government ministers. This was formally announced by the Chancellor in the Budget on 16 March.
- 3 There are clear statutory processes that need to be followed in accordance with the Local Democracy Economic Development and Construction Act 2009 as amended by the Cities and Local Government Devolution Act 2016 to establish a mayoral combined authority and devolving appropriate powers from central government for May 2017. The Greater Lincolnshire deal is one of the first to be progressed under this legislation.
- 4 The councils need to undertake a governance review, publish a scheme as to how a mayoral combined authority would work and undertake a public consultation on the scheme. They must provide a summary of the consultation responses to the Secretary of State.

- 5 The primary purpose of a governance review is to set out the rationale for creating a Greater Lincolnshire geographic/economic footprint and to propose options for governance. On the basis of the governance review the council must conclude whether or not it considers that a combined authority would lead to the improved exercise of statutory functions in the Greater Lincolnshire area.
- 6 If the Council concludes that a combined authority would lead to the improved exercise of statutory functions in the Greater Lincolnshire area it may publish a Scheme for the establishment of a Combined Authority.
- 7 The governance review, the Scheme and the consultation on the Scheme will be provided to the Secretary of State to enable the Secretary of State to decide whether the statutory tests on improving the exercise of functions are met and whether it is appropriate to make an order (if parliament approves) establishing the Mayoral Combined Authority.
- 8 Before making such an order, consent needs to be sought from the constituent councils.
- 9 Appendix A to this report sets out the results of the Governance Review carried out in Greater Lincolnshire. Appendix B to this report contains the Scheme which it is proposed to publish and on which it is proposed to publicly consult.
- 10 Each council is to receive the attachments for consideration by its Full Council and a report inviting the same recommendations at their next scheduled meeting.
- 11 The council is intensively involved in developing the devolution agreement. The details are subject to continuing refinement as detailed discussions are ongoing with civil servants about all 71 paragraphs in the Devolution Agreement document. This document is being turned into a detailed implementation plan. The council will need to assess whether the opportunities and freedoms that devolution can bring will be delivered by the final negotiated agreement.
- 12 The council is asked to support the governance review process. This will allow the council to report to the Secretary of State such views to inform his decision on the Devolution Deal and the Scheme for the Mayoral Combined Authority.
- 13 If the council were to withdraw at this stage it would lose the opportunity to develop the benefits of the devolution process and may lose access to future government resources and the local determination of policy and spending priorities.
- 14 The resource implications are dependent on the next stages of the development of the devolution process. Most will involve the use of existing

officer time and resources. Any financial or other resource requirements will be met from within existing budgets.

- 15 The Council's duty under the Equality Act 2010 needs to be taken into account when coming to a decision.
- 16 The Council must, in the exercise of its functions, have due regard to the need to:
  - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7)
- 17 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
  - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
  - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
  - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- 18 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities
- 19 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding
- 20 Compliance with the duties in this section may involve treating some persons more favourably than others
- 21 A reference to conduct that is prohibited by or under this Act includes a reference to:
  - ❖ A breach of an equality clause or rule
  - ❖ A breach of a non-discrimination rule

- 22 This duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.
- 23 Consideration has been given to the duty in preparing this Report. As the proposals concern the governance arrangements for the exercise of devolved powers and not the exercise of those powers there is not considered to be any implications for the Council's Equality Act duty. The Scheme makes clear that the proposed Combined Authority itself will be bound by the Equality Act duty and will therefore be under an obligation to have regard to it when it exercises devolved functions. The proposed Scheme is subject to public consultation and equality issues will be kept under review.
- 24 The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.
- 25 In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.
- 26 The Governance Review concludes that the establishment of a Mayoral Combined Authority would lead to improved exercise of statutory functions in the Greater Lincolnshire area with specific reference to economic conditions in the area. The Greater Lincolnshire Devolution Agreement is based on the generation of economic growth and the local exercise of central government functions that are key determinants of growth including transport, planning, housing and skills. Local exercise of such functions has the potential to impact positively on economic poverty and, through the generation of growth and opportunity, poverty of access and aspiration.
- 27 The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS). Improvements in the way statutory functions are exercised and the local exercise of key central government functions in the interests of increased economic growth has the potential to impact positively on people's health and wellbeing by increasing access to skills, training, employment and housing.
- 28 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other

behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

- 29 The creation of a Mayoral Combined Authority opens up the possibility of further devolution deals in future including a greater degree of local involvement in decision-making around the justice system. Such future deals have the potential to increase co-ordination within the overall justice system so as to maximise the use of the available funding to prevent crime and disorder.

## **2. Conclusion**

- 1 The Report presents the results of a Governance Review into the exercise of statutory functions in the Greater Lincolnshire area. The Review concludes that the greatest degree of improvement in the exercise of statutory functions on the area could be achieved through the creation of a Mayoral Combined Authority for the area to exercise devolved central government functions.
- 2 On the basis of the Review the Report presents a proposed Scheme for publication with a view to this forming the basis for an Order made by the Secretary of State creating a Mayoral Combined Authority
- 3 The draft scheme will be the subject of a public consultation exercise which will commence by 4 July 2016. The results of the consultation exercise will be reported back to council and the Secretary of State.

## **3. Legal Comments:**

The Council has jointly with the other local authorities in the Greater Lincolnshire area undertaken a Governance Review under section 108 of the Local Democracy Economic Development and Construction Act 2009. If the Council concludes that the establishment of a Mayoral Combined Authority will lead to an improvement in the exercise of statutory functions in the Greater Lincolnshire area it may publish a Scheme for the establishment of such a Combined Authority.

The creation of such an Order is dependent on the Secretary of State. The Secretary of State must have regard to the Scheme and the results of public consultation undertaken by the constituent councils.

The Report sets out the results of the Governance Review and proposes a Scheme for consultation

In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the decision whether to publish a Scheme on the basis of a Governance Review is an executive function and the final decision accordingly falls within the remit of executive decision-making. The Report seeks support for the recommendations which will be made for an executive level decision.

#### **4. Resource Comments:**

There are only modest financial implications from the acceptance of the recommendations in this report. These are generally limited to the cost of using existing officer time and resources together with a limited amount of additional expenditure. With regard to the latter the Director of Finance & Public Protection has used his delegated authority to allocate £20,000 to the initiative from the current year revenue contingency budget of £4m. There will be further more significant financial implications for all authorities should final approval be given to the establishment of a Mayoral Combined Authority. These will be presented for consideration by council as part of the report addressing the giving of consent to establishing a Mayoral Combined Authority.

#### **5. Consultation**

**a) Has Local Member Been Consulted?**

N/A

**b) Has Executive Councillor Been Consulted?**

The Leader of the Council has been consulted.

**c) Scrutiny Comments**

This matter has not been subject to scrutiny

**d) Policy Proofing Actions Required**

See the body of the Report

#### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Governance Review for Greater Lincolnshire
Appendix B	Scheme for the Establishment of the Greater Lincolnshire Mayoral Combined Authority

#### **7. Background Papers**

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Full Council Report Greater Lincolnshire Devolution - Interim Governance	Democratic Services

Proposals dated 18 December 2015	
Greater Lincolnshire Devolution Agreement	Chief Executive's Office

This report was written by David Coleman, Chief Legal Officer, who can be contacted on 01522 552134 or [david.coleman@lincolnshire.gov.uk](mailto:david.coleman@lincolnshire.gov.uk).

# Governance Review for Greater Lincolnshire

## Introduction

1. In 2015 the Councils in the Greater Lincolnshire area (Boston Borough Council, City of Lincoln Council, East Lindsey District Council, Lincolnshire County Council, North East Lincolnshire, North Kesteven District Council, North Lincolnshire Council, South Holland District Council, South Kesteven District Council and West Lindsey District Council) agreed proposals to review their governance arrangements in order to deliver their ambitious plans for economic growth in Greater Lincolnshire (GL).
2. This document has been prepared by the Greater Lincolnshire Leadership Board, a joint committee of the Greater Lincolnshire Councils or their executives. It details the findings of a governance review that has been undertaken under Section 108 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA)<sup>1</sup> as amended by the Cities and Local Government Devolution Act 2016 (CLGDA)<sup>2</sup> to review the exercise of statutory functions in relation to the combined areas of the Councils (“the review area”) with a view to deciding whether to prepare and publish a scheme for a combined authority under section 109.
3. The Councils may publish such a scheme if they conclude on the basis of this review that the establishment of a combined authority would be likely to improve the exercise of statutory functions in relation to the review area.
4. The issues set out in this document are to be the subject of consultation with all stakeholders.
5. The findings of this governance review will be considered by each of the constituent councils who will consider whether to propose a ‘scheme’ for a Greater Lincolnshire Combined Authority. If they do the draft scheme will be the subject of a public consultation exercise before a final decision is reached whether to publish a scheme.

---

<sup>1</sup> The Act can be found at <http://www.legislation.gov.uk/ukpga/2009/20/contents>

<sup>2</sup> The Act can be found at <http://www.legislation.gov.uk/ukpga/2016/1/contents>

## Executive Summary

6. In accordance with the statutory framework the purpose of this Governance Review has been to:
  - review the exercise of statutory functions in relation to the review area with a view to deciding whether to prepare and publish a scheme under section 109;
  - consider the options available for making changes to existing governance structures and arrangements with a view to improving the exercise of statutory functions;
  - determine which option is likely to be most beneficial to the Greater Lincolnshire area and strengthen the overall governance arrangements and exercise of statutory functions .
7. The Governance Review has found that Greater Lincolnshire functions as an integrated economic area. There are significant interdependencies between the Councils in the area. There are strong relationships with neighbouring areas. Partnership working on initiatives such as the Growth Deal and Enterprise Zones has further strengthened Greater Lincolnshire as a functional economic area. Our partnership working has a strong track record that can be built on.
8. However, the case for change is compelling on two grounds.
9. The review has operated on the principle that devolution is not about taking away powers from constituent councils, but about drawing down powers from central government or government agencies. At the level of the exercise of functions themselves, the ability of Greater Lincolnshire to drive economic growth is hampered by a lack of control over key elements of the growth agenda, including such matters as skills and strategic planning. In particular the distinction between functions exercised locally and those exercised by central government introduces a lack of coherence which undermines a strategic approach. To overcome these issues,, whether through full devolution of functions from central government to the local area's governance arrangements or through closer working between central and local government , calls for the creation of single corporate entity to take devolved functions or to lead in collaboration. To pursue devolution or increased collaboration through ten individual I councils as opposed to a single entity in the form of a Mayoral Combined Authority is unsustainable and a recipe for greater fragmentation and complexity
10. At the level of governance and decision-making there are a number of limitations within the current arrangements, largely relating to the lack of a single, formally constituted body responsible for taking strategic decisions about economic growth across the review area. This gives rise to potential problems such as lack of clarity, duplication and inefficiency of decision making. The Review also concluded that the

current arrangements inhibited long term strategic decision making and that they were not sufficient to support the ambitions of the area. A less cumbersome governance arrangement is needed to address the challenges that Greater Lincolnshire will face in the future, as well as providing greater transparency and accountability.

11. The financial position facing local authorities should not be overlooked. Over the last four years, there have been significant reductions in the Government's funding of local authorities. Reductions in local government funding have been higher than in other parts of the public sector. It is therefore imperative that all future governance models are efficient and reduce duplication and waste wherever possible.
12. The Review finds that a Mayoral Combined Authority is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to the Greater Lincolnshire area.

## Methodology for the Governance Review

13. The governance review has comprised the following:-
  - A review of the economic evidence in order to assess the effectiveness of current arrangements;
  - Desk research of possible future governance structures and an analysis of their advantages;
  - Final version submitted to the constituent councils for approval

## Review of Economic Evidence

14. The full economic review is available as part of the Strategic Economic Plan and can be accessed via <http://www.greaterlincolnshirelep.co.uk/documents-and-resources>
15. Greater Lincolnshire already contributes over £18 billion to the national economy each year. As an economic geography, our area makes a positive net contribution to UK Gross Domestic Product, earning more money per capita for HM Treasury than is spent on the delivery of local services.
16. Some of the most significant energy, food, manufacturing and chemical industries in England are located here. We have the largest UK port by tonnage and the area's ports and logistics companies serve the whole of the UK and beyond. Tourist visitors to the area generate almost £2bn a year in local expenditure.
17. Greater Lincolnshire believes that this area has real potential to deliver sustainable growth. New investment that has been secured through the Greater Lincolnshire LEP towards local economic growth activity will directly accelerate the delivery of:
  - 13,000 new jobs
  - support to 22,000 businesses
  - up to 100,000 new homes
  - an increase the value of the Greater Lincolnshire economy by £3.2 billion
18. We are helping businesses across Greater Lincolnshire to increase productivity and create new commercial and employment opportunities whilst working to increase skill levels allowing local businesses to recruit and train the talented employees they need to succeed.
19. We recognise that the labour market for businesses and residents in Greater Lincolnshire extends beyond administrative boundaries. This is demonstrated by the 8 Travel to Work Areas within Greater Lincolnshire, which extend into parts of Nottinghamshire and Leicestershire to the West and are influenced by Peterborough to the South.



Travel to Work Area (TTWA's) in Greater Lincolnshire  
Source: ONS

20. We recognise that our housing market also plays an important role in supporting the local economy and with 100,000 new houses planned over the next 15 years, will contribute to the provision of major growth opportunities along nationally important investment corridors.
21. Working with our lead partners across Greater Lincolnshire, we have identified a range of specific additional powers that will enable us to accelerate delivery of our ambitions and achieve growth more quickly than anywhere else in the UK. Through Government's backing, we can deliver a strong, viable and transformational plan for Greater Lincolnshire based around the following key areas:-
  - accelerated growth
  - transport
  - skills
  - housing
  - water management
  - health
  - public protection
  - leadership
22. We believe that local control of powers devolved from central government in these critical areas and associated funding, will deliver a real step change in our skills base, place us at the forefront of new technologies, improve health and wellbeing outcomes and deliver radical public service reform for the benefit of our economy and citizens.

## **Greater Lincolnshire**

23. Greater Lincolnshire has a population of 1,060,000. This unique area makes a distinctive contribution to national GVA and offers an attractive option for investment and development. We offer a range of important social and economic factors which make this a great place to live and work. We:-
- Serve over 75% of the UK population within a four-hour drive time from a central UK location
  - Offer a diverse base of almost 44,000 VAT/PAYE-registered businesses, offering massive supply chain opportunities across a range of sectors
  - Have an international airport serving the business community
  - Boast the largest UK port by tonnage
  - Are part of the largest Enterprise Zone in the UK and are developing 3 Food Enterprise Zones
  - Provide two universities, two new University Technical Colleges and seven colleges of further education
  - Benefit from low housing costs and low crime rates
  - Enjoy historic sites, beautiful countryside and miles of sandy beaches, vibrant market towns and urban centres
24. Greater Lincolnshire makes an important net contribution to the national economy, directly enhancing:-
- National food security
  - Access to key European markets
  - Domestic renewable energy output
  - Manufacturing output
  - UK visitor economy
  - The country's housing needs

## **Economic Context**

25. Our economic strategy has a critical focus on growing our contribution to the economy of UK plc. We will do this by concentrating the activities and investment in those sectors and areas where we can have the greatest impact
26. Greater Lincolnshire's economic output (GVA) was over £18.3bn in 2013, having grown by 7.3% since the onset of the recession in 2008. This is a positive sign of the area's economic resilience and emergence from recession, albeit GVA growth lagged behind that of the East Midlands (11.1%) and England as a whole (11.4%) over this period.
27. Workplace-based GVA per head in Greater Lincolnshire was just 76% of the UK average in 2013 – reflecting our particular mix of sectors and low economic participation rates in some parts of the Greater Lincolnshire area. This, along with

levels of multiple deprivation, has resulted in Greater Lincolnshire's status as a 'Transition Region' for the purposes of the European Union Structural and Investment Funds programme for the period 2014-2020.

28. Greater Lincolnshire's businesses are made up of an astonishing 99% of SMEs. We are resilient, pro-active, and buck trends.

### **Economic Sectors**

29. Greater Lincolnshire has identified and prioritised four core sectors where we can truly grow UK plc and add real value to the Government's Industrial Strategy. Alongside our focus on these local sectors which will make the most significant contribution to growing and rebalancing the UK economy, we are also championing the development of two further key sectors with significant growth potential.

#### **Core**

- **Agri-food;** Greater Lincolnshire has more grade 1 agricultural land than any other area in England, producing/processing over 12% of the UK's food supply including more than 70% of its seafood and 25% of its vegetables. The sector employs around 75,000 people across the supply chain with a diverse mix of businesses including Cranswick Plc, Greencore, Moy Park, 2 Sisters, Walkers and Young's Seafood alongside a wide range of primary producers
  - **Manufacturing and engineering;** this sector contributes over £1.9 billion (11%) of Greater Lincolnshire's output, and employs around 41,000 people. Our manufacturing/ engineering strengths encompass power engineering, petrochemicals/chemicals, steel manufacture and motorsport engineering with global businesses including Siemens, Total, Phillips 66, Tata Steel, Novartis, Cristal and Pilbeam Racing Designs.
  - **Visitor economy;** worth over £1.9billion per annum to the Greater Lincolnshire economy, it supports over 39,000 jobs and has long-term growth potential. More than 31 million people visited Greater Lincolnshire's world class visitor attractions in 2014 including Lincoln Castle and Cathedral, the Lincolnshire Wolds and the vibrant coastal resorts of Cleethorpes, Mablethorpe and Skegness – the UK's fourth most popular holiday resort.
  - **Low carbon economy;** already worth £1.2billion per annum to Greater Lincolnshire and employing over 12,000 people, and with the potential for up to £60billion of private investment over the next fifteen years, this sector offers major opportunities for growth in offshore wind (linked to manufacturing/installation of turbines and in operations and maintenance activity) as well as in biomass, biofuels, energy from waste and the development of other low carbon or environmental goods and services.
30. The importance of the contribution made by our agri-food, manufacturing and visitor economy sectors to the UK economy is highlighted in the table below. This shows

that Greater Lincolnshire’s contribution to GVA from agri-food is equal to four times the UK average and over one and a half times the UK average for manufacturing GVA. Both the agri-food and manufacturing sectors are over represented in employment terms compared to the UK average. The visitor economy performs near the UK average in terms of employment and output and, but once consideration is given to GVA and employment in the retail sector that supports and is supported by, the visitor economy, its importance is clear.

Sector	Employment		Economic Value (GVA)	
	%	UK	%	UK=100
Retail/Wholesale	18	114	13	112
Financial & Business Services	14	60	14	46
Health & Care	14	107	11	120
Public Admin, Education & Defence	13	90	13	99
<b>Agri-food</b>	<b>10</b>	<b>318</b>	<b>11</b>	<b>407</b>
<b>Manufacturing</b>	<b>9</b>	<b>127</b>	<b>13</b>	<b>151</b>
<b>Visitor Economy</b>	<b>8</b>	<b>86</b>	<b>5</b>	<b>96</b>
Ports & Logistics	5	120	5	103
Construction	5	107	9	127
Other Services	2	93	2	84
Energy, Water & Waste	1	118	4	120
Communications	1	38	1<	27

Local Economy Forecasting Model, Cambridge Econometrics 2013  
Source: Business & Employment Register Survey 2012, Office for National Statistics

### Emerging

- **Ports and logistics;** Greater Lincolnshire’s central location ensures that we can serve over 75% of the UK population within a four-hour drive time. The Port of Immingham - the largest UK port by tonnage – is a key gateway to Europe and plays a vital role in supporting the UK energy sector through imports of oil, coal and biomass. The Ports of Grimsby (automotive import/export) and Boston (grain) and Humberside Airport (perishables) are also key assets alongside a diverse logistics sector which employs 18,000 people.
- **Health and care;** our growing and ageing population and dispersed settlement pattern are driving opportunities for economic growth in Greater Lincolnshire’s health and care sector, which currently employs 56,000 people and is worth £1.2billion per annum to our economy. Opportunities include developing and embedding innovation across the NHS through the new Schools of Life Sciences and Pharmacy at the Lincoln Science and Innovation Park, deploying assistive technology and ensuring our housing stock can meet the ‘whole life’ needs of residents.

## **Recent Economic Successes**

31. Greater Lincolnshire has 'punched above our weight' performing 8th highest across all 39 LEPs due to the quality and deliverability of our strategic economic plans by securing £146.2m of Growth Deal in 2014/15. European funding of £113m for the 2013-20 Programme was secured and has already been successful in delivering the hugely successful Business Lincolnshire Growth Hub alongside projects benefitting from Growing Places Funding, as well as major transport schemes which have succeeded through critical partnerships. In total these projects represent:-
- £430m new investment
  - 9,250 jobs created or safeguarded
  - 900,000m<sup>2</sup> new commercial workspace
  - 6,500 new homes built
  - 4,500 new learners supported
32. Some highlights include:-
- South Humber Industrial Infrastructure Programme (SHIIP): Phase 1
  - Bishop Burton College
  - Scunthorpe Town Centre
  - Teal Park Business Park
  - Lincoln Central Transport Hub
  - Boole Technology Centre
  - Lincoln Eastern By-Pass
  - Unlocking Rural Housing Programme: Phase 1
  - Skegness Countryside Business Park
  - Boston Quadrant/Distributor Road, Phase 1
  - Grantham Southern Relief Road
  - Grantham College
  - Agri Food Centre of Excellence
  - Food Enterprise Zones (Europarc, Central Lincolnshire, Holbeach)
  - Nottingham to Lincoln train enhancements
  - Business Lincolnshire Growth Hub
33. For a full overview and list of projects visit [www.greaterlincolnshirelep.co.uk](http://www.greaterlincolnshirelep.co.uk)

## **Current Arrangements**

34. We consist of the unitary authorities of North Lincolnshire and North East Lincolnshire (both bordering the south bank of the Humber Estuary) together with the county of Lincolnshire and its constituent seven districts, underpinned by the Greater Lincolnshire LEP.
35. Along with the other 11 Midlands LEPs, Greater Lincolnshire is also actively engaged in developing a robust business case and evidence base to secure further strategic investment through the Midlands Engine for Growth. Our negotiations

highlight the positive net contribution which Greater Lincolnshire already makes towards national GVA output.

36. Ongoing discussions with HM Treasury will focus on the national economic importance of improving connectivity to Greater Lincolnshire ports and food production corridors as a key driver for delivering accelerated growth and productivity across the Midlands and beyond.

### **Lead Delivery Partners**

37. We recognise the importance of the governance relationship, supported by a range of partners that will deliver these priorities – local authorities, housing growth, our schools, training providers, further and higher education colleges, universities, Chambers of Commerce and the Federation of Small Business operating alongside our flourishing business communities. There are a great number of very successful partnerships and networks across the area and we have an excellent track record of working together to achieve more.

### **Limitations of the Current Arrangements**

38. The current partnership arrangements described above have delivered a significant number of development and growth projects which were above the pro-rata expectations for LEP and other funding. An effective framework has been developed to manage and commission the £146.2m Local Growth Fund which will unlock a further £430m of investment and create at least a further 9,250 jobs and 6,500 homes.
39. However, the current partnership arrangements have a number of constraints including those that were identified in the Planning Advisory Service/ Local Government Association review into Greater Lincolnshire being “Open for Growth” (March 2015), namely:-
  - There is no single formally constituted body with responsibility for taking decisions related to strategic economic growth across the sub-region. This has led to a lack of clarity about decision making processes and responsibilities.
  - The current arrangements that are in place are voluntary and rely on good relations between partners and a mutual interest in working collaboratively.
  - As none of the current partnership are formally constituted, decisions relating to economic growth and transport need to be taken by all the relevant local authorities. This results in longer decision making timescales, duplication of effort and a lack of transparency leading to a potential for confusion.
  - The current governance arrangements are not sufficient for the ambitions of the area in terms of long term funding commitments for transport investment, devolution of funding and the ability to commission skills programmes locally

and enhanced funding and finance powers through the establishment of new enterprise zones to help deliver priority growth areas.

- As there is no single entity with responsibility for taking strategic decisions on spatial planning there is no straightforward mechanism for coherent long term strategic planning decisions to be made collectively by all local authorities about the future direction of growth, including distribution of employment and housing land in the city and county and key infrastructure investment. It also inhibits shared understanding about the sub-region as a single economic area and a risk that each council acting alone will have limited control or influence over the key drivers of economic growth.
  - There is no vehicle to provide a single, coherent response to major, national infrastructure investments such as strategic road and rail projects.
40. There are no formal arrangements for binding decisions on strategic land use planning to be taken collectively. This impacts on the confidence and assurance investors, central government and other agencies have in the deliverability of the sub-region's plans for economic growth. There is also no single mechanism for discussing strategic planning and infrastructure with adjacent local authority areas.
41. There is no single, strategic commissioning body to drive and deliver locally-led solutions to improve the delivery of skills training and development across Greater Lincolnshire.

## Case for Change

42. The ten local authorities of Greater Lincolnshire firmly believe that they can build upon their successes by strengthening and formalising partnership arrangements. In particular, this would allow them to work more closely together with Government and the LEPs in the Greater Lincolnshire area to enhance their collective impact on economic growth.
43. Strengthened partnership arrangements would also create a clear and effective platform for accelerating economic prosperity in Greater Lincolnshire through the creation of integrated strategic frameworks to enable the delivery of investment plans for planning, housing, transport and skills.
44. In the current financial climate, where there have been significant reductions in the Government's funding of local government over the last four years, which are set to continue in the medium term, it is imperative to have governance arrangements in place that are efficient and reduce both duplication and the timescales for delivery of investment in economic growth.
45. An alternative arrangement will represent clear and co-ordinated governance for Greater Lincolnshire and will form the foundation for an ambitious devolution deal for the area.

## Options for Change

46. This review considers the following options:-
  - Option 1: Maintaining the status quo;
  - Option 2: Establishing a Joint Committee;
  - Option 3: Establishing an Economic Prosperity Board;
  - Option 4: Establishing a Combined Authority;
  - Option 5: Establishing a Combined Authority with a directly elected Mayor.
47. These options are considered in the light of the requirement that the Governance Review determines whether the creation of a single entity, whether an economic prosperity board or a combined authority would improve the exercise of statutory functions in relation to the review area.

### **Option 1: Maintaining the Status Quo**

48. Maintaining the status quo means that the governance arrangements will not be sufficient for the ambitions of the area. These ambitions include:-
  - Long term funding commitments for transport investment to enable an enhanced and integrate transport infrastructure

- Devolution of funding and the ability to commission skills programmes locally to equip people with the skills to meet business demand and employment opportunities
  - Strategic infrastructure to deliver new homes
  - Simplify and strengthen business support and innovation
49. Under the current arrangements, there is no single body which could hold devolved funding and undertake commissioning on a sub-regional basis.
50. In addition, the lack of a single decision-making body with responsibility across the spectrum of economic development, regeneration and transport means that there is no binding forum where a long term view on policy and strategy can be taken. Without this, it would not be considered prudent for third parties to make long term funding commitments.
51. Maintaining the status quo would also mean that the area would miss out on the benefits of more efficient partnership working and would leave Greater Lincolnshire behind a number of other parts of the country which have already, or are in the process of, strengthening and aligning their decision making process in relation to transport and economic development and regeneration through the establishment of combined authorities and mayoral combined authorities. In addition, it would mean that Greater Lincolnshire would be unable to benefit from the devolution of central government powers to the benefit of the Greater Lincolnshire area.
52. The current arrangements would not allow the sub-region to benefit from a single democratic and financially accountable model which is a legal entity in its own right and can provide the necessary certainty, stability and democratic accountability to allow for long- term, strategic economic decisions to be made.
53. In conclusion, maintaining the status quo would mean difficulties in accessing new funding and powers in line with the ambitions of the area, leaving Greater Lincolnshire behind other areas economically with all the attendant implications for local residents. It would also perpetuate the inefficiencies in the current system.

## **Option 2: Establishing a Joint Committee**

### **Background**

54. Section 102 of the Local Government Act 1972 enables two or more local authorities to set up a Joint Committee to discharge their functions jointly. These arrangements must comply with the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012. Joint Committees may be decision-making or advisory.

55. The councils concerned determine the numbers of councillors, terms of office and geographic areas of operation of joint committees. It would be possible to co-opt a non-local authority member to a Joint Committee; however they would not be able to vote.
56. Most Joint Committees appoint a 'lead/accountable' council; some do this on a rotating basis. They have no legal status, cannot impose financial obligations on their constituent authorities, and have no powers to levy council tax. They do not require the involvement of national Government or Parliament and so can be set up within a matter of months.
57. The Joint Committee model allows an area to demonstrate effective decision making and political oversight for the management of funding that is allocated to the LEP(s).
58. The Councils in Greater Lincolnshire currently manage three Joint Committees operating in the area, the Eastern Shires Purchasing Organisation (ESPO), East Midlands Shared Services (EMSS) and Northern Lincolnshire Business Connect (NLBC) has considered the operation of these in the analysis below.

### **Analysis**

59. The functioning of a Joint Committee depends upon goodwill and the desire for collaboration which characterises the current arrangements and therefore will not address the deficiencies associated with the status quo. Each authority would need to authorise and delegate functions to the Joint Committee. Councils are also able to withdraw the delegation at any point in the future which poses a significant risk in terms of a lack of stability and certainty which is required to enable long term, strategic economic decisions to be made.
60. Joint Committees cannot be accountable bodies for funding purposes, nor can they employ staff due to their lack of legal status. Ultimate responsibility for finances remains with the host council. This will not meet the ambitions of Greater Lincolnshire, which include both the devolution of funding and enhanced funding and finance powers.
61. Securing new investment and responding to a rapidly changing landscape requires local authority partners in Greater Lincolnshire to be able to act with agility and pace. If circumstances require further functions to be delegated to a Joint Committee than were originally agreed then it would not be possible for it to act in such a way because of the need for this to be agreed through the formal decision making processes at each of the constituent councils.
62. In conclusion, the establishment of a Joint Committee would not meet the ambitions for Greater Lincolnshire. The model represents a significant risk to partnership working which will impact on the ability to secure long term funding commitments. In

addition, the lack of legal status and financial accountability means that the same difficulties in accessing new funding and powers presented by status quo will be encountered. In addition, it would mean that Greater Lincolnshire would be unable to benefit from the devolution of central government powers to the benefit of the Greater Lincolnshire area.

### **Option 3: Establishing an Economic Prosperity Board.**

#### **Background**

63. Economic Prosperity Boards were introduced under the Local Democracy, Economic Development and Construction Act 2009 to enable the integration of economic development (but not transport functions).
64. As a statutory body, an Economic Prosperity Board would have legal personality and is thus considered by central government to provide a strong basis for taking on devolved powers and funding relating to economic development and regeneration; for example accountable body status for an economic development single pot or European Union funding.
65. Economic Prosperity Boards cannot impose levies on constituent authorities and do not have borrowing powers. The establishment of an Economic Prosperity Board is subject to the same process as for Combined Authorities.

#### **Analysis**

66. An Economic Prosperity Board could strengthen current partnership arrangements by providing a formal structure to lead collaboration between the Greater Lincolnshire local authorities on sub-regional economic development and regeneration. It could also provide a stable mechanism for strategic decision making on economic issues across the sub-region. This would be of some benefit because it would enable long term funding commitments to be made.
67. Economic Prosperity Boards can take a strategic view of economic development and where investment should be made to support long-term, sustainable economic growth across the area. They also enable trade-offs to be made at a strategic level, taking into account what is best for the area as a whole.
68. An Economic Prosperity Board would be a single body that could represent the economic needs and strengths of Greater Lincolnshire to partners and investors. It would also enable partnerships of authorities to demonstrate that they are committed to long-term joint working. It would facilitate transparency, accountability and visible leadership for sub- regional areas.

69. However, the major disadvantage of an Economic Prosperity Board is that it does not include transport functions. Transport is essential to the ambitions for growth in Greater Lincolnshire. The interdependencies between economic growth and transport are so significant that it would be irrational to establish a governance arrangement that addressed one area but not the other as it would prevent a fully integrated approach to the two areas. The need for separate governance arrangements to address transport issues would be cumbersome and would create a wasteful duplication of effort.
70. In addition, it would mean that Greater Lincolnshire would be unable to pursue a devolution deal.
71. It also worth noting that no Economic Prosperity Boards have been created to date, which means that there is no opportunity to learn from experience in other areas.

#### **Option 4: Establishing a Combined Authority**

##### **Background**

72. Combined Authorities were introduced under the Local Democracy, Economic Development and Construction Act 2009 (as amended by the Cities and Local Government and Devolution Act 2016) to exercise functions devolved from central government. A Combined Authority operates as a public body with its own legal personality, can impose a levy on constituent authorities and can borrow money for transport purposes.
73. It is important to note that Combined Authorities are not a merger of existing Local Authorities; existing local authorities continue to exist. Combined Authorities can take on functions with a very wide remit. In addition, the legislation allows for flexibility in establishing Combined Authorities with a model that suits local circumstances.

##### **Analysis**

74. The advantages of an Economic Prosperity Board previously outlined all apply to a Combined Authority as both options are formally constituted legal entities and would provide a stable mechanism for long term strategic decision making and a single body that can represent the needs of Greater Lincolnshire to investors and partners.
75. Both options enable a streamlining of arrangements to take on devolved powers from national Government and can have additional powers delegated to them from constituent councils if they choose to do so.
76. The significant difference between a Combined Authority and an Economic Prosperity Board, which makes the Combined Authority option much more attractive

for Greater Lincolnshire, is that a Combined Authority could have powers relating to any function [and can take devolved powers from central government].

77. The Combined Authority model would provide a simple means of fully aligning and coordinating a wide range of statutory functions including transport, planning, wider economic development and regeneration, and strategic planning, across a sub-region. This would mean that economic development and regeneration and transport initiatives could be aligned, co-ordinated and delivered swiftly and efficiently by a single body.
78. The creation of a Combined Authority will allow Greater Lincolnshire to realise its ambitions by bringing together, in a single legally recognised body, the key decision making powers for strategic transport and economic development and planning devolved from central government. It is impossible to separate these two functions, given their high level of interdependency and being able to present a coherent, long term vision across the two areas would facilitate long term planning designed to improve the economic conditions and performance of the area including an improvement in the effectiveness and efficiency of transport. This vision will be based on a single evidence base for the whole area, ensuring data and analysis relating to economic, planning and transportation matters are consistently defined, collected and applied.
79. A Combined Authority will enable a unified approach to insight, evidence and intelligence which will ensure that the understanding of the complex interdependencies between individuals businesses, jobs, skills, housing, health and financial dependence is of a higher quality thereby ensuring better use of resources on a local level.
80. A Combined Authority will enable a shared understanding about Greater Lincolnshire as a single economic area across the ten local authorities and would create a strategic framework for a wide range of statutory functions including economic development and transport which would ensure consistency in local decision making. It would also increase the control and influence of the constituent councils across the key drivers of economic growth.
81. A further advantage to the Combined Authority model is that it would provide a framework for a single, coherent response from Greater Lincolnshire to be made to national initiatives relating to planning or infrastructure. As a single entity, it would also enhance Greater Lincolnshire's ability to liaise with neighbouring areas on issues of mutual interest, particularly as a number of neighbouring areas are in the process of becoming Combined Authorities.
82. Indeed, a number of areas in the country have already established Combined Authorities, or are in the process of doing so. If Greater Lincolnshire choose not to establish a Combined Authority they risk getting left behind other areas and missing

out on crucial government funding, such as devolution deals, due to not having sufficiently robust governance arrangements in place

## **Option 5: Establishing a Mayoral Combined Authority**

### **Background**

83. Building on the powers to establish Combined Authorities under the Local Democracy, Economic Development and Construction Act 2009, the Cities and Local Government and Devolution Act 2016 introduced the concept of Mayoral Combined Authorities enabling central government to fully devolve a wide range of powers.
84. It is important to note that Mayoral Combined Authorities are not a merger of existing Local Authorities. Mayoral Combined Authorities can have devolved a wider range of central government powers than Combined Authorities. A directly elected mayor will chair the Combined Authority.

### **Analysis**

85. The Review finds that a Mayoral Combined Authority is the option which most fully permits for the effective discharge of the functions that Government is prepared to devolve to this area.
86. A Mayoral Combined Authority will provide a clear and effective platform for the more timely, effective and efficient exercise of statutory function through the creation of a single entity for the acceptance of devolved powers from central government and is consistent with H M Governments current devolution agenda.
87. A Mayoral Combined Authority also provides a potential future consolidation of the functions currently discharged by the Police and Crime Commissioner.  
A Mayoral Combined Authority affords additional precepting powers through the office of the Mayor and opens up further potential devolution funding opportunities.
88. A Mayoral Combined Authority will ensure a co-ordinated collaborative working with central government, through integration and effective strategic frameworks and delivery of investment plans. It will strengthen existing business partnership working through the Mayor being a member of the LEP.
89. The Mayoral Combined Authority is the only governance arrangement that will permit implementation of the Greater Lincolnshire Devolution Agreement and further devolution deals that maybe agreed in the future

## Summary of Preliminary Findings

90. The following table sets out an assessment of the options that have been considered by this review:-

Option	Evaluation	Rationale
Maintain the Status Quo	No	Maintaining the status quo would mean difficulties in accessing new funding and powers in line with the ambitions of the area. It would leave Greater Lincolnshire behind other areas and would therefore be likely to have a detrimental impact on the economy of the area in the future. It would not strengthen the governance processes which largely rely on informal arrangements.
Joint Committee	No	The establishment of a Joint Committee would strengthen the current partnership arrangements and place them on a more formal basis. However, there is a lack of stability and certainty which is unlikely to secure long term funding commitments. In addition, the lack of legal status and financial accountability means that the same difficulties in accessing new funding and powers presented by status quo are likely to be encountered.
Economic Prosperity Board	No	An Economic Prosperity Board would provide strategic direction and accountability for economic development and regeneration and would ensure that a single formal decision-making body was in place for this. However, strategic transport would not be included in these arrangements, thus greatly limiting the scope for increased effectiveness and efficiency.
Combined Authority	No	A Combined Authority would provide strategic direction and accountability for a wide range of devolved powers and ensure a single formal decision making body was in place. However, this model would not maximise the opportunities, both financial and functional, arising from the Government's devolution agenda.
Mayoral Combined Authority	Yes	In addition to the benefits of a Combined Authority, a Mayoral Combined Authority will provide a single point of accountability through a directly elected Mayor and permit the exercise of devolved powers arising from the Government's devolution agenda. This should deliver tangible benefits to the people of Greater Lincolnshire as defined in the Greater Lincolnshire Devolution Agreement.

## SCHEME FOR THE ESTABLISHMENT OF THE GREATER LINCOLNSHIRE MAYORAL COMBINED AUTHORITY

### 1. **Establishment of the Authority**

A Mayoral Combined Authority shall be established pursuant to Section 103 of the Local Democracy, Economic Development & Construction Act 2009 (LDEDCA).

### 2. **Name of the Authority**

The name of the Authority shall be The Greater Lincolnshire Combined Authority.

### 3. **Area of the Authority**

The area comprising the administrative areas of Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council and incorporating the local government areas of

Boston Borough Council  
City of Lincoln Council  
East Lindsey District Council  
Lincolnshire County Council  
North East Lincolnshire Council  
North Kesteven District Council  
North Lincolnshire Council  
South Holland District Council  
South Kesteven District Council  
West Lindsey District Council

### 4. **Provision for a Directly Elected Mayor**

- 4.1 There shall be a directly elected mayor for the area of the Combined Authority pursuant to section 107A of LDEDCA ("the Mayor"). The Mayor will be elected in May 2017. The provisions of Schedule 5B of LDEDCA shall apply subject to paragraphs 4.2 and 4.3 below.
- 4.2 The term of office of the Mayor elected in May 2017 shall be three years and the next election for the return of a mayor shall take place in the third year thereafter and on the same day of ordinary election.
- 4.3 The term of office of a Mayor elected in accordance with paragraph 4.2 and any mayor thereafter shall be four years and each subsequent election shall take place in each fourth year thereafter on the same day of ordinary election.
- 4.4 The Mayor shall appoint one of the members of the Combined Authority to be the Deputy Mayor in accordance with section 107C of LDEDCA and the Deputy Mayor shall

- a) hold office until the end of the term of office of the mayor subject to paragraph b) below;
  - b) cease to be Deputy Mayor if at any time the Mayor removes him or her from office, the person resigns as Deputy Mayor or the person ceases to be a member of the Combined Authority
  - c) act in the place of the Mayor if for any reason the Mayor is unable to act or the office of mayor is vacant.
- 4.5 If a vacancy arises in the office of Deputy Mayor, the Mayor must appoint another member of the Combined Authority to be the Deputy Mayor.
- 4.6 If for any reason the Mayor is unable to act or the office of mayor is vacant and the Deputy Mayor is unable to act or the office of the deputy mayor is vacant the other members of the Combined Authority must act together in place of the Mayor, taking decisions by a simple majority.

## **5 Membership of the Combined Authority**

- 5.1 The Constituent Councils of the Combined Authority shall be the councils listed in paragraph 3 above.
- 5.2 In addition the Greater Lincolnshire Local Enterprise Partnership ("GLLEP") shall be a non-constituent participant in the Combined Authority.
- 5.3 There shall be 12 (twelve) members of the Combined Authority ("a Member"). Voting Members shall be as set out in paragraph 5.12
- 5.4 The Mayor shall be a member of the Combined Authority.
- 5.5 Each Constituent Council shall appoint one of its elected members to be a Member of the Combined Authority.
- 5.6 In addition to the Members appointed under paragraph 5.5 each Constituent Council shall appoint one of its elected members to be a substitute member ("Substitute Member").
- 5.7 The GLLEP shall nominate one of its Directors to be a Member of the Combined Authority, and in addition shall nominate a Director to be a substitute; such substitute to be a business representative. Such nominated Directors shall become a Member or Substitute Member as the case may be from the date on which written notice of nomination by the GLLEP is received by the Combined Authority.
- 5.8 A Member ceases to be a Member or a Substitute Member ceases to be a Substitute Member if they cease to be a member of the Constituent Council that appointed them or the GLLEP as the case may be.
- 5.9 A Member or Substitute Member may resign by giving written notice to the Proper Officer of the Constituent Council that appointed them or the GLLEP as

the case may be. The relevant Constituent Council or GLLEP shall notify the Combined Authority forthwith of any such resignation.

- 5.10 Where a Constituent Council's Member or Substitute Member's appointment ceases, the relevant Constituent Council shall give notice of the appointment of another of its elected members in that person's place as soon as possible. Where a GLLEP Member or Substitute Member's appointment ceases, the GLLEP shall nominate another of its Directors in that person's place as soon as possible. Such nominated Director shall become a Member or Substitute Member as the case may be from the date on which written notice of nomination by the GLLEP is received by the Combined Authority.
- 5.11 The Constituent Councils or the GLLEP may terminate the appointment of a Member or Substitute Member and replace that Member or Substitute Member at any time by giving not less than 14 days written notice to the Combined Authority and the termination and replacement shall take effect on the expiry of such notice.
- 5.12 Members and Substitute Members appointed by the Constituent Councils shall be voting Members of the Combined Authority. Members and Substitute Members nominated by the GLLEP shall be non-voting Members unless the voting members of the Combined Authority determine otherwise in which case the GLLEP Member and Substitute Member shall be a voting Member of the Combined Authority on all issues falling for decision by the Combined Authority, subject to the provisions of this Scheme.
- 5.13 The Combined Authority may permit other bodies to become non-constituent participants in the Combined Authority and determine whether to confer voting right on any Member appointed by that body.

## **6 Chair**

- 6.1 Until the taking up office of the directly elected mayor, the chair of the Combined Authority shall be appointed by the Combined Authority from among its Constituent Council Members
- 6.2 From the point at which he or she takes office, the Mayor will act as Chair to the Combined Authority.

## **7 Functions**

- 7.1 The Order constituting the Combined Authority shall not make provision for the exercise by the Combined Authority or the Mayor of any of the functions of the Constituent Councils.

## **8 Functions of the Mayor**

- 8.1 The functions devolved from central government set out in Appendix A to this Scheme shall be functions of the mayoral combined authority that are exercisable only by the Mayor ("the Mayoral Functions").
- 8.2 In exercising the Mayoral Functions the Mayor shall have the same powers as are conferred on the Combined Authority under section 113A of LDEDCA subject to the same limitations as apply to the Combined Authority under section 113B of LDEDCA.
- 8.3 Chapter 1 of Part 1 of the Localism Act 2011 (which confers a general power of competence on local authorities) shall not be applied to the Mayor
- 8.4 The Mayor shall not be given a power to direct under section 88 of the Local Transport Act 2008.
- 8.5 The Mayor shall exercise the Mayoral Functions concurrently with the Secretary of State (as regards transport functions) and the relevant public authority (as defined in section 105A(9) of LDEDCA as regards other functions

## **9 Exercise of the Functions of the Mayor**

- 9.1 The mayor shall arrange for the exercise the Mayoral Functions in accordance with section 107D(3)(a) and (b) of LDEDCA.
- 9.2 The Mayor shall not be authorised to arrange for the exercise of the Mayoral Functions through a committee as provided for in section 107D(3)(c)(ii)
- 9.3 The development and approval of the Mayor's budget shall be governed by paragraph 16 of this Scheme.
- 9.4 Before a decision is taken on the approval of any strategy falling within the remit of the Mayor under the Mayoral Functions whether that approval is to be given by the Mayor directly or otherwise, the Mayor shall consult the Combined Authority and:-
- a) The spatial framework and any supplementary planning documents referred to in paragraph 2.1 of Appendix A shall require the unanimous approval of the Constituent Council Members of the Combined Authority;
  - b) the transport plan referred to in paragraph 1.6 of Appendix A and any spending plans or plans for the allocation of transport-related funding shall be treated as rejected or modified if two thirds of the Constituent Council members of the Combined Authority vote to modify or reject it as long as the two thirds includes the Combined Authority Members from each of Lincolnshire County Council, North East Lincolnshire Council and North Lincolnshire Council; and
  - c) any other strategy or spending plans shall be treated as rejected if two thirds of the Constituent Council Members of the Combined Authority vote to reject it

## **10 Functions of the Combined Authority**

- 10.1 The Combined Authority shall have the functions set out in Appendix B to this Scheme.
- 10.2 Chapter 1 of Part 1 of the Localism Act 2011 (which confers a general power of competence on local authorities) shall be applied to the Combined Authority.
- 10.3 The Combined Authority will have the power contained in section 99 of the Local Transport Act 2008 by virtue of section 102A of that Act which can be exercised in conjunction with the general powers granted to it by section 113A and 113B of the LDEDCA.
- 10.4 The Combined Authority shall not be given a power to direct under section 88 of the Local Transport Act 2008
- 10.5 The Combined Authority shall exercise the Combined Authority's functions concurrently with the Secretary of State (as regards transport functions) and the relevant public authority (as defined in section 105A(9) of LDEDCA as regards other functions

## **11 Proceedings of the Combined Authority**

- 11.1 Executive arrangements (within the meaning of the Local Government Act 2000) shall not apply to the Combined Authority. However, the discharge of the functions of the Combined Authority will be subject to the scrutiny arrangements set out in this Scheme.
- 11.2 Sections 101 and 102 of the Local Government Act 1972 apply to the Combined Authority in the exercise of its functions.
- 11.3 Notwithstanding paragraph 11.2 the following decisions shall only be taken in a meeting of the full Combined Authority
- a) approval of the borrowing limits, treasury management strategy including reserves, investment strategy, borrowing and budget of the Combined Authority including the amount of any expenses to be met by the Constituent Councils under paragraph 15 of this Scheme;
  - b) approval of the Combined Authority Standing Orders and any amendments to them;
  - c) appointing the Chair of the Combined Authority pending the Mayor taking office
  - d) approving the establishment of Committees, their terms of reference and composition and making appointments to them including the Overview and Scrutiny Committee referred to in paragraph 12 of this Scheme and the Audit Committee referred to in paragraph 13 of this Scheme
  - e) the making of any decision referred to in paragraph 9.4 of this Scheme

- f) the making of proposals to the Secretary of State for the conferring on the Combined Authority of additional functions or powers
  - g) approval of the making of arrangements for the exercise of the functions of any Constituent Council;
  - h) admission of any body to non-constituent participation in the Combined Authority or the conferring of voting rights on any member appointed by such bodies;
  - i) the giving or not giving of consent to the making of any Order by the Secretary of State in relation to the Combined Authority under any legislation including LDEDCA;
  - j) appointment and dismissal of the Head of Paid Service, Monitoring Officer and the officer with responsibility for the proper administration of the Combined Authority's financial affairs;
- 11.4 All decisions of the Combined Authority shall be decided by a majority of those voting Members present and voting subject to that majority including the vote of the Mayor, subject to paragraphs 11.5 to 11.7 below.
- 11.5 Questions on the matters referred to in paragraphs 11.3a), 11.3b) and 11.3f) to 11.3j) inclusive and any other matters determined by the Combined Authority and set out in its Standing Orders require a unanimous vote in favour by all Constituent Council Members or Substitute Members acting in place of those Members, to be carried
- 11.6 The Combined Authority may in its Standing Orders make provision for special majority voting arrangements on specified reserved decisions or types of decisions in recognition that some decisions made by the CA could have a significant impact on some or all of the Constituent Councils and that the democratic mandate of each Constituent Council should be respected and preserved. Such special majority voting arrangements may include arrangements based on the principle that Constituent Councils directly affected by a decision must be part of the majority in order for that decision to carry.
- 11.7 Special majority voting arrangements contained in the Combined Authority's Constitution may not vary the voting arrangements set out in paragraph 9.4 of this Scheme.
- 11.8 The quorum of the Combined Authority is 7 voting Members or Substitute Members. The quorum for a committee or sub-committee of the Combined Authority shall be determined by the Combined Authority when establishing it.
- 11.9 Each voting Member shall have one vote.
- 11.10 There shall be no casting vote.
- 11.11 If a vote is tied it is deemed not to have been carried.

11.12 Proceedings shall not be invalidated by any vacancy amongst the Combined Authority's Members or by any defect in the appointment or qualification of any Member.

## **12 Scrutiny**

12.1 There shall be an Overview & Scrutiny Committee of the Combined Authority pursuant to Schedule 5A of LDEDCA to exercise scrutiny functions over the Combined Authority.

12.2 Each Constituent Council will appoint one elected member to the Overview & Scrutiny Committee.

12.3 Overview & Scrutiny Committee membership shall not include a Combined Authority Member including the Mayor and the Deputy Mayor.

12.4 The Combined Authority shall appoint as Chairman of the Overview and Scrutiny Committee an elected member of one of the Constituent Councils who is not a member of a registered political party of which the Mayor is a member.

12.5 Each member on the Overview and Scrutiny Committee shall have one vote and there is to be no casting vote.

12.6 If a vote is tied it is deemed not to have been carried.

12.7 The Overview & Scrutiny Committee shall have power to:

- a) Invite Combined Authority Members and officers, including the Mayor and Deputy Mayor, to attend and answer questions
- b) Review or scrutinise decisions or other actions taken in connection with the discharge of any functions which are the responsibility of the Combined Authority or the Mayor
- c) Make reports or recommendations to the Combined Authority and the Mayor with respect to the discharge of any functions which are the responsibility of the Combined Authority or the Mayor
- d) Make reports or recommendations to the Combined Authority and the Mayor on matters that affect the authority's area or the inhabitants of the area
- e) In respect of any decision made but not implemented by either the Combined Authority or the Mayor, direct that the decision is not to be implemented while it is under review or scrutiny and to recommend that the decision be reconsidered
- f) Invite others to attend meetings of the Committee

12.8 Where the Overview & Scrutiny Committee makes a report they may also publish it and require a response from the Combined Authority or the Mayor as the case may be.

12.9 The notice published must give the Combined Authority or the Mayor 2 months to consider and respond to the report.

### 13 **Audit**

13.1 The Combined Authority will establish an Audit Committee pursuant to Schedule 5A of LDEDCA to fulfil the functions set out in paragraph 13.3.

13.2 The membership of the Audit Committee shall be determined by the Combined Authority but one member of the Committee shall be an independent person.

13.3 The Audit Committee will have the power to:

- a) Review and scrutinise the Office of the Mayor and Combined Authority's financial affairs;
- b) Review and assess the Mayor and Combined Authority's risk management, internal control and corporate governance arrangements;
- c) Review and assess the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions and the Mayoral Functions; and
- d) Make reports and recommendations to the Combined Authority and/or the Mayor in relation to any reviews carried out in relation to the matters stated above.

### 14 **Records, Standing Orders and Remuneration**

14.1 Proceedings and the names of members present at meetings must be recorded. Such proceedings will be agreed as an accurate record by members of the CA.

14.2 The Combined Authority may make Standing Orders.

14.3 No Basic or Special Responsibility Allowances will be payable by the Combined Authority.

14.4 The reimbursement of travel and subsistence or other sundry expenses will be the responsibility of the Member's Constituent Council or other appointing body.

### 15 **Funding of the Exercise of Combined Authority Functions**

15.1 The expenses of the Combined Authority that are reasonably attributable to the exercise of its functions (excluding Mayoral Functions) will be met by the Constituent Councils.

- 15.2 The Combined Authority shall be a levying body under section 74 of the Local Government Finance Act 1988 and shall have the power to issue a levy to its Constituent Councils in respect of the expenses referred to in paragraph 15.1. Such levy shall be apportioned between the Constituent Councils in equal one tenth shares.
- 15.3 The Combined Authority will agree an annual budget identifying its expenditure and sources of income including any amount payable by the Constituent Councils under paragraph 15.2.

## **16 Funding of the Exercise of Mayoral Functions**

- 16.1 In the financial year 2017/18 the costs of the Mayor that are incurred in, or in connection with the exercise of the Mayoral Functions) will be met by the Constituent Councils. Such costs shall be apportioned between the Constituent Councils in equal one tenth shares.
- 16.2 In any financial year following 2017/18 the costs of the Mayor that are incurred in, or in connection with the exercise of the Mayoral Functions may be met from precepts issued by the Combined Authority under section 40 of the Local Government Act 1992
- 16.3 The Combined Authority will be a major precepting authority under section 39 of the Local Government Finance Act 1992 but only in relation to expenditure incurred by the Mayor in or in connection with the exercise of the Mayoral Functions.
- 16.3A The function of issuing a precept under Chapter 4 of Part 1 of the Local Government Finance Act 1992 shall (subject to the following provisions of this paragraph 16) be a function only exercisable by the Mayor acting on behalf of the Combined Authority.
- 16.4 The Mayor shall maintain a fund in relation to receipts arising and liabilities incurred in the exercise of the Mayoral Functions
- 16.5 Prior to each financial year beginning with the financial year 2018/19 the mayor shall follow a process for the development of his or her budget (including the amount of any precept under paragraph 16.2) for the exercise of Mayoral Functions for the financial year in question that is in accordance with Regulations or, in the absence of Regulations has the following characteristics:-
- a) preparation of a draft budget to include expenditure plans and income including the proposed precept under paragraph 16.2 above;
  - b) scrutiny of the draft budget by the other members of the Combined Authority and the Overview and Scrutiny Committee appointed under paragraph 11 of this Scheme;

- c) the making of changes to the draft budget as a result of such scrutiny; and
- d) the approval of the draft budget in accordance with paragraph 16.6 below

16.6 The Mayor's draft budget shall be treated as rejected if two thirds of the Constituent Council Members of the Combined Authority vote to reject it and the Mayor shall propose a revised draft budget

16.7 Subject to the making of enabling legislation, the Mayor shall have power to place a supplement of 2p per pound of rateable value on business rates to fund infrastructure with the agreement of the local business community through the GLLEP.

## **17 Transfer of Property, Rights and Liabilities**

17.1 There shall be no transfer of property, rights or liabilities between the Combined Authority or the Mayor and the Constituent Councils.

## **18 Local Enterprise Partnerships**

18.1 The Combined Authority recognises the importance of the Humber LEP and Greater Cambridge Greater Peterborough LEP working closely with the Greater Lincolnshire Combined Authority. The Combined Authority commits to work with partners in the Midlands and the North of England to promote opportunities for pan-Midlands and pan-Northern collaboration.

## APPENDIX A

### COMBINED AUTHORITY FUNCTIONS EXERCISABLE ONLY BY THE MAYOR

#### Transport

- 1.1 To be responsible for a consolidated, multi-year local transport budget for the area of the Combined Authority devolved from HM Government consisting of the Integrated Transport Block or any equivalent or replacement funding for the same or similar functions as those covered by that funding.
- 1.2 For the financial years 2017/18 to 2020/21 inclusive the amounts and allocations of the local transport budget shall be as set out in respect of the Integrated Transport Block in the Table at Annex 1 to this Appendix A.
- 1.3 In each financial year referred to in Annex 1 and any other financial year in which the amounts devolved by HM Government are identified as allocated to individual Constituent Councils, the Mayor shall passport that funding to the relevant Constituent Council
- 1.4 In any financial year in which the amounts devolved by HM Government are not identified as allocated to individual Constituent Councils, the Mayor shall consult with the Combined Authority as to his spending plans in relation to the devolved amounts and approval of such spending plans shall be subject to paragraph 9.4b) of the Scheme.
- 1.5 The Mayor shall transfer to the relevant Constituent Council any amount identified as allocated to that Constituent Council in the spending plans approved pursuant to paragraph 1.4
- 1.6 To exercise, concurrently with the relevant Constituent Councils to the extent that they have equivalent powers, such powers to franchise bus services in the Combined Authority area as shall be contained in future legislation to support delivery of smart and integrated ticketing across the Combined Authority's Constituent Councils
- 1.7 To produce and publish a local transport plan for the Combined Authority area without prejudice to Constituent Council duties to publish Local Transport Plans under section 9 of the Transport Act 2000.

#### Housing and Planning

- 1 Creation of a spatial framework and supplementary planning documents to act as a framework for managing strategic planning across the Combined Authority area with which all Local Development Plans will, where reasonably practicable and without resubmission for approval, generally conform
- 2 To have functions corresponding to those of the Mayor of London under Part 8 of the Localism Act 2011 to designate any area of land in the Combined Authority area as a mayoral development area leading to the establishment by Order of a Mayoral Development Corporation subject to the consent of any

Constituent Council in which the Development Corporation is intended to be used.

- 3 To make proposals for the creation of other emerging vehicles to help take forward large development or new settlements subject to the consent of any Constituent Council in which the vehicle is intended to be used.
- 4 To be consulted on and/or call in planning applications of potential strategic importance to the Combined Authority area.

## Finance

- 1 To exercise the power under paragraph 16.7 of the Scheme
- 2 The function of issuing a precept under Chapter 4 of Part 1 of the Local Government Finance Act 1992 in respect of mayoral functions

## ANNEX 1

Funding and Allocation	2017/18	2018/19	2019/20	2020/21
<b>Integrated transport block</b>				
North East Lincolnshire Council	1.479	1.479	1.479	1.479
North Lincolnshire Council	1.159	1.159	1.159	1.159
Lincolnshire County Council	3.312	3.312	3.312	3.312
	<b>5.950</b>	<b>5.950</b>	<b>5.950</b>	<b>5.950</b>
<b>Highways Maintenance Incentive formula</b>				
North East Lincolnshire Council	0.166	0.334	0.334	0.334
North Lincolnshire Council	0.383	0.771	0.771	0.771
Lincolnshire County Council	2.582	5.197	5.197	5.197
	<b>3.131</b>	<b>6.303</b>	<b>6.303</b>	<b>6.303</b>
<b>Highways Maintenance Funding formula</b>				
North East Lincolnshire Council	1.774	1.606	1.606	1.606
North Lincolnshire Council	4.090	3.702	3.702	3.702
Lincolnshire County Council	27.571	24.955	24.955	24.955
	<b>33.435</b>	<b>30.263</b>	<b>30.263</b>	<b>30.263</b>
<b>Total (£m)</b>	<b>42.516</b>	<b>42.516</b>	<b>42.516</b>	<b>42.516</b>

## APPENDIX B

### FUNCTIONS TO BE EXERCISED BY THE COMBINED AUTHORITY

#### **Skills, Education and Employment**

1. To nominate a person, whether or not a member of the Combined Authority to chair an Area Review of post-16 education and training in accordance with HM Government document "Reviewing Post-16 Education and Training Institutions". The review shall relate to institutions within the Combined Authority area taking into account provision in neighbouring areas and will lead to agreed recommendations. The review will include all post-16 education and training provision in the initial analysis phase. Recommendations will be focused on General FE and Sixth Form Colleges, however the Regional Schools Commissioner and the relevant local authorities will consider any specific issues arising from the reviews for school sixth form provision.
2. To take forward the outcomes of the Area Review.
3. Following the Area Review, and in partnership with local colleges, providers and the GLLEP, to publish a Local Skills Plan which:-
  - a) identifies the skills that local employers require;
  - b) reflects the Combined Authority's ambitions for a more highly skilled workforce through better collaboration between local Colleges and providers; and
  - c) identifies appropriately tailored and accessible provision for the local workforceand then collaborate with colleges and providers, with appropriate support from HM government agencies with responsibilities for skills to work towards the implementation of the Plan.
4. For the 2017/18 academic year, and, if necessary, following the Area Review, to work with HM Government to vary the block grant allocations made to 16+ education and training providers in the Combined Authority area so as to reflect local commissioning priorities and outcomes within an agreed framework.
5. Subject to the readiness conditions in paragraph 6 below, from the 2018/19 academic year onwards, to receive fully devolved HM Government budgets (calculated on a funding formula taking into account a range of demographic, educational and labour market factors) for 19+ education and training and to exercise within the Combined Authority area the functions of the Secretary of State under the following provisions of the Apprenticeship Skills Children and Learning Act 2009
  - a) Section 86 except subsection (1)(b)
  - b) Section 87
  - c) Section 88 (but not any power to make Regulations)
  - d) Section 90 (but not any power to make Regulations)
6. Pursuant to the functions referred to in paragraph 4 above, to be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements and proportionate requirements set by HM Government

- about outcome information to be collected in order to allow students to make informed choices.
- 7 The readiness conditions for full devolution under paragraph 5 above are that:
    - a) Parliament has legislated to enable transfer to local authorities of the current statutory duties on the Secretary of State referred to in paragraph 4;
    - b) Completion of the Area Review process;
    - c) After the Area Review is complete, agreed arrangements are in place between HM Government and the Combined Authority to ensure that devolved funding decisions take account of the need to maintain a sustainable and financially viable 16+ provider base;
    - d) Clear principles and arrangements have been agreed between HM government and the Combined Authority for sharing financial risk and managing failure of 16+ providers, reflecting the balance of devolved and national interest and protecting the taxpayer from unnecessary expenditure and liabilities;
    - e) Learner protection and minimum standards arrangements are agreed between HM Government and the Combined Authority; and
    - f) Funding and provider management arrangements, including securing financial assurance, are agreed between HM Government and the Combined Authority in a way that minimises costs and maximises consistency and transparency.
  - 8 The Careers and Enterprise Company and the National Careers Service will collaborate with the Combined Authority to ensure that local priorities are fed into careers provision such that it is employer-led, integrated and meets local needs through direct involvement and collaboration in the design of careers and enterprise provision for all ages. .
  - 9 To be the point of contact and recipient in the Combined Authority area of HM Government advice to ensure awareness of resources to work to secure more apprenticeship places with employers, particularly among Small and Medium Enterprises and also drive up demand from individuals looking for apprenticeships A particular focus will be made on increasing apprenticeship places in Greater Lincolnshire's priority sectors including Agri-food, Manufacturing, Health and Care, low carbon and Visitor Economy.
  - 10 To be responsible for the Apprenticeship Grant for Employers (AGE) and to receive AGE funding for use alongside mainstream apprenticeship participation funding to incentivise employers to offer apprenticeships, with power to vary the criteria associated with the grant (e.g. size and sector of business) to meet local needs. The Skills Funding Agency will work with the Greater Lincolnshire Combined Authority to identify an appropriate share.
  - 11 To help tackle long-term unemployment in Greater Lincolnshire, HM Government will consult with the Combined Authority as part of the design process for future employment support, from April 2017, for harder to help claimants, many of whom are currently referred to the Work Programme and Work Choice. This will provide an opportunity for Combined Authority to feed into the national design of the new Work and Health Programme.

- 12 To develop a business case for an innovative pilot to support those who do not qualify for mainstream DWP programmes. The business case should set out the evidence to support the proposed pilot, cost and benefits and robust evaluation plans, to enable the proposal to be taken forward through the Combined Authority, subject to Ministerial approval.
- 13 To engage with Job Centre Plus so that the opportunities for greater integration of support and services are identified and the Combined Authority has an opportunity to share experience from previous schemes and influence the design of provision of local and flexible funding, with the main aim of supporting people back to work.
- 14 To work with Job Centre Plus (supported by HM Government) to overcome barriers to employment, so that local provision can be directed towards solutions that improve access to work through alternative transport opportunities, raising aspirations of young people by increasing access to significant business locations.

### **Accelerated Growth (Business Support and Innovation)**

- 1 To work with HM Government to support the development of the Greater Lincolnshire Growth Hubs so that it joins-up and co-ordinates all public, private, national and local support to ensure businesses get the help they need to boost their productivity and grow across the Combined Authority area.
- 2 To work in partnership with HM Government to help the growth hub to: become sustainable; connect small businesses with national services that support exports, innovation, access to finance and skills; collaborate on innovative business support evaluation projects which develop robust evidence about what works; and share best practice widely to deliver better outcomes for the country as a whole.
- 3 To be the point of contact within the Combined Authority area for greater co-operation ensured by HM Government with all relevant national and local resources for business support programmes, including UKTI, to give businesses a joined-up, simplified service that meets their needs and priorities.
- 4 To agree a joint export plan with a dual-key approach to activities and reporting on outputs and outcomes; and agree, and tailor UKTI export support services to reflect local priorities within the context of a ring-fenced trade services resource within the Combined Authority area, subject to departmental budget changes.
- 5 To establish with HM Government a six-monthly update meeting with the Business Lincolnshire Growth Hub board and the BIS sector specialists including UKTI to align the targeting of existing contracted support to meet the GLLEP growth sectors. HM Government will offer Greater Lincolnshire expert advice and support through the Smart Specialisation Advisory Hub, and associated workshops, to support activities part-funded by the European Regional Development Fund.
- 6 To prepare with UKTI a joint inward investment strategy which fully reflects Greater Lincolnshire's key sectoral strengths and ambitious targets to increase growth sector output and employment in Agri-tech/Food and Drink, Energy/Offshore Wind and Advanced Engineering and Manufacturing. This will include support to ensure the propositions for each sector are clearly articulated and that there is awareness of the offer amongst relevant sector teams and

strengthened partnership between locally delivered services and embassy/consulate contacts overseas (via the Project Matchmaker initiative or other UKTI post-LEP matching arrangement).

- 7 To explore with UKTI opportunities for further collaboration including:-
  - a) co-location, where it will not harm the overall working efficiency of the investment model; and
  - b) the use of national campaign budgets for overseas inward investment promotional activity within the Midlands Engine programme.
- 8 To explore with HM Government Visit England and Visit Britain opportunities for further collaboration including to establish the scope for aligning future marketing activity with Visit England, Visit Britain and DCMS' Five Point Plan to support tourism growth in Greater Lincolnshire.

### **Transport**

- 1 In its capacity as the new area-wide transport body responsible for determining, managing and delivering the Mayor's transport plans, to work in partnership with the existing transport bodies currently operating in the region.
- 2 To enter into, together with HM Government, joint working arrangements with Highways England on operations, maintenance and local investment through a new Memorandum of Understanding to support better integration between local and national networks.
- 3 To receive and manage the highways maintenance funding provided by HM Government and identified in Annex 1 to Appendix A to this Scheme as "Highways Maintenance Incentive formula" and "Highways Maintenance Funding formula".
- 4 For the financial years 2017/18 to 2020/21 inclusive the amounts and allocations of the highways maintenance funding shall be as set out in respect of the above mentioned headings in the Table at Annex 1 to Appendix A to this Scheme.
- 5 In each financial year referred to in Annex 1 to Appendix A and any other financial year in which the amounts devolved by HM Government are identified as allocated to individual Constituent Councils, the Combined Authority shall pass that funding to the relevant Constituent Council
- 6 In any financial year in which the amounts devolved by HM Government are not identified as allocated to individual Constituent Councils, the Combined Authority shall determine its spending plans in relation to the devolved amounts and approval of such spending plans shall be subject to unanimous approval under paragraph 11.5 of the Scheme.
- 7 The Combined Authority shall transfer to the relevant Constituent Council any amount identified as allocated to that Constituent Council in the spending plans approved pursuant to paragraph 6 above

## Housing and Planning

- 1 To produce a strategic infrastructure delivery plan by September 2017 to identify the infrastructure needed to support the increased funding of new homes, and proposals to fund this through devolved infrastructure funds, through national programmes and through local funding.
- 2 With HM Government, establish a Joint Investment and Assets Board, chaired by the Mayor of the Combined Authority, to review all land and property (including surplus property and land) held by the public sector, building on its One Public Estate Programme and invest in strategic infrastructure priorities. The Board will include representatives from HM Government. This Board will ensure there is a sufficient, balanced supply of readily available sites for commercial and residential development to meet the demands of a growing Greater Lincolnshire economy. It will create a comprehensive database of available public and private sector land, identify barriers to its disposal/development, and develop solutions to address those barriers to help Greater Lincolnshire Combined Authority meet its housing goals and to unlock more land for employment use.
- 3 To establish with the assistance of HM Government stronger partnership with the Homes and Communities Agency (HCA) to ensure that Greater Lincolnshire's strategic housing objectives are delivered, and that centrally and locally managed investments are strategically aligned including alignment of HCA investment with the local Strategic Infrastructure Delivery Plan.
- 4 To develop detailed proposals meeting value for money and other funding criteria, on the basis of which HM Government will work with the Combined Authority and its Constituent Councils to provide:
  - a) **Support on large sites:** strong partnership to support key large housing sites (1,500 homes +) with brokerage at the local (through Homes and Communities Agency support) and central government level to help resolve barriers, with utility companies, or government agencies, which are holding up the development process. Continued discussions to secure longer term frameworks for funding of key sites, subject to the development of a business case, value for money and other funding criteria.
  - b) **Support on new settlements:** support in line with local areas' ambitions for any new housing settlements, including any new settlements based on garden town principles, to be taken forward via Mayoral Development Corporations or other emerging vehicles. Subject to Parliament, the HM Government intends to strengthen legislation to make it easier to set up new town style vehicles.
  - c) **Joint action to deliver early on starter homes:** bringing forward sites where housing delivery would not otherwise have happened. The Homes and Communities Agency will work in partnership with the area's local authorities to identify and invest in suitable land.
  - d) **Support for streamlining planning delivery:** to enable local planning authorities to accelerate housing growth. This could include the development of proposals for ambitious reforms in the way that planning services are delivered, and which could enable greater flexibility in the way that fees are set, with a particular focus on proposals which can streamline the process for applicants and accelerate decision making.

- e) **Continued dialogue:** the opportunity for continued dialogue on the longer term potential for greater leadership and autonomy in housing delivery, and a greater role in housing funding decision-making in Greater Lincolnshire.
- 5 To adopt and promote a strategic approach to spatial planning issues in support of the Combined Authority's ambitions and objectives.

## **Water**

- 1 To lead on the development of a scrutinised, integrated, evidence-based flood risk and water management investment programme for the Combined Authority area, working with the GLLEP Water Management Board and co-ordinating and aligning the equivalent flood risk and water management strategies and programmes for Lincolnshire North Lincolnshire and North East Lincolnshire building on the existing joint Lincolnshire Flood Risk and Drainage Management Strategy, its Common Works Programme, and the area's Water Management Plan.
- 2 To receive relevant specific devolved powers and resources from HM Government and:
- a) To propose evidence-based reprioritisation of capital water management investment in the Combined Authority area, to better utilise current levels of national funding, maximise local benefit and attract increased investment, whilst maintaining and where possible enhancing national and local commitments to protect people, property and land up to 2021.
  - b) To identify, propose and develop opportunities to take on more local responsibility for delivering projects in the investment programme, especially where this would generate efficiencies and generate private and commercial contributions.
  - c) To ensure that delivery of local and national programmes within the Combined Authority area are effectively integrated and mutually supportive.
  - d) To implement local scheme prioritisation to develop appropriate approaches to sustain lower consequence systems and schemes, which currently are liable to reduced funding when competing in a national context against higher consequence systems.
  - e) To further develop local prioritised programmes of water management, forming the basis of a long-term future capital investment programme delivering against local priorities and driving growth.
- 3 To collaborate with the Constituent Councils, Internal Drainage Boards (IDB), HM Government and national and local stakeholders to seek to extend the IDB boundaries to the extent permitted by the Land Drainage Act, to maximise IDB coverage across Greater Lincolnshire and to seek authorisation for IDBs to extend their levy raising powers across the whole of those areas.
- 4 To explore and lead actions in conjunction with HM Government to attract business investment in water efficiency and water management.
- 5 To contribute to the outcomes from the Water Resources Study commissioned by the Greater Lincolnshire LEP and the objectives set out in the resulting Greater Lincolnshire LEP's Water Management Plan, developing and exploring new powers with which to do so.

- 6 Within the confines of the existing National Planning Policy Framework, to take into account the high standards of water management that exist in Greater Lincolnshire and the potential to promote water management methods that mitigate this risk together with a more consistent and co-ordinated approach to ensuring development that is appropriately and sustainably designed and delivered (both residential and business focussed) to drive growth and prosperity.

## **Public Sector Transformation**

### **Public Protection**

- 1 To work with HM Government to ensure HM Government understands the needs of local offenders so as to improve commissioning of services for local Lincolnshire offenders in community and in prison informed by Greater Lincolnshire's aim to create a whole system approach to criminal justice, which includes out of court disposals, restorative justice, community and custodial rehabilitation, with a truly effective re-integration policy to tackle social exclusion by supporting and encouraging people into work and productive lives.
- 2 To pursue ongoing engagement with relevant agencies (particularly the National Offender Management Service) facilitated by HM Government to better understand Greater Lincolnshire's position and aims with regard to prison estate and related services and identify opportunities for collaboration, whilst making sure that prison provision for Greater Lincolnshire offenders is in line with current national prison reform plans.
- 3 To work with HM Government, the Community Rehabilitation Company (CRC) and local prison governors to link adult education and skills training provision in the community with education provision in prisons.
- 4 To work with HM Government to move towards a co-commissioning arrangement for commissioning services for Greater Lincolnshire offenders with short term sentences (2 years and under), in both prison and in the community.
- 5 To receive support from HM Government and work with HM Government to develop a Memorandum of Understanding involving relevant local parties to support the process for collaborative working and set out the areas for further detailed work to ensure that the Combined Authority can take on a greater role in the commissioning of offender management services, alongside the National Offender Management Service, including local prison governors, to allow more local flexibility, innovation and better coordination with other local services including healthcare and accommodation.
- 6 To work with HM Government to explore options for greater local input into the provision of court services in the Combined Authority area to ensure access to justice is maintained across the area.
- 7 To work with HM Government to explore opportunities the HMCTS Reform Programme will create through greater digitisation of court and tribunal services in the Combined Authority area.
- 8 To work with HM Government through the Youth Justice Review, to explore options for a more devolved youth justice system.

## **Finance and Funding**

- 1 To create a Single Investment Fund (SIF) that draws together local and agreed national funding streams to deliver an ambitious investment programme across the Combined Authority area to unlock its economic potential.
- 2 To prioritise investment based on economic impact.
- 3 The SIF shall include an additional £15m per annum of funding for 30 years (75% capital and 25% revenue), which will form part of the Greater Lincolnshire single pot. The fund will be subject to a jointly agreed 5-yearly gateway assessment process to confirm the investment has contributed to economic growth.
- 4 To work with HM Government to agree specific funding flexibilities with a joint ambition to give to the Combined Authority a single pot to invest in its economic growth. This pot will comprise a flexible, multi-year settlement providing the freedom to deliver its growth priorities, including the ability to re-direct funding to reflect changing priorities. This local freedom will be over a range of budgets to be determined by the Combined Authority and HM Government. The Combined Authority will have the flexibility to secure substantial private and public sector leverage. The Combined Authority will also be able to use capital receipts from asset sales as revenue funding for public service transformational initiatives. HM Government expects to disburse this agreed settlement to the Combined Authority annually in advance.
- 4A To adopt an assurance framework which establishes the responsibilities, processes and principles that will underpin the delivery of the SIF/single pot. The assurance framework shall ensure that schemes that offer maximum benefits and value for money are prioritised for investment. The selected schemes will be assessed to ensure they deliver value for money (where the economic benefits of the scheme exceed the costs of investment and maintenance) contribute to the Greater Lincolnshire Devolution Agreement, Local Plan, Strategic Economic Plan and GLLEP objectives and can be delivered on time and to budget. Investment decisions should be taken with formal GLLEP involvement.
- 5 To work with HM Government to test whether it will be possible to grant to the Combined Authority Intermediate Body Status for ERDF, ESF and the EU Growth Programme part of EAFRD funding enabling greater influence and decision making in respect of the European Structural Investment Funds 2014-2020 (European Regional Development Fund (ERDF), European Social Funds (ESF) and the EU Growth Programme element of the European Agricultural Fund for Rural Development (EAFRD)). This will allow the area to integrate and align investments with other aspects of the devolution deal and local economic priorities, to improve performance and maximise economic impact.
- 6 If so, to work with HM Government to agree a timescale to put this in place and develop an agreement between each Managing Authority and the Intermediate Body that will contain details of delegated responsibilities and accountabilities, performance management, resources, their funding and payment arrangements and other relevant details.
- 7 To bid for future allocations of national funding.

- 8 Working collaborative with the GLLEP in bringing forward a proposal for consideration by HM Government for a single allocation of the Local Growth Fund to support a programme of investment.
- 9 To work with HM Government to determine how prudential borrowing powers for Combined Authorities could apply within a framework of fiscal responsibility and accountability to the Combined Authority and local authorities.
- 10 To continue to set out proposals to HM Government for how local resources and funding can be pooled across Greater Lincolnshire.
- 11 To agree overall borrowing limits and capitalisation limits with HM Government and enter into formal agreements to engage in forecasting.
- 12 To provide information, explanation and assistance to the Office for Budget Responsibility where such information would assist in meeting their duty to produce economic and fiscal forecasts for the UK economy.
- 13 To agree a process to manage local financial risk across local public bodies and to jointly develop written agreements with HM Government on every devolved power or fund to agree accountability between local and national bodies.

### **Equalities**

- 1 To adhere to the public sector equality duty under section 149 of the Equality Act 2010 as if it was a public authority for the purposes of that section.

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Monitoring Officer**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Monitoring Officer's Annual Report 2015-16</b>

**Summary:**

The Monitoring Officer has to report a number of matters to councillors as part of his statutory duties and as a result of his responsibilities within the Council's Constitution. This has been done in a brief Annual Report to the Council. The Council is invited to receive the report. Mr Wills will be pleased to discuss any part of the report with councillors individually.

**Recommendation(s):**

1. The Council receives the report.

## **1. Background**

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. Richard Wills, the Executive Director for Environment & Economy, was appointed by the Council in February 2014 and commenced his duties on 1 April 2014.

Under the law and Constitution of this Council, the Monitoring Officer's duties include:

- Maintaining the Council's Constitution;
- Ensuring the Council operate within the law;
- Reporting to relevant people findings of maladministration by the Local Government Ombudsman;
- Promoting and maintaining high standards of conduct within the Council;
- Ensuring that councillors maintain a register of their interests; and that officers declare interests;
- Ensuring that decisions are properly recorded and accessible to the public;
- To act as the Senior Responsible Person in relation to the operation of the Regulation of Investigatory Powers Act (2000);
- To act as the Responsible Person for the Council's Confidential Reporting Code.

## **2. Conclusion**

The Monitoring Officer has prepared an annual report that gathers into one place all the issues that he has to report to councillors. This provides a means to enable councillors to satisfy themselves that the Council is complying with the law and have sight of any issues that should be brought to their attention.

In 2015-16, there were no occasions where the Monitoring Officer had to write a report warning the Council that it might infringe the law. There was only one breach of the Councillor's Code of Conduct, which required a formal Hearing Panel to be constituted. There were 9 final or draft findings of maladministration by the Local Government Ombudsman. The council was subject to one Judicial Review Judgment regarding the Council's decision on its Library Service but the Court dismissed the claim.

Officers in Trading Standards authorised 11 operations under the Regulation of Investigatory Powers Act.

The Annual Report, attached as Appendix A, contains other detailed information.

### **3. Legal Comments:**

The Report informs the Council of activities falling within the remit of the Monitoring Officer in the Year 2015/16

### **4. Resource Comments:**

There are no financial implications arising as a result of the acceptance of the recommendation in this report.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

n/a

### **c) Scrutiny Comments**

n/a

### **d) Policy Proofing Actions Required**

n/a

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Monitoring Officer's Annual Report 2015-16

## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Richard Wills, who can be contacted on 01522 553001 or [richard.wills@lincolnshire.gov.uk](mailto:richard.wills@lincolnshire.gov.uk).

This page is intentionally left blank

REPORT TO COUNCIL

## Monitoring Officer's Annual Report 2015-16

### Role of the Monitoring Officer

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. I have been in this post since 1 April 2014.

As the Monitoring Officer I maintain an up-to-date version of the Constitution and ensure that it is widely available for consultation by Councillors, Officers and the public.

One of my main duties as the Monitoring Officer is to ensure that the County Council acts and operates within the law. Although I am not a solicitor myself, I have access to qualified lawyers in Legal Services Lincolnshire. I advise on whether decisions of the Executive are in accordance with the Budget and Policy Framework. I have to report to the full Council or to the Executive if I consider that any proposal, decision or omission would give rise to unlawfulness. Such a report would have the effect of stopping the proposal or decision being implemented until the report has been considered.

I report to full Council where the Local Government Ombudsman issues a Public Report in respect of maladministration or a failure to provide services or a failure in any services provided, under section 31 of the Local Government Act 1974.

I also help promote and maintain high standards of conduct by Council members, officers, partners and contractors. When required I process complaints about alleged breaches of the code of conduct in accordance with the local arrangements and work with the Audit Committee to deal with breaches and to achieve high standards.

The standards regime also requires that councillors register their disclosable pecuniary interests. I need to ensure that the register is being maintained and consider applications in relating to the granting of dispensations.

### Proper Officer functions

I have a number of duties that do not necessarily result from the statutory functions of the Monitoring Officer but for which the person in that role is best placed to be the proper officer.

I ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

I am the Senior Responsible Officer in respect of the Regulation of Investigatory Powers Act. I have to report on Covert Surveillance to the Council.

I am also the Responsible Officer for the Council's Whistle Blowing Policy (Confidential Reporting Code). I ensure that the Audit Committee receives an Annual Report from the Head of Corporate Audit.

# REPORT FOR 2015-16

## Statutory Monitoring Officer Reports

I am pleased to report that there were no occasions where I had reason to believe that there was a likelihood that the Council was about to take a decision that would be unlawful or give rise to maladministration. Consequently, I did not have to issue any report to the council under Section 5(2) of the Local Government and Housing Act (1989).

## Judicial Review Judgements

The Council was challenged by a Claimant about the Council's Library service plans for a second time at a Judicial Review in July 2015. The Court considered the Claimant's arguments but these were dismissed by the Court.

## Local Government Ombudsman's findings of maladministration

In 2015-16 there were 54 referrals to the Local Government Ombudsman. Of these:

- 21 were considered by the LGO to be premature or not relevant to LCC;
- 11 no fault was found by the LGO
- 11 were on going
- 9 cases of maladministration were found
- 2 needed no further action (NFA)

There were also 4 decisions from the LGO in 2015-16 that had been referred in 2014-15:

- 3 of these were now closed
- 1 was considered by the LGO to be premature and needed no further action (NFA).

Of the cases of maladministration, I am pleased to report that none resulted in a Public Report under section 31. Consequently, there is no obligation on me to report any results to full Council under the Act.

However, I set out in the box on the next page brief details of the decisions of maladministration published by the Ombudsman in 2015/16. The Ombudsman publishes all of its decision notices on its website in anonymised form whether or not a finding is made against the Council.

## Standards

### Councillors' Code of Conduct

In 2015-16 I have dealt with a number of informal and formal complaints that councillors had allegedly breached the Code of Conduct. In most cases I found that the complaint did not fall within the Code of Conduct scheme. The number of complaints of perceived harassment and poor interpersonal relationships between councillors, which are matters for relevant Group Leaders to resolve, has diminished. One could speculate that this may be the result of adding the criterion of "Respect" to the Council's Code of Conduct. The new Chief Whip, Cllr Jackie Brockway, is also trying to resolve more matters informally.

One investigation report was submitted to a Standards Panel of the Audit Committee for consideration, which found that a breach of the Code had occurred but that it was of a nature that any sanctions should be left for the relevant group leader to determine.

The Council appoints Independent persons to assist it in determining any outcomes of an investigation. The Council had been well served by Clive Mason and he had helped in the recruitment of an additional person for the role. It was very sad that he died suddenly shortly before the appointments were made. The new Independent Persons are Alan Pickering and Chris Riley.

### Register of Councillors' disclosable pecuniary interests

All Councillors had made entries on their register of disclosable pecuniary interests. A number of councillors amended their entries during the year as their circumstances changed.

### PUBLISHED FINDINGS BY THE LOCAL GOVERNMENT OMBUDSMAN

i The complainant, Mrs X (on behalf of her late mother – Mrs Y) complained that her mother's jewellery disappeared whilst she was placed in a care home. The LGO found the Council to be at fault in the way its contracted care provider dealt with Mrs Y's valuable possessions. The Council was required to pay £500 to Mrs Y's estate for the financial loss experienced.

ii Mr A (on behalf of his late father – Mr X) complained about the way that the Council's Independent Living Team managed his late father's care. The LGO found fault in that there should have been a review of Mr X's re-ablement care but did not consider the injustice to be sufficient to warrant a financial remedy.

iii Mr C complained that the Council incorrectly charged him for eight days temporary stay in a nursing. The LGO found that the Council should not have asked for a contribution from Mr C as he was ready to go home and had to wait for his assessment and a suitable care package to be put in place. The Council was required to pay Mr C £100 as reimbursement.

iv Mr and Mrs X complained that the Council was wrongly charging their son for activities that they considered to be part of his agreed care plan. The LGO found evidence of fault by the Council in how it informed Mr and Mrs X about the charges resulting in Mrs X's son incurring charges that were not anticipated. The LGO required the Council to consider refunding charges incurred for the period from the son moving into the current placement to the date the LGO decision was issued. The Council agreed this action and is currently considering the refund which is expected to total circa £5,000. The Ombudsman did not find fault in the Council's rationale for applying the charges, only the way in which that information was communicated.

v Mrs C complained that, following a financial assessment to determine her husband's contribution towards his care home fees, the Council has not left her with enough funds to cover her expenses. The LGO found fault in the assessment but as the Council reviewed its position during the course of the investigation it did not require any further action or compensation.

vi Mr and Mrs J complained that the Council failed to support them properly when they were caring for their grandchildren after their mother's arrest. The LGO found the Council was at fault by failing to support grandparents as kinship carers for their grandchildren. The LGO required the Council to pay a retrospective foster carers' allowance to the complainants amounting to £8,311.98.

vii Miss C together with her brother complained about the way Lincolnshire County Council acted towards them while they were overseeing the contact arrangements with her mother whilst she was on police bail, particularly that the social worker did not consider her wishes and kept the supervision arrangements in place for too long. The LGO found fault in the Council's actions and required the Council to pay £500 each to Miss C and her brother to remedy the distress caused.

viii Mrs B complained that there was fault in the way the Council acted following an allegation against her husband. The LGO found fault in the way the Council shared information with Mrs B in advance of child protection conferences and required the Council to pay Mrs B £200 in recognition of the time, trouble and distress caused.

ix Mrs D complained about the care received by her late mother (Mrs B). Additionally Mrs D complained about the Safeguarding Investigation carried out by Lincolnshire County Council following an allegation of neglect by the care home. The LGO found that the Council investigated the safeguarding complaint adequately but did not record the outcome correctly resulting in a fault. There was no evidence of fault in the other aspects of the complaint concerning the handover from the Hospital Trust to a Nursing Home nor the decision to arrange a placement there.

## **Register of Officers' Interests**

Managers continue to ensure that officers are aware of their obligations in respect of the Register of Officers' Interests. The register is maintained by the Democratic Services team and is regularly reviewed.

## Regulation of Investigatory Powers Act (RIPA)

Statistics for 2015-16

Trading Standards were the only department to use covert surveillance during 2015-16. In total 11 operations were authorised:

- 4 directed surveillance operations;
- 7 Covert Human Intelligence Sources (CHIS) operations.

The Council was inspected by the Officer of the Surveillance Commissioner in January 2015. The resulting recommendations were accepted on behalf of the Council and an action plan to address them was prepared.

### Whistleblowing

The administration of the Confidential Reporting Policy is undertaken by Internal Audit. The last report was submitted to the Audit Committee in January 2016 covering whistleblowing activity in the year 2014/15.

**MONITORING OFFICER**  
***Richard Wills***

[Monitoring\\_Officer@lincolnshire.gov.uk](mailto:Monitoring_Officer@lincolnshire.gov.uk)

County Offices  
Newland  
LINCOLN  
LN1 1YL

## ACTIONS ON OSC RECOMMENDATIONS (RIPA)

- i A Central Record matrix in two parts has been completed. One to reflect *directed surveillance*; and the other *CHIS*.
- ii The existing *CHIS* forms have been corrected and links to the Home Office forms have been added to the policy so the correct versions are now available and in use.
- iii The *SRO* and *RIPA Co-ordination Officer* are exercising more robust oversight on all authorisations and the authorisation process and frequent meetings are being undertaken/planned.
- iv There are plans to utilise Lincs to Learn to improve RIPA awareness throughout the Council.
- v The number of authorising officers has been reduced and all officers who may authorise have been adequately trained.
- vi A controller, handler and record keeper (who may be either controller or handler) has been appointed for each authorisation to manage each *CHIS* and ensure that risk assessments are undertaken in each such case.
- vii Training is ongoing within Trading Standards and an update for all staff is planned when amendments to legislation regarding comms data is introduced.
- vii The Corporate Policy and Procedures Document on *RIPA* has been amended

This page is intentionally left blank

**Open Report on behalf of Richard Wills  
Executive Director for Environment and Economy**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies</b>

**Summary:**

The County Council as the mineral and waste planning authority for the County is currently preparing a Minerals and Waste Local Plan to replace the existing Minerals Local Plan (1991) and Waste Local Plan (2006). The Plan is being prepared in two parts:

- the Core Strategy and Development Management Policies (CSDMP) document, the subject of this report; and
- the Site Locations document.

The County Council approved the submission of the CSDMP (Pre-Submission Draft) together with a Schedule of Modifications to the Secretary of State for examination on 15 May 2015. The County Council also authorised officers to propose further modifications to the document to address any issues raised during that examination.

The examination was carried out by an Inspector and included public hearing sessions held in October 2015. During the examination officers proposed Main Modifications (to make the document sound and legally compliant) and Additional Modifications (of a more minor nature and included mainly to improve clarity). These modifications were subject to consultation during the examination.

The Inspector has now issued his report in which he has concluded that with the Main Modifications the CSDMP document is sound and legally compliant (Appendix A). He has also advised that the inclusion of the Additional Modifications would not affect this status. As a result, the County Council can only resolve to formally adopt the document as part of the statutory development plan for the County if it agrees to the incorporation of the Main Modifications. The County Council does, however, have discretion over whether the Additional Modifications are incorporated into the CSDMP.

If any of the Main Modifications are not acceptable to the County Council the CSDMP cannot be adopted and work would have to commence on preparing a new replacement Plan.

Should the County Council be minded to adopt the CSDMP document incorporating the Main Modifications and the Additional Modifications (Appendix B), there would be a statutory period of six weeks following adoption in which the decision could be challenged by an aggrieved person in the High Court. It is therefore proposed that the document is adopted on 1 June 2016, which would allow time for the County Council's decision to be publicised in advance of the statutory period of challenge.

**Recommendation(s):**

That the County Council resolves that the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies document incorporating the Main Modifications recommended by the Inspector and the Additional Modifications proposed by officers (as set out in Appendix B) be adopted on 1 June 2016 under Section 23 of the Planning and Compulsory Purchase Act 2004.

**1. Background**

- 1.1 Within its role as Minerals and Waste Planning Authority for Lincolnshire, the County Council has the statutory responsibility of producing a Minerals and Waste Local Plan (MWLP) that will replace the existing Minerals Local Plan (1991) and Waste Local Plan (2006). The MWLP will cover the period up to 2031 and will consist of two documents: the "Core Strategy and Development Management Policies" document (the subject of this report) and the "Site Locations document".
- 1.2 The Core Strategy and Development Management Policies document, which is now in its final form pending adoption, sets out the key priorities to guide the future winning and working of minerals and the form of waste management development in the County. It also includes Development Management Policies setting out the criteria against which planning applications for minerals and waste development will be considered (Appendix B).
- 1.3 The Site Locations document, which is at an earlier stage of preparation, includes specific proposals and policies for the provision of land for minerals and waste development. A draft version of this document was subject to public consultation from 4 December 2015 to 29 January 2016. That document is currently being reviewed in the light of representations received. It is anticipated that a revised draft Site Locations document will be ready for "pre-submission" consultation in the autumn.
- 1.4 The CSDMP must take into account European and National policy and legislation, and has a fundamental role to play in supporting anticipated future growth and development within Lincolnshire. It sets out a framework for the supply of the essential raw materials required to meet the County's future development needs, and will ensure that the waste generated by an

increasing population is dealt with in the most sustainable way possible. Its policies will also be used to assess the sites/areas promoted for inclusion in the Site Locations document for future minerals/waste development.

### **Amendments to the Core Strategy and Development Management Policies (Pre-Submission Draft) document**

- 1.5 The Executive approved the "Pre-Submission" Draft version of the Core Strategy and Development Management Policies (CSDMP) document for public consultation on 7 October 2014. This consultation subsequently took place between 5 January and 16 February 2015.
- 1.6 On 15 May 2015 the County Council:
  - approved the CSDMP (Pre-Submission Draft) document for submission to the Planning Inspectorate for examination;
  - approved a Statement of Representations (summarising the representations received on the document) and a Schedule of Proposed Minor Modifications, which were also submitted to the Planning Inspectorate for consideration; and
  - authorised the Strategic Planning Manager to make further modifications as necessary to address issues raised during the examination, and to consult on those proposed modifications.
- 1.7 The CSDMP (Pre-Submission Draft) was submitted to the Planning Inspectorate for examination on 5 June 2015. This examination included public hearing sessions that took place between 13 October 2015 and 16 October 2015. Following these hearings, a Schedule of Modifications was prepared in response to the issues raised during the examination. These were divided into two categories: Main Modifications, which are considered necessary to make the document sound and legally compliant; and Additional Modifications, which are of a more minor nature - such as the inclusion of points of clarification.
- 1.8 The Schedule of Modifications was subject to public consultation between 20 November 2015 and 8 January 2016. At the request of the Inspector, the representations received were then summarised in a "Consultations on Proposed Modifications: Outcomes Report" together with the officers' response. The document forms one of the background papers to this Report. The officers' response included non-material changes to three of the proposed Main Modifications (which were made for the avoidance of doubt and in the interests of simplicity, consistency, clarity and effectiveness). Similarly, non-material changes were also proposed to some of the Additional Modifications.
- 1.9 The examination ended on 22 February 2016 with the issuing of the Inspector's report (Appendix A). In this, he concludes that there are a number of deficiencies in relation to soundness of the CSDMP (Pre-Submission Draft). However, with the inclusion of the Main Modifications appended to his report (which are the same as the Main Modifications put

forward by officers, as modified by the amendments set out in the "Consultations on Proposed Modifications: Outcomes Report" referred to above), the document is sound and legally compliant. The Inspector has also confirmed that the Additional Modifications put forward by the Council are minor in nature and will not affect the document's sound and legally compliant status.

- 1.10 Although the Modifications cover a wide range of issues, as set out in the Inspector's Report, it is considered that the modifications arising from two issues are of particular significance: the allocation of sand and gravel, and the future need for inert landfill.

#### The allocation of sand and gravel

- 1.11 The CSDMP (Pre-Submission Draft) proposed to base the allocation of sand and gravel for extraction during the Plan period on the Sub-Regional Apportionment (SRA) set by the former East Midlands Regional Assembly in 2010. At the time the Council appreciated that demand was well below the level envisaged by the SRA, but used high housing projections to justify the continued use of the SRA. Unfortunately, as the draft Plan has progressed, it has become more difficult to justify the continued use of the SRA – particularly as markets have remained depressed, whilst the Government's housing projections have been reduced. This has been compounded by the lack of up-to-date housing provision in the various district local plans. Therefore during the examination, the officers asked the Inspector to consider a reduction in the amount of sand and gravel to be allocated – basing this on the previous 10 years' average sales (in line with the National Planning Policy Framework). This would reduce the annual requirement from 3.28 mt to 2.37 mt.
- 1.12 In response, the Industry's trade body (the Mineral Products Association) raised concerns, but conceded that the SRA could no longer be justified. They therefore agreed to the modification, subject to the Plan being reviewed in the event of a sustained recovery in sales. Although some developers/landowners maintained their objections to the reduction in the allocation of sand and gravel, the Inspector has agreed that this is an appropriate approach and has recommended the Plan is modified accordingly. If accepted by the County Council, the main advantage of the lower allocation will be that less land will need to be allocated in the Site Locations document for sand and gravel extraction. This will therefore give the Council more flexibility in the choice of sites selected for inclusion in the next (Pre-Submission) draft version of that document.
- 1.13 As with all development plan documents, the CSDMP document will need to be monitored. If there is a sustained upturn in the market, the CSDMP document and the Site Locations document may need to be reviewed. However, prior to such a review taking place, the policies in the CSDMP document are flexible and would allow additional land to be brought forward for extraction to meet any shortfall in the landbank of permitted reserves. It

is therefore considered that this amendment to the CSDMP document will not impede any growth in the County.

#### Future need for inert landfill

- 1.14 The CSDMP (Pre Submission Draft) document contains a restrictive policy on landfill. This is because landfill lies at the bottom of the waste hierarchy (i.e. it is the least sustainable means of dealing with waste) and because the County is likely to have sufficient landfill capacity during the Plan period. This was contested by a developer who questioned the figures in the Council's Waste Needs Assessment and argued that there would be a capacity gap in the provision of inert landfill during the Plan period. As a result, officers reviewed the Council's Waste Needs Assessment and have acknowledged that there is a capacity gap during the Plan period. However, it has been contended by officers that this could be met by the disposal of inert waste at non-hazardous landfill sites and potentially by an increase in recycling.
- 1.15 In his conclusion, the Inspector has accepted the point made by officers and has recommended the inclusion of modifications to:
- update the information used in the document;
  - strengthen the policy relating to landfill; and
  - in the event that it becomes apparent through the monitoring of the document that additional landfill suitable for inert disposal is required, commits the Council to an early review of the Plan.

The implication of this is that applicants will have to put forward very robust evidence to justify any proposals for the provision of additional inert landfill.

#### The Adoption Procedure

- 1.16 Under Section 23 of the Planning and Compulsory Purchase Act 2004, the County Council can only resolve to adopt the CSDMP document subject to the inclusion of the Main Modifications recommended by the Inspector. If any of the Main Modifications are rejected by the County Council, the document cannot be adopted and work on a new replacement minerals and waste local plan would need to commence.
- 1.17 If the County Council is minded to adopt the CSDMP document, it does not have to incorporate the Additional Modifications. However, these are minor in nature and include the correction of typographical errors, as well as providing clarification on various aspects of the document. The rejection of the Additional Modifications would therefore make the CSDMP document more difficult to interpret.
- 1.18 Should the County Council be minded to adopt the CSDMP document incorporating the Main Modifications and the Additional Modifications (Appendix B), there would be a statutory period of six weeks following adoption in which the decision could be challenged by an aggrieved

person in the High Court. It is therefore proposed that the document be adopted on 1 June 2016, which would allow time for the County Council's decision to be publicised in advance of the statutory period of challenge.

#### Other Statutory Considerations

- 1.19 The Council's duty under the Equality Act 2010 needs to be taken into account when coming to a decision.
- 1.20 The Council must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).
- 1.21 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 1.22 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 1.23 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.
- 1.24 Compliance with the duties in this section may involve treating some persons more favourably than others.
- 1.25 A reference to conduct that is prohibited by or under this Act includes a reference to:

- (a) a breach of an equality clause or rule
  - (b) a breach of a non-discrimination rule.
- 1.26 It is important that the Council is aware of the special duties it owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Council. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.
- 1.27 To discharge the statutory duty the Council must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.
- 1.28 An impact analysis was undertaken on the CSDMP (Pre-Submission Draft) prior to submission to the Secretary of State in accordance with the Statement of Community Involvement. As the approval of an overarching plan for waste and minerals planning, the decision is considered to be neutral between persons having all or any of the protected characteristics and persons who do not. In particular the plan will govern future decision-making regardless of whether any proposal is made by a person with or without a protected characteristic.
- 1.29 The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.
- 1.30 The Strategy has been taken into account in this instance and the decision is not considered to impact on child poverty.
- 1.31 The Council is required to have regard to the Lincolnshire Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy. These documents have been taken into account and the Minerals and Waste Local Plan is considered to contribute to the aims of the strategy by providing a framework for development that takes into account and minimises impact on the environment.
- 1.32 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area. This obligation has been considered but is not thought to be directly affected by the proposals in this Report.

## Recommendation of the Executive

- 1.33 On 4 May 2016 the Executive endorsed the CSDMP as modified by the Main Modifications (recommended by the Inspector) and the Additional Modifications (proposed by officers), recommending that the County Council adopt the document (as detailed at Appendix B).

## **2. Conclusion**

- 2.1 The Main Modifications recommended by the Inspector are necessary to make the CSDMP (Pre-Submission Draft) document sound and legally compliant, whilst the Additional Modifications add clarification to the document. The proposed modifications were prepared by officers in consultation with interested parties during the examination and were then publicised prior to submission to the Inspector.
- 2.2 It is considered that all the modifications improve/strengthen the CSDMP document and that, in its modified form, this document will make appropriate provision for minerals and waste development during the Plan period, a view endorsed by the Executive.

## **3. Legal Comments:**

The Minerals and Waste Local Plan forms part of the Policy Framework. Approval of the Plan therefore falls to the full Council on the recommendation of the Executive. The report presents the results of a statutory process of development consultation and examination and records that the Executive has resolved to recommend the Plan to full Council.

The Report sets out the options open to the Council in that it can only adopt the Plan if it does so with the Main Modifications and may adopt it with the Additional Modifications.

The recommendation is lawful and the decision is within the remit of the full Council.

## **4. Resource Comments:**

There are no material financial implications arising from the acceptance of the recommendation in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

The modified CSDMP document has not been reported to the Environmental Scrutiny Committee.

### d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report (NOTE: due to the size of the appendices they have only been circulated electronically. A paper copy is available for inspection by contacting Democratic Services)	
Appendix A	Inspector's Report (22 February 2016)
Appendix B	Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies [incorporating Main Modifications and Additional Modifications]

## 7. Background Papers

Document title	Where the document can be viewed
Schedule of Proposed Modifications November 2015	<a href="http://www.lincolnshire.gov.uk//mineralsandwaste">http://www.lincolnshire.gov.uk//mineralsandwaste</a>
Consultations on Proposed Modifications: Outcomes Report	<a href="http://www.lincolnshire.gov.uk//mineralsandwaste">http://www.lincolnshire.gov.uk//mineralsandwaste</a>
Impact Analysis to Enable Informed Decisions	<a href="http://www.lincolnshire.gov.uk//mineralsandwaste">http://www.lincolnshire.gov.uk//mineralsandwaste</a>
Statement of Community Involvement	<a href="http://www.lincolnshire.gov.uk//mineralsandwaste">http://www.lincolnshire.gov.uk//mineralsandwaste</a>

This report was written by Adrian Winkley, who can be contacted on 01522 554818 or [adrian.winkley@lincolnshire.gov.uk](mailto:adrian.winkley@lincolnshire.gov.uk)

This page is intentionally left blank



---

# **Report to Lincolnshire County Council**

**by Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI FCIHT MIEnvSc**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 22nd February 2016**

---

## **PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)**

### **SECTION 20**

#### **REPORT ON THE EXAMINATION INTO THE**

#### **LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN**

#### **CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES**

Document submitted for examination on 5 June 2015

Examination hearings held between 13 and 16 October 2015

File Ref: PINS/Q2500/429/6

## **ABBREVIATIONS USED IN THIS REPORT**

Examination documents (referenced in parentheses in the text) are prefixed by the letters BD, CD, ED, MD or SD.

AA	Appropriate Assessment
LDS	Local Development Scheme
m	metres
MM	main modification
NPPF	National Planning Policy Framework
Para	paragraph
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
WRAP	Waste and Resources Action Programme

## **Non-Technical Summary**

This report concludes that the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies provides an appropriate basis for planning for minerals and waste provision in the county over the next 15 years providing a number of modifications are made to the Plan. Lincolnshire County Council has specifically requested me to recommend any modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the County Council and I have recommended their inclusion after considering the representations from other parties on these issues.

The principal Main Modifications can be summarised as follows:

- Aligning the Spatial Vision with national policy;
- Introducing measures to give effect to all the Strategic Objectives;
- Changing the basis upon which future demand for aggregates is calculated;
- Strengthening the provisions on sand and gravel extraction;
- Clarifying and expanding upon provision for building stone extraction;
- Adjusting the provisions on minerals and waste safeguarding;
- Up-dating the figures on future need for waste management facilities;
- Setting out the approach to provision for landfill including inert landfill;
- Clarifying policy on acceptable locations for waste management facilities;
- Giving better effect to development management and restoration policies; and
- Setting out more effective monitoring provisions.

## Introduction

1. This report contains my assessment of the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's **preparation** has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (BD-013, Para 182) makes clear that, to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Pre-Submission Draft dating from January 2015 (CD-001). This is the same as the document upon which public consultation took place between 5 January and 16 February 2015.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with Section 20(7C) of the 2004 Act, the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications (MD-001).<sup>1</sup> These have been subject to public consultation for seven weeks. I have taken account of the consultation responses in coming to my conclusions in this report.<sup>2</sup>

## Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by Section 33A of the 2004 Act in relation to the Plan's **preparation**. In this regard, the Council has prepared a Duty to Co-operate Statement (SD-003) which, together with predecessor statements (CD-003 and CD-026), sets out how the duty has been fulfilled.
6. Throughout the plan preparation process, the Council has been proactive in ensuring discussion and co-operation on strategic matters relevant to the Plan. Statutory consultation requirements have been exceeded. By way of example, consultation has included attendance at and active involvement with cross-boundary working groups in relation to minerals and waste planning as well as corresponding with and arranging meetings with District Councils. This has

---

<sup>1</sup> The Sustainability Appraisal (Environmental Report and Policy Assessments) and Habitats Regulations Screening Assessment were also up-dated, with minor amendments, following preparation of the main modifications (MD-005, MD-006 and MD-007 respectively).

<sup>2</sup> As a result of the consultation, and as recommended by the Council, I have made non-material changes to proposed main modifications MM7, MM12 and MM13. These changes are for the avoidance of doubt and in the interests of simplicity, consistency, clarity and effectiveness.

been with a view to ensuring that the aims and objectives of the Plan are fully understood as well as securing consistent implementation across the County.

7. The Council has also corresponded with and arranged meetings with Duty to Co-operate bodies to ensure agreement and resolution of any concerns in relation to the content of the Plan. Contact has also been made with specific Waste and Mineral Planning Authorities in order to address the cross-boundary movements of minerals and waste and any associated implications in terms of the waste facilities and minerals extraction for which provision needs to be made within Lincolnshire.
8. I conclude that the Council has worked collaboratively with other authorities and bodies and has co-operated effectively through a continuous period of engagement. The local planning authority has fulfilled the duty to co-operate with regard to the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies.

## Assessment of Legal Compliance

9. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all. However, I have comments to make with regard to the Sustainability Appraisal and the Appropriate Assessment.
10. In terms of the Sustainability Appraisal, concern was expressed regarding the evaluation of certain matters. In particular, and in relation to Policy M9 (Energy Minerals) and unconventional extraction methods, it was felt that there was inadequate appraisal of effects such as potential risks to water supply and quality as well as air quality. In addition, the risk of causing earthquakes was seen as a potentially significant effect.
11. Having reviewed the provisions of Policies DM3 (Quality of life and amenity) and DM16 (Water Resources),<sup>3</sup> I am satisfied that the Plan would not give rise to significant effects in terms of water and air and that these matters were adequately addressed in the Appraisal. However, the SA was silent on the matter of potential induced seismicity. This omission has been addressed through an up-date (MD-005 and MD-006). The Sustainability Appraisal is now adequate.
12. Turning to the **Council's** conclusion that Appropriate Assessment of the Plan is not necessary, reliance is placed on Policy DM7 (Internationally Designated Sites of Biodiversity Conservation Value) and the requirement for specific Appropriate Assessment in qualifying cases. This begs the question of **deliverability of the Plan's provisions** and whether there would be an adequacy of unconstrained sites. In this regard, the Council submitted additional evidence (ED-034 to ED-039) about potentially available sites. To my mind, this evidence demonstrates that there is no likely deliverability problem. The approach set out in the Plan and in the Habitats Regulations Assessment screening report (CD-004 and MD-007) is satisfactory.

---

<sup>3</sup> These are relevant development management policies relating to Policy DM9.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Local Plan is identified within the approved LDS August 2015 (SD-017) which sets out an expected adoption date of Spring 2016. The <b>Local Plan's</b> content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2007 and reviewed and updated in October 2014 (CD-028). Consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed " <b>main modification</b> " changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report updates (CD-004 (September 2014) and MD-007 (December 2015)) set out why AA is not necessary.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations	The Local Plan complies with the Act and the Regulations.

## Assessment of Soundness

### Preamble

13. The Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies presents a strategy for the provision of minerals and waste management in the County over the period to 2031. In addition, development management policies set out the context for the on-going control of minerals and waste development. The Plan is to be followed by a Site Locations Document that will allocate specific minerals and waste sites and provide the basis for an adequacy of provision throughout the Plan period.
14. The Plan submitted to the Secretary of State was accompanied by a Schedule of Minor Modifications dated May 2015 (SD-004). These modifications were commended for inclusion in the Plan and there was the opportunity to discuss them at the examination. However, they have now been incorporated in, and superseded by, the Schedule of Proposed Modifications (MD-001) upon which consultation took place after the final adjournment of the examination hearings.
15. In relation to the examination, I have considered all relevant matters including regard to national policies and advice, principally that set out in the National Planning Policy Framework (BD-013), Planning Practice Guidance and National Planning Policy for Waste (BD-034).

## **Main Issues**

16. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I have identified six main issues upon which the soundness of the Plan depends.

### **Issue 1 – Whether the Plan has been positively prepared and is justified, effective and consistent with national policy**

#### ***Positive Preparation***

17. When considering soundness, it is necessary to consider whether the Plan has been positively prepared. I note that the Plan is designed to plan positively for the future waste management needs of the county and for a sufficient supply of minerals, both based on up-to-date assessments of need. Individual development management policies are positively worded.
18. Additionally, the Plan will be subject to the presumption in favour of sustainable development (Policy DM1). This confirms that the Council will take a positive approach when considering development proposals. Planning applications that accord with the policies in the Plan will be approved unless material considerations indicate otherwise. All in all, I find that the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies has been positively prepared and is sound in that regard.

#### ***Spatial Vision***

19. Chapter 4 of the Plan contains a Spatial Vision of how the Plan will provide a strategic planning framework and facilitate the sustainable supply and use of minerals and the sustainable management of waste. The Spatial Vision is supported by a number of Strategic Objectives. The Spatial Vision and Strategic Objectives have been prepared in the context of national policy and guidance.
20. I would expect the Spatial Vision to set out matters that are of fundamental importance to planning for minerals and waste in Lincolnshire. However, two matters are absent from the Spatial Vision. The first is reference to the Plan period. In this regard, provision for minerals and waste should be a continuous and on-going process with extraction of minerals and the development of waste facilities taking place **in a progressive manner. "Over the period to 2031" should be referred to as the appropriate timeframe.**
21. The second matter is an absence, from the Spatial Vision, of reference to whether the County is aiming to achieve net self-sufficiency in provision for waste management within the Plan area. As such, the geographic context of the Plan is unclear.
22. These matters would be addressed under main modifications **MM1 and MM3.** In this way, the Spatial Vision would be aligned with national policy.

#### ***Strategic Objectives***

23. In terms of the Strategic Objectives, these contain a number of laudable matters including ensuring high standards of design and layout; sustainable

construction methods; good working practices; and the encouragement of new technologies (maximising the renewable energy potential of waste as a resource). In many ways, these objectives reflect Government policy and guidance. For example, National Planning Policy for Waste (BD-034) looks to planning authorities to ensure that waste management facilities in themselves are well-designed (Para 7); also, when handling waste arising from the construction and operation of development, to maximise reuse/recovery opportunities and minimise off-site disposal (Para 8).

24. In the instances quoted, however, the Plan fails to set out how the objectives would be achieved. To make the Plan effective, and to accord with national policy, a number of main modifications are recommended. Policy provision relating to high standards of design and layout would be introduced through main modification **MM38 (part)**. Sustainable construction methods and good working practices would be addressed in textual additions and reference to the use of appropriate conditions (**MM23 and MM37**). The use of new technology would be dealt with through a modification of the Strategic Objective to better reflect the emphasis of the Plan (**MM2**).
25. On a final note, Strategic Objective h refers to encouraging protection of soils through restoration schemes to biodiversity. However, this provision is not intended to apply where restoration back to agriculture is contemplated. The effectiveness of the Strategic Objective is compromised but would be corrected under main modification **MM4**.

## **Issue 2 – Whether appropriate provision is made for the steady and adequate supply of minerals of local and national importance**

### ***Supply of Aggregates***

26. An accurate assessment of the on-going need for aggregates within the County is of fundamental importance to the provisions of the Plan. In this regard, a Sub-Regional Apportionment for the East Midlands was agreed by the East Midlands Aggregates Working Party in January 2010. This provided for annual provision in Lincolnshire of an average of about 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock. Related provisions of the Plan have been based on this apportionment spread over three Production Areas.<sup>4</sup>
27. The National Planning Policy Framework (BD-013, Para 145) indicates that planning for a steady and adequate supply of aggregates should be informed by an annual Local Aggregate Assessment. This would be based on a rolling average of 10 years sales data and other relevant matters.
28. The latest version of the Local Aggregate Assessment for Lincolnshire (SD-021, Revised Draft October 2015)<sup>5</sup> shows that the average for sales of sand and gravel (aggregate) over the period 2004 to 2013 was 2.37 million tonnes a year. That for limestone sales for aggregate purposes was 0.624 million tonnes. These figures are much lower than those based on the Sub-Regional Apportionment.

---

<sup>4</sup> The three Production Areas are Lincoln/Trent Valley; Central Lincolnshire; and South Lincolnshire

<sup>5</sup> A further Revised Draft (November 2015 – MD-003) was prepared to accompany the main modifications.

29. At the time of preparation of the Plan, there were expectations of economic and population growth with a consequent increase in demand for new built development. However, the latest evidence does not support the ambitious assumptions. The appropriate way forward would be to make provision for aggregate supply based on the sales figures in the Local Aggregate Assessment and with proportionate distribution across the three Production Areas. In addition, careful monitoring of the situation would lead to early review of the provisions if there were significant variations.
30. The necessary changes would be effected through a number of main modifications. Under main modification **MM5**, there would be changes to Policy M2 (Providing for an Adequate Supply of Sand and Gravel) and the supporting text to reflect the changed situation and to include a commitment to meet the adjusted shortfall through the Site Locations Document. Main modification **MM6** would address the landbank of permitted reserves.
31. Adjustments in respect of limestone for aggregate purposes would be made under main modification **MM10**. There would be a commitment to monitoring and review through main modification **MM11**. With these modifications in place, related provisions of the Plan would be justified and consistent with national policy.

### ***Proposals for Sand and Gravel Extraction***

32. Policy M4 of the Plan sets out proposals for sand and gravel extraction at both allocated and non-allocated sites. However, as drafted, there are a number of shortcomings in both the policy and the supporting text:
- Paragraph 5.41 does not accurately reflect the circumstances under which planning permission would be given at unallocated sites.
  - The text does not identify the sort of exceptional circumstances that could justify an additional quarry.
  - Policy M4 is unreasonably linked to landbank maintenance (Policy M3: Landbank of Sand and Gravel).
  - In terms of giving preference to allocated new sites in Areas of Search, there is a lack of consistency with Policy M2 (Providing for an Adequate Supply of Sand and Gravel).
  - With regard to "proven need", consistency with Policy M5 (Limestone) and Policy M6 (Chalk) is required.
33. To ensure that the provisions are effective, deliverable and consistent with national policy, a number of modifications are required. Main modifications **MM7, MM8 and MM9** refer.

### ***Limestone and Building Stone***

34. In the Plan, Limestone and Building Stone are addressed in two separate policies (Policies M5 and M7 respectively). Policy M7 (Building Stone) reflects the requirement of the National Planning Policy Framework (BD-013, Para 144) whereby local planning authorities should consider how to meet any

demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets. There are, however, two main problems.

35. **First, although the policy is headed "Building Stone", it is clear from** the terms of the policy and the supporting text that only *historic* building stone is being addressed. Any proposals for non-heritage building stone would fall foul of the policy; and there is no policy against which such proposals would be judged. Secondly, the policy refers to permitting small-scale quarries. However, under the terms of the National Planning Policy Framework, it is extraction that should be small-scale.
36. To address these problems, I am recommending the modification of Policy M5 (Limestone) and the supporting text such that the extraction of limestone for non-aggregate purposes would be permitted under the terms of the revised policy (**MM12 and MM13**). With regard to Policy M7 (Building Stone), and in addition to referring to small-scale extraction, a change in the title to *Historic* Building Stone would differentiate the policy (**MM14**). Through these modifications, related provisions of the Plan would be effective and would be consistent with national policy.

### ***Minerals Safeguarding***

37. The National Planning Policy Framework (BD-013, Para 143) makes a number of important provisions with regard to the safeguarding of minerals. In particular Minerals Safeguarding Areas are to be defined; also Minerals Consultation Areas based on these Minerals Safeguarding Areas. However, as indicated below, the way in which these matters are dealt with in the Plan are ineffective and do not accord with national policy:
- It should be made clear that the defined Minerals Consultation Area coincides with the extent of the Minerals Safeguarding Area.
  - In settlements with a population in excess of 1,000 and a minimum area of 20 hectares, sterilisation by nearby development at the urban edge needs to be avoided.
  - Guidance is needed on Minerals Assessments.
  - Clarification is needed regarding judging the environmental acceptability of prior extraction.
  - Certain chalk resources need to be safeguarded.
  - There needs to be clarification of the circumstances whereby planning permission for exceptions to the thrust of Policy M11 (Safeguarding of Mineral Resources) would be granted.
  - Reference to applications for Conservation Area Consent should be omitted from Policy M11 (Safeguarding of Mineral Resources) and Policy M12 (Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure).

38. These matters would be dealt with through a series of main modifications (**MM15, MM16, MM17, MM18, MM19, MM20, MM21 and MM55**). In addition, the headings and keys of various plans would be corrected (also under main modification **MM55**). With these modifications in place, this part of the Plan would be effective and consistent with national policy.

### **Issue 3 – Whether sufficient new waste management capacity of the right type would be provided in the right place and at the right time**

#### ***Need and Provision***

39. In forecasting future needs, the Council has adopted a "Growth and Median Recycling scenario". The results are presented in Table 9 of the Plan. For various functional waste categories, and having regard to existing capacity, **current need is expressed in the column "Gap 2014"**. Future need is given for the dates 2020, 2025 and 2031.
40. In terms of the figures presented, not all are justified by the evidence before the examination. In particular, the figures in the table need to be up-dated to reflect the conclusions of the latest Waste Needs Assessment and Addendum (CD-013, CD-014 and SD-006).<sup>6</sup> Consequential changes are also needed to Table 10 of the Plan (Predicted Requirements for New Facilities).
41. The most significant changes relate to inert landfill (and, to an extent, aggregate recycling). However, in considering what are the appropriate figures, two issues have arisen. First, should the baseline figures be increased, possibly by some 13%,<sup>7</sup> principally to take into account arisings from exempt sites? Secondly, what are the implications of the predicted higher arisings of construction, demolition and excavation waste in terms of future management requirements, predictions that are themselves disputed?
42. On the matter of arisings from exempt sites, I was told that the approach **taken by WRAP, the "delivery body for UK waste strategies"**,<sup>8</sup> is not to take account of arisings from such sites. However, I am not aware of any definitive guidance on this matter. In any event, I would not expect any increased allowance to have a material bearing on the requirement for aggregate recycling facilities.
43. With regard to inert landfill, there are wide differences of opinion regarding the likely quantity of arisings and the date at which additional capacity would be **necessary. The Council's evidence is to the effect** that arisings would amount to some 1.6 million tonnes over the plan period with a capacity gap from 2019. Representors state that the requirement could amount to as much as 2.7 million tonnes, or more, and that there would be a capacity gap from 2017. This has led to calls for express provision for new capacity to be made within the Plan.
44. For my part, I appreciate that there are differences of opinion about a variety of matters including the future capacity that would or could be made available

---

<sup>6</sup> An Addendum on Inert Waste Landfill Requirement (MD-004) was prepared to accompany the proposed main modifications.

<sup>7</sup> Evidence of Mick George Ltd

<sup>8</sup> Waste & Resources Action Programme, Guidelines for measuring and reporting construction, demolition and excavation waste, August 2010

at sites such as South Witham East and Colsterworth Triangle. Given dependence on future circumstances it is not possible (or necessary) for me to determine such matters. However, I am able to conclude that, for the following reasons, the provision of new capacity is not necessary:

- There is a surplus of non-hazardous landfill capacity throughout the Plan period, capacity that could be used (albeit at an additional cost) for the disposal of inert waste.
- A number of existing inert landfill sites have end dates extending beyond the plan period with no planning restrictions on the rate of infilling. The rates could be increased to help meet demand and reduce the capacity gap.
- There is potential for a further increase in the rates for recycling construction and demolition waste and a related reduction in the inert landfill capacity requirement.
- New capacity could be provided under Policy W6 (Landfill) if the terms of the policy (including a demonstration of insufficient capacity) were met at the time of the application.

45. I appreciate that non-hazardous landfill capacity is a resource that should be husbanded. However, the capacity is such that it well exceeds even the highest estimates of arisings. In my opinion, the use of such capacity would be more sustainable than the alternative of making express provision for new inert landfill.
46. The changed circumstances and the response thereto need to be set out in the Plan. However, on the present evidence, there is no necessity to make express provision for new inert landfill capacity. Be that as it may, this is an important matter. Careful monitoring will be necessary together with a commitment to review the Plan if there is a material change in circumstances. These various points would be addressed in main modifications **MM22, MM24, MM25 and MM26**.

### ***Waste Spatial Strategy***

47. Plan Policy W3 (Spatial Strategy for New Waste Management Facilities) **provides for new and extended waste facilities "in and around" listed urban areas**. However, the policy is ineffective in that there is considerable uncertainty over what is meant by **"around" the urban areas**.
48. **The evidence indicates that "around" is intended to mean directly adjacent to the edge of the defined urban areas**. It also includes settlements on an A Class road connecting directly into one of the main urban areas and that have existing and/or planned employment or industrial areas within their defined boundary that would be suitable for consideration for a waste management use in line with the principles of the National Planning Policy for Waste. This position would be confirmed under main modification **MM27**.
49. Notwithstanding the above, there are circumstances where sustainable extensions to existing waste management facilities would be legitimate even though they would fall in locations that are not in or around the main urban

areas. Again, there is uncertainty surrounding the circumstances under which these extensions would be appropriate. Clarification would be provided under main modifications **MM28 and MM30 (part)** with additional clarification on interrelated policies being made under main modification **MM29**.

50. Policy W4 sets out locational criteria for new waste management facilities in and around main urban areas. However, the policy fails to include sites to be allocated in the Site Locations Document. In addition, there is no reference to the acceptability, at Active Mining Sites, of proposals for recycling construction and demolition waste and/or recycled aggregates. These intended references would be made under main modification **MM30**.

### ***Policy on New Landfill***

51. Under the terms of the Waste Hierarchy, disposal of waste is the least desirable solution. The Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies makes this clear but nevertheless included a policy (W6: Landfill) against which any related applications would be judged.
52. To reflect National policy, the provisions of the policy need to be strengthened. In particular, there should be demonstration of the need for any new or extended facility. That demonstration should show that current capacity is insufficient to manage that waste arising in Lincolnshire, or its equivalent, which requires disposal to landfill in the County. Main modification **MM31** refers.

### ***Safeguarding Waste Management Facilities***

53. With regard to safeguarding waste management facilities, there are two aspects of the Plan that are not justified:
- The circumstances under which an odour assessment report would be required have not been made clear.
  - Where alternative provision can be made in place of safeguarded waste management facilities (Policy W8: Safeguarding Waste Management Sites), this should be limited by development plan considerations.
54. Under main modification **MM32**, an odour assessment report would be required where new development involving buildings which would normally be occupied is proposed within 400m of a sewage treatment works. As to reference to the development plan (Policy W8), this would be added under main modification **MM33**.

### ***Waste Water***

55. Proposals for waste water and sewage treatment works are dealt with under Policy W9. Under the terms of the policy, such facilities would be permitted where they are required to meet new growth. However, this approach would not be justified. The restriction could limit the ability of a sewerage undertaker to make improvements to an existing sewage treatment works for operational reasons unrelated to growth within the County.

56. In a further restriction, proposals would have to demonstrate that there would be no deterioration in the ecological status of the watercourse (to comply with the Water Framework Directive<sup>9</sup>) unless there is an overriding public need for the development. The reference to overriding public need is not appropriate as it does not fully reflect the terms of the Directive (Article 4(7)). Both points would be corrected under main modification **MM34**.

#### **Issue 4 – Whether the development management policies are proportionate and appropriately reflect national policy and guidance**

##### ***Climate Change***

57. Matters relating to climate change are dealt with, in the Plan, under Policy DM2 (Climate Change) and the supporting text. However, there are a number of instances where there is a lack of consistency with national policy.
58. First of all, Policy DM2 indicates that, through implementation of the waste hierarchy, proposals should reduce waste disposal to landfill. In my opinion, by singling out disposal to landfill, the importance of the waste hierarchy as a whole is diminished. I appreciate that this emphasis reflects the provisions of the Municipal Waste Management Strategy. However, it would be more appropriate to refer to the reduction of waste to landfill as just one particular aspect of the Plan.
59. Secondly, National Planning Policy for Waste (BD-034, Para 4) discusses the sorts of locations that are suitable for waste management development. Where a low carbon energy recovery facility is considered as an appropriate type of development, waste planning authorities should consider the suitable siting of such facilities to enable the utilisation of the heat as an energy source in close proximity to suitable potential heat customers. This point needs to be recognised in the Plan.
60. Thirdly, Policy DM2 refers to promoting new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks. However, as referred to in the National Planning Policy Framework, better connected ecological networks are another important consideration (BD-013, Section 11).
61. The above matters would be addressed through changes and additions to the policy and supporting text. Main modifications **MM35 and MM36** are hereby recommended.

##### ***Quality of Life and Amenity***

62. The National Planning Policy Framework (BD-013, Para 143) identifies a number of matters that should be addressed by local planning authorities when preparing Local Plans. These include tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence and mitigation of contaminants. None of these matters are dealt with in the Plan. To be consistent with national policy, I recommend their inclusion within Policy DM3 (Quality of Life and Amenity) under main modification **MM38**.

---

<sup>9</sup> Directive 2000/60/EC of the European Parliament and of the Council (the Water Framework Directive)

### ***Historic Environment***

63. The National Planning Policy Framework (BD-013, Para 131) notes that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of development on the significance of a designated heritage asset, great weight **should be given to the asset's conservation. The more important the asset, the greater the weight should be** (Para 132).
64. This hierarchy, and sustaining and enhancing heritage assets, is not given appropriate recognition in Plan Policy DM4 (Historic Environment). There is a failure to be consistent with national policy. Appropriate changes and additions to Policy DM4 are therefore recommended under main modification **MM39**.

### ***Impact on Landscape and Townscape***

65. The main Plan provisions with regard to safeguarding landscape and townscape are contained in Policy DM6 (Impact on Landscape and Townscape) and in the supporting Paragraphs 7.51 to 7.53. However, the policy requirements are imprecise. In addition, applicants would have inadequate guidance as to development management requirements. The provisions would be ineffective.
66. Additions and alterations are proposed such that relevant considerations would be clearly identified; also expectations with regard to addressing appropriately impacts on landscape and townscape. The text and policy would be modified under main modifications **MM40 and MM41**.

### ***Biodiversity and Geological Conservation***

67. Matters concerning biodiversity and geological conservation are dealt with, in the Plan, in a series of development management policies. These are Policy DM7 (Internationally Designated Sites of Biodiversity Conservation Value), Policy DM8 (Nationally Designated Sites of Biodiversity Conservation Value), Policy DM9 (Local Sites of Biodiversity Conservation Value) and Policy DM10 (Local Sites of Geological Conservation Value). All these policies are positively worded such that there is a presumption in favour of granting planning permission. However, this had led to questions as to whether adequate protection is being afforded.
68. To my mind, the presumption in favour of sustainable development is in line with the provisions of the National Planning Policy Framework (BD-013, Para 14) and is the correct approach. However, in this regard, the NPPF points to a number of instances where circumstances are different in relation to conserving and enhancing the natural environment:
- where development requiring appropriate assessment is in prospect (Para 119);
  - if significant harm cannot be avoided, adequately mitigated or compensated for (Para 118);

- where there is likely to be an adverse effect on a Site of Special Scientific Interest (Para 118); and
- where there would be the loss or deterioration of irreplaceable habitats (Para 118).

69. For the Plan to be effective and consistent with national policy, it would be appropriate to refer to these exceptions in the text supporting the policies. Main modifications **MM42, MM43, MM44, MM45, MM46, MM47 and MM48** refer.

### ***Flooding and Flood Risk***

70. Policy DM15 (Flooding and Flood Risk) indicates that proposals for minerals and waste development will need to demonstrate that they are located on land with the lowest probability of flooding. This is the overriding consideration. However, to my mind, other factors are at play. For example, most waste **treatment facilities in the County would be "less vulnerable" to flooding; also, sand and gravel workings would be regarded as "water compatible"**.
71. In the circumstances, it would be appropriate to require a demonstration that development could take place without increasing the risk of flooding both to the site of the proposal and the surrounding area. Such a change would be effected under main modification **MM49**.

### ***Cumulative Impacts***

72. Under Policy DM17 (Cumulative Impacts), planning permission will be granted for minerals and waste development where the cumulative impact would not result in adverse impacts on the environment or the amenity of a local community. However, there is no qualification. **Any** adverse impact could lead to rejection of a planning proposal. Such an approach would be disproportionate and would not be justified. Reference to **significant** adverse impacts would be introduced under main modification **MM50**.

## **Issue 5 – Whether the restoration and aftercare policies are proportionate and appropriately reflect national policy and guidance**

### ***Restoration of Mineral Workings***

73. Policy R3 (Restoration of Sand and Gravel Operations within Areas of Search) is concerned with restoration proposals for sand and gravel operations. Amongst other things, these should have regard to the landscape scale objectives of the area within which the site is located. However, the provisions are not intended to apply to proposals involving the best and most versatile agricultural land that would be restored to agricultural land of a comparable quality. This is not clear from the wording of the policy and the provisions are not effective. The matter would be corrected under main modification **MM51**.
74. A similar problem arises out of the wording of Policy R4 (Restoration of limestone and chalk workings). Appropriate qualification would be added under main modification **MM52**.

## **Issue 6 – Whether there are clear arrangements for monitoring the Plan and reporting the results as part of a delivery strategy with clear targets and measurable outcomes**

75. National Planning Policy for Waste (BD-034, Page 7) has a section on monitoring and reporting. This indicates that, to the extent appropriate to their responsibilities, local planning authorities should monitor and report:

- take-up in allocated sites and areas;
- existing stock and changes in stock of waste management facilities and their capacity (including changes to capacity); waste arisings; and
- the amounts of waste recycled, recovered or going for disposal.

The Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies is silent on such matters. For consistency, an addition is recommended such that the County Council would commit to routine monitoring of the above (**MM53**).

76. With regard to other Plan provisions on monitoring, two effectiveness issues have arisen. First, the proposed monitoring indicators and targets are not always aligned with the key provisions of the policies. This is particularly so in the case of Policy M2 (Providing for an Adequate Supply of Sand and Gravel) and Policy W1 (Future requirements for waste management facilities). Secondly, there is a lack of consistency in the provisions. Not all the targets are expressed in the same way (for example, 100% compliance with the respective policy). Under main modification **MM54**, changes are recommended such that the anomalies would be resolved.

## **Overall Conclusion and Recommendation**

77. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

78. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.<sup>10</sup>

---

<sup>10</sup> A number of "Additional Modifications" have also been put forward by the Council. These are minor in nature and will not affect the Plan's sound and legally compliant status.

79. Having considered all the other points made in the representations and at the hearing sessions, including those relating to other policies and the proposed Main Modifications, there are no further changes needed to ensure that the Plan is sound in terms of the National Planning Policy Framework and associated guidance.

*Andrew S Freeman*

INSPECTOR

This report is accompanied by the Appendix containing the Main Modifications

## Appendix – Main Modifications

The modifications below are expressed in the form of ~~strike through~~ for deletions and **italics** (coloured red) for additions.

The page and paragraph numbering below refer to the submission local plan and do not take account of the deletion or addition of text.

Reference	Page	Policy/ Paragraph	Main Modification
MM1	21	Spatial Vision	<p><b>Over the period to 2031</b> Lincolnshire County Council will provide a strategic planning framework to facilitate the sustainable supply and use of minerals and to manage waste sustainably in accordance with the waste hierarchy and recognising it as a resource. This will ensure the economic, environmental and social benefits of mineral and waste development are considered whilst Lincolnshire's natural, built and historic environment is protected and enhanced, economic growth is supported, and the health and amenity of local communities is protected. New development will take positive action to mitigate and adapt to climate change.</p> <p>The Council will identify and safeguard important minerals resources and provide a network of sustainable waste management facilities <b>directed at achieving net self-sufficiency in Lincolnshire</b> to provide certainty to both the minerals industry and local communities.</p>
MM2	22	Strategic Objective d	Through prioritising movement of waste up the waste hierarchy, minimise greenhouse gas emissions by reducing the reliance on landfill; maximise opportunities for the re-use and recycling of waste; <b>facilitate</b> <del>encourage</del> new technologies to maximise the renewable energy potential of waste as a resource; and promote the use of carbon capture technology
MM3	22	Strategic Objective e	Deliver adequate capacity for managing waste more sustainably when it is needed; <del>and promote net self sufficiency in Lincolnshire</del> to ensure waste is managed as near as possible to where it is produced, including the need for waste water infrastructure;
MM4	22	Strategic Objective h	Protect Lincolnshire's high quality agricultural land <del>and soil</del> (Grades 1, 2 and 3a) <b>and soil</b> where practicable from development; and <b>in cases where it is affected, safeguard its long term potential by encouraging restoration back to agriculture, or</b> protection of soils through restoration schemes to biodiversity (where soils are cared for in a sustainable manner), enabling habitat creation in addition to soil preservation for future agricultural needs;
MM5	25 - 32	Paras 5.9 – 5.39 (but only the ones modified)	5.9 A <del>revised</del> Sub-Regional Apportionment (SRA) for the East Midlands was agreed by East Midlands Aggregates Working Party (EMAWP) on 8th January 2010. The SRA would require

		including Policy M2	<p>Lincolnshire to provide 52.48 million tonnes of sand and gravel and 18 million tonnes of crushed rock (specifically limestone) from 2005 to 2020. This amounts to an average of about 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock each year over this 16-year period. <del>Careful judgements will need to be made if these apportionment targets are to be achieved and the worst environmental impacts of minerals development avoided.</del></p> <p>5.10 At its meeting on 5th March 2010, the East Midlands Regional Assembly's Housing, Planning &amp; Transport Joint Board subsequently agreed that the revised SRA figures be included in the draft replacement Regional Plan Policies for submission to the Secretary of State. The Partial Review was submitted to the Secretary of State on 26th March 2010 as a Revised Draft East Midlands Regional Plan. However, the Secretary of State <del>has</del><b>did</b> not progressed this review following the revocation of Regional Spatial Strategies.</p> <p><b><i>5.XX[To follow 5.10] Since the SRA was agreed, sales of sand and gravel and limestone in the county have been significantly lower than the annual averages set by the SRA. Indeed, for the 10 year period 2004-2013, sales of sand and gravel averaged only 2.37 million tonnes per annum, which is 0.91 million tonnes (28%) less than the SRA annual average. For limestone the difference has been even more marked with annual sales averaging only 0.62 Million tonnes, which is 0.48 million tonnes (43%) less than the SRA annual average. As a result the County Council considers the SRA no longer provides a reliable forecast of aggregate demand and that it would be more appropriate to base the level of future provision on average sales over the period 2004-2013. This would require Lincolnshire to make provision for 42.66 million tonnes of sand and gravel and 11.16 million tonnes of limestone over the period 2014-2031 (inclusive).</i></b></p> <p>5.17 Sand and gravel resources are the most important of the County's aggregate minerals. Over the ten year period 2004-<del>4</del><b>3</b> to 2010<del>3</del><b>3</b>, sales from Lincolnshire averaged 2.74<del>3</del><b>37</b> million tonnes (Mt) per annum. This represented 31.1<del>0</del><b>5</b>% of sand and gravel sales within the East Midlands. The resources are used primarily in the construction industry as building sand or in the manufacture of concrete and tend to serve local markets.</p> <p>5.19 As stated in paragraph 5.9<del>XX</del><b>XX</b> above, the recommended sub-regional apportionment (SRA) <b>level of provision</b> for Lincolnshire is <del>2.373-28</del><b>2.373-28</b>Mt per annum. At the end of 2013<del>0</del><b>0</b>, the County had 22.9<del>020.93</del><b>020.93</b>Mt of permitted reserves. These reserves would be more or less depleted by 2046<del>22</del><b>22</b> if sales achieved the recommended SRA <b>10 year average</b> rate <b>calculated for the period 2004-2013</b> and no further planning permissions were granted.</p> <p>5.20 Table 1 below provides a calculation of potential future requirements for sand and gravel for</p>
--	--	---------------------	--

the plan period ~~2014~~ up to 2031. The calculation assumes that the requirement will continue throughout this period at the same average rate as ~~for the period 2004-2013~~ in the latest Sub-Regional Apportionment agreed by the East Midlands Aggregates Working Party. The calculation takes account of the level of permitted reserves as at 31st December 2010~~3~~. The permitted reserves include active and inactive sites, but exclude dormant sites. The table indicates that there would be a shortfall of sand and gravel reserves over the period to ~~2014-~~ 2031 of some 48~~19.76~~ million tonnes.

**Table 1: Calculation of Sand and Gravel Provision 201~~4~~ – 2031**

<b>A</b>	Annual Requirement	<b>2.373.28Mt</b>
<b>B</b>	Total Requirement 201 <del>4</del> -2031	<b>42.6668.88Mt</b>
	<b>Reserves</b>	
<b>C</b>	Permitted Reserves at 31/12/2010 <del>3</del>	<b>20.9322.90Mt</b>
	<b>Shortfall</b>	
<b>D(B-C)</b>	Shortfall 201 <del>4</del> – 2031	<b>19.7647.95Mt</b>

5.21 The County Council recognises that calculating estimates of demand are increasingly uncertain when considering a period of ~~24~~**18** years. Whilst demand at the current time is low (~~1.79~~**1.88**Mt in 201~~3~~**0**) and average sales over the last 10 years are below the ~~agreed apportionment level~~SRAs (*see paragraph 5.9*), it is crucial that sufficient mineral is provided to realise ambitions for growth within the County. The projected population growth rate is higher than the national growth rate, which allied to increasing demand for new built development will result in more pressure on primary resources and the need to plan for the release of additional reserves to service this increased demand. The situation will however be carefully monitored as any increase in annual outputs very much depends on operational and economic factors outside the control of the County Council. This will be done annually through the County Council's Local Aggregate Assessment. If ~~a lower~~ production rates *vary significantly to the annual requirement set out in Table 1* continues for an extended period, then the overall requirement will need to be re-evaluated through a review of this Plan.

~~5.25 The County demand forecast will be divided between the three Production Areas based on their relative contributions to sand and gravel sales in the County over the past 10 years, adjusted to take into account any anticipated growth.~~

5.26 Over the last 10 years (2004~~4~~ to 2010~~3~~), ~~42.143.5%~~ of the County's sales have come from the Lincoln/Trent Valley Production Area, ~~36.635.7%~~ from the South Lincolnshire Production Area and ~~21.320.8%~~ from the Central Lincolnshire Production Area. Over this period, *annual sales have*

			<p><b>averaged</b> from Central Lincolnshire have generally been around 0.6Mt per annum, while sales from South Lincolnshire have been around 1Mt per annum. Sales from <b>1.00 million tonnes from the Lincoln/Trent Valley; 0.50 million tonnes from Central Lincolnshire; and 0.87 million tonnes from South Lincolnshire.</b> have been more variable, ranging from 1.8Mt in 2002 to 0.5Mt in 2008. <b>The County demand forecast will be divided between the three Production Areas based on their relative contributions to sand and gravel sales in the County over the 10 year period 2004-2013.</b></p> <p>5.27 — Growth in the County, and the associated demand for sand and gravel is assessed annually through the County Council's Local Aggregate Assessment. At present, the majority of growth in the county over the period of the Plan is expected to be in the central and western main urban centres of the county, comprising the area in and around the City of Lincoln, Gainsborough and Grantham. Both Lincoln and Gainsborough lie within the Lincoln/Trent Valley Production Area. Whilst Grantham lies just outside, in the South Lincolnshire Production Area, in practice it is likely that development in this area will at least in part be supplied by sand and gravel from sites in the Lincoln/Trent Valley Production Area.</p> <p>5.28 — A high percentage of new housing and associated infrastructure is likely to take place in the areas referred to above and in particular in and around the City of Lincoln, such as the Lincoln Eastern Bypass. As the sand and gravel resources in the Trent Valley are mainly located only 10–15 miles south west of Lincoln, they offer the most sustainable/economically viable option when meeting future demand for sand and gravel arising from this growth.</p> <p>5.29 — On the basis that much of the future growth in the County will be concentrated in or close to the Lincoln/Trent Valley Production Area, it is assumed that sales from Central and South Lincolnshire will continue to remain relatively constant over the plan period based on the level of sales experienced over the last 10 years. It is therefore proposed that the increased production needed to achieve future growth should be provided within the Lincoln/Trent Valley Production Area. Sales data from previous years indicate that this Production Area could accommodate the higher levels of production required to meet the forecast increase in demand without the need for additional quarry units.</p> <p>5.30 Table 2 below provides a calculation of potential future requirements for sand and gravel for each production area for the period <b>2014 up to 2031 (inclusive)</b>. The county has sufficient quantities of sand and gravel in the three production areas to meet demand over the period of the plan. More than enough reserves have been put forward through the call for sites exercise to meet the potential shortfalls.</p>
--	--	--	--

Table 2: Calculation of sand and gravel provision for 2014-2031 by Production Area

	Lincoln/Trent Valley	Central Lincs.	South Lincs.
Annual provision	<del>1.68</del> <b>1.00</b> Mt	<del>0.6</del> <b>0.50</b> Mt	<del>4</del> <b>0.87</b> Mt
Required provision 2014-2031 ( <del>24</del> <b>18</b> yr period)	<del>35.28</del> <b>18.00</b> Mt	<del>12.6</del> <b>9.00</b> Mt	<del>24</del> <b>15.66</b> Mt
Permitted Reserves @ 31/12/10 <b>3</b>	<del>7.36</del> <b>11.24</b> Mt	<del>5.3</del> <b>4.23</b> Mt	<del>8.24</del> <b>7.43</b> Mt
Shortfall	<del>27.92</del> <b>6.76</b> Mt	<del>7.28</del> <b>4.77</b> Mt	<del>12.76</del> <b>8.23</b> Mt

**5.36** The County Council will make provision in the Sites Locations Document for the release of additional reserves sufficient to meet the provision **shortfall** set out in Table 2 adjusted to take into account the most up to date information on the landbank. This will include the latest Report of Annual Survey published by the East Midlands Aggregates Working Party, the County Council's latest Local Aggregate Assessment, and details of any additional reserves that have been granted following the publication of those documents. **planning permission in the interim.**

#### Policy M2: Providing for an Adequate Supply of Sand and Gravel

The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by making provision over the plan period (2014 to 2031) (**inclusive**) for the extraction of ~~42.66~~**38.88** million tonnes of sand and gravel (~~3.28~~**2.37** million tonnes per annum). This will be divided between the three Production Areas (as shown on the Key Diagram) as follows:

- ~~35.28~~**18.00** million tonnes (~~1.68~~**1.00** million tonnes per annum) from the Lincoln/Trent Valley Production Area;
- ~~12.6~~**9.00** million tonnes (~~0.6~~**0.50** million tonnes per annum) from the Central Lincolnshire Production Area; and
- ~~24~~**15.66** million tonnes (~~4.07~~**0.87** million tonnes per annum) from the South Lincolnshire Production Area.

The County Council will make provision for the release of sand and gravel reserves in the Site Locations Document. This will give priority to extensions to existing Active Mining Sites.

			<p>New quarries will be allocated where they are required to replace existing Active Mining Sites that will become exhausted during the Plan period and where they are located in the relevant Areas of Search as shown on the <del>Key Diagram</del> <b>Policies Map (Figure 5)</b>, namely:</p> <ul style="list-style-type: none"> <li>• west of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;</li> <li>• Tattershall Thorpe for the Central Lincolnshire Production Area; and</li> <li>• West Deeping/Langtoft for the South Lincolnshire Production Area.</li> </ul> <p>5.39 Although the County Council will be making provision for the release of additional reserves <b>in each Production Area</b> sufficient to <b>maintain production levels to the end of the Plan period based on average sales over the period 2004-2013</b> meet the Sub-Regional Apportionment (SRA) through allocations in the Site Locations Document, it needs to be recognised that growth in the <b>actual production levels</b> County may not reach the levels anticipated at the time the SRA was agreed <b>vary significantly from those forecast</b>. Should this be the case, the annual output of sand and gravel may continue to be far lower than that envisaged by the SRA (expressed as an annual requirement), particularly in the Lincoln/Trent Valley Production Area that has been allocated a larger proportion of the SRA. This could have undesirable consequences if the SRA (divided between the three Production Areas) is used to calculate the level of the landbank in order to assess when new permissions are needed, resulting in the County Council having to grant planning permission for additional quarry units contrary to its spatial strategy. The County Council will therefore calculate the landbank at any point in time using the average of the previous 10 years' sales data provided in the County Council's Local Aggregate Assessment. <b>The County Council will therefore review the situation, including the method for calculating the landbank, each year through its Local Aggregate Assessment. As set out in paragraph 5.21, if production levels deviate significantly from the levels forecast, this may trigger a need to review this Plan. The County Council is committed to a programme of regular reviews of the Plan and will bring forward such a review if monitoring shows that either low landbanks or falling productive capacity demonstrates that provision of a steady and adequate supply of sand and gravel is at risk.</b></p>
MM6	33	Policy M3	<p>In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on <del>their past 10 years average sales</del>. <b>the County Council's latest Local Aggregate Assessment which includes provision for the preservation of production capacity.</b></p>
MM7	33	Para 5.41	<p>It is possible that a shortfall could develop in the landbank of a Production Area if an application for</p>

			<p>an allocated site is not forthcoming or is refused. In these circumstances the County Council will grant planning permission for unallocated sites provided that <b>where the site is an extension to an existing quarry or a replacement for a quarry that is nearing exhaustion, and in the case of a replacement site is located within the appropriate Area of Search. All such applications should demonstrate that they would</b> development does not have unacceptable impacts on local communities or the environment. <b>Where a replacement quarry is required, this does not imply that the new quarry would have to be operated by the company whose quarry it will replace.</b></p>
MM8	33	New Para after Para 5.41	<p><b>Irrespective of the size of the landbank, there may be exceptional circumstances over the life of the Plan when an additional quarry is justified, such as when a deposit has special characteristics not found in other deposits worked locally. When such a need is demonstrated, planning permission will be granted provided that the development does not have unacceptable impacts on local communities or the environment.</b></p>
MM9	33	Policy M4	<p>Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that: <del>in each case the site:</del>  <del>is required to maintain the landbank of the relevant Production Area calculated in accordance with Policy M3</del></p> <ul style="list-style-type: none"> <li>• <b>in the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site;</b> and</li> <li>• in the case of a new quarry, <b>it</b> is required to replace an existing Active Mining Site that is nearing exhaustion; and</li> <li>• <del>accords with all relevant Development Management Policies set out in the Plan.</del></li> </ul> <p>For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes <b>where the site is required to meet</b>; provided that the site is required to meet a specific shortfall in the landbank of the relevant Production Area calculated in accordance with Policy M3, and:</p> <ul style="list-style-type: none"> <li>• <b>a proven need that cannot be met from the existing permitted reserves; or</b></li> <li>• <b>a specific shortfall in the landbank of the relevant pProduction zoneArea and either:</b> <ul style="list-style-type: none"> <li>(i) <b>forms an extension to an existing Active Mining Site; or</b></li> <li>(ii) <b>is located in the relevant Area of Search as shown on the Policies Map (Figure 5)Key Diagram and will replace an existing Active Mining Site that is nearing exhaustion.</b></li> </ul> </li> <li>• <del>the site forms an extension to an existing Active Mining Site; or</del></li> <li>• <del>where the proposal is for a new quarry, the site is required to replace an existing Active Mining Site that is nearing exhaustion; and;</del></li> <li>• <del>the proposal accords with all relevant Development Management Policies set out in the Plan.</del></li> </ul>

			<b><i>In all cases the proposal must accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.</i></b>																		
MM10	34	Para 5.43 and Table 3	<p>Table 3 below provides a calculation of potential future requirements for limestone for aggregate purposes for the period up to 2031. The calculation assumes that the requirement will continue throughout this period at the same average <b>annual</b> rate as <b>for the period 2004-2013</b> in the latest Sub-Regional Apportionment agreed by the East Midlands Aggregates Working Party (limestone being the sole component of Lincolnshire's 'crushed rock' apportionment). The calculation takes account of the level of permitted reserves as at 31st December 2010<del>3</del>. The permitted reserves include active and inactive sites, but exclude dormant sites.</p> <p><b>Table 3: Calculation of Limestone (Aggregate) Provision 2014-2031</b></p> <table border="1"> <tr> <td><b>A</b></td> <td>Annual Requirement</td> <td><b>0.6211Mt</b></td> </tr> <tr> <td><b>B</b></td> <td>Total Requirement 2014-2031</td> <td><b>11.16231Mt</b></td> </tr> <tr> <td></td> <td><b>Reserves</b></td> <td></td> </tr> <tr> <td><b>C</b></td> <td>Total permitted reserves, excluding reserves in dormant sites, at 31/12/2010<del>3</del></td> <td><b>40.2546.97Mt</b></td> </tr> <tr> <td></td> <td><b>Surplus</b></td> <td></td> </tr> <tr> <td><b>D(B-C)</b></td> <td>Surplus 2014 – 2031</td> <td><b>29.0923.87Mt</b></td> </tr> </table>	<b>A</b>	Annual Requirement	<b>0.6211Mt</b>	<b>B</b>	Total Requirement 2014-2031	<b>11.16231Mt</b>		<b>Reserves</b>		<b>C</b>	Total permitted reserves, excluding reserves in dormant sites, at 31/12/2010 <del>3</del>	<b>40.2546.97Mt</b>		<b>Surplus</b>		<b>D(B-C)</b>	Surplus 2014 – 2031	<b>29.0923.87Mt</b>
<b>A</b>	Annual Requirement	<b>0.6211Mt</b>																			
<b>B</b>	Total Requirement 2014-2031	<b>11.16231Mt</b>																			
	<b>Reserves</b>																				
<b>C</b>	Total permitted reserves, excluding reserves in dormant sites, at 31/12/2010 <del>3</del>	<b>40.2546.97Mt</b>																			
	<b>Surplus</b>																				
<b>D(B-C)</b>	Surplus 2014 – 2031	<b>29.0923.87Mt</b>																			
MM11	34	New Para after Para 5.44	<b><i>Although the county has sufficient permitted reserves to cover the Plan period, the County Council will monitor the situation through its annual Local Aggregates Assessments. Should supply issues arise this may trigger a need to review the Plan.</i></b>																		
MM12	34	New Para above Policy M5	<b><i>There is no specific target output or apportionment for non-aggregate. Proposals for small scale building stone operations to be carried out primarily for conservation works are dealt with below under "Historic Building Stone". In all other cases, including larger scale building stone quarries, the County Council does not propose to restrict such development geographically but to judge proposals on the quality and quantity of the stone, the proportion of aggregate that is likely to be generated as a by-product and the intended markets.</i></b>																		

MM13	34	Policy M5	<p>Policy M5: Limestone</p> <p><b>Proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than for the small scale extraction of building stone covered by Policy M7) will be permitted provided that they meet a proven need that cannot be met by existing sites/sources, and accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.</b></p>
MM14	36	Policy M7	<p>Policy M7: <b>Historic</b> Building Stone</p> <p>Proposals for <b>the small-scale extraction of building stone</b>, new or extended building stone <del>extraction</del> quarries will be permitted where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>• there is a specific need for the stone; and</li> <li>• the stone cannot be obtained <b>from permitted reserves</b> at existing permitted sites; and</li> <li>• <b>the</b> proposals accord with all relevant Development Management Policies <b>and Restoration Policies</b> set out in the Plan.</li> </ul>
MM15	43	Para 5.90	<p><b>The resource areas shown on the Figure 1</b> consequently exclude mineral deposits within settlements with a population in excess of 1000 and a minimum area of 20 hectares, <b>however in such cases a 250m buffer extending into the urban area has been retained in order to avoid sterilisation by proximal development at the urban edge.</b></p>
MM16	43	Para 5.92	<p><b>The County has</b> will therefore defined Minerals Consultation Areas (MCA) to <b>coincide with the extent of the</b> covering the resources within the Mineral Safeguarding Areas. The MCA will also cover the safeguarding of mineral sites and associated infrastructure (Policy M12). Districts Councils within the County will be supplied with a copy of the MCA along with the development criteria that the County Council wish to be consulted on.</p>
MM17	43	New Para after Para 5.92	<p><b>Within a Minerals Safeguarding Area, except for the exemptions set out in policy M11, applications for non-minerals development should be accompanied by a Minerals Assessment in accordance with the latest guidance from the British Geological Survey (currently set out in Mineral Safeguarding in England: Good Practice Advice, reference OR/11/046). This should provide an appropriate assessment of the minerals resource including as estimate of the economic value, its potential for use in the forthcoming</b></p>

			<i>development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation. Where prior extraction can be undertaken, the assessment should also include an explanation of how this will be carried out as part of the overall scheme.</i>
MM18	43	Para 5.93	<del>Following the assessment of the mineral resource, the Mineral Planning Authority will make a judgement about the likelihood of the mineral being worked in an environmentally acceptable manner and may advise the District Council that any development on or near mineral reserves should not proceed before the mineral is extracted, or that steps are taken to avoid sterilisation of the deposit. A realistic judgment about the likelihood of the mineral being worked in an environmentally acceptable manner will be made, and the Mineral Planning Authority will not seek to prevent development where it is unlikely that extraction of the mineral would occur in the future. Where mineral deposits are believed to exist but detailed geological information is not available, the existence or otherwise of potentially workable reserves may need to be established by the developer before any application for development that might sterilise the potential deposit is determined.</del> <i>Following the assessment of the mineral resource, the Mineral Planning Authority will make a judgement about the likelihood of the mineral being worked in an environmentally acceptable manner and may advise the District Council that any development on or near mineral reserves should not proceed before the mineral is extracted, or that steps are taken to avoid sterilisation of the deposit. A realistic judgment about the likelihood of the mineral being worked in an environmentally acceptable manner will be made, and the Mineral Planning Authority will not seek to prevent development where it is unlikely that extraction of the mineral would occur in the future. Where mineral deposits are believed to exist but detailed geological information is not available, the existence or otherwise of potentially workable reserves may need to be established by the developer before any application for development that might sterilise the potential deposit is determined.</i>
MM19	45	Policy M11	Sand and gravel, blown sand and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas shown on Figure 1, together with potential sources of dimension stone for use in building and restoration projects connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2, and chalk resources included on Figure 3, will be protected from permanent sterilisation by other development.  <i>Applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment.</i> Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. <i>Where this is not the case, planning permission will be granted when</i> unless: <ul style="list-style-type: none"> <li>• the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would <i>be impracticable</i> make the development unviable, and that the development could not reasonably be sited elsewhere; or</li> <li>• the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or</li> <li>• there is an overriding need for the development, to meet local economic needs, <i>and the development could not reasonably be sited elsewhere</i>; or</li> <li>• the development is of a minor nature which would <i>have a negligible impact with respect to sterilising the mineral resource</i> not inhibit extraction of the mineral resource; or</li> <li>• the development is, or forms part of, an allocation in the Development Plan.</li> </ul>
MM20	45	Policy M11 (Exemptions)	This policy does not apply to the following: <ul style="list-style-type: none"> <li>• Applications for householder development</li> </ul>

			<ul style="list-style-type: none"> <li>• Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;</li> <li>• Applications for Advertisement Consent</li> <li>• Applications for Listed Building Consent</li> <li>• <del>Applications for Conservation Area Consent</del></li> <li>• Applications for reserved matters including subsequent applications after outline consent has been granted</li> <li>• Prior Notifications (telecommunications; forestry, agriculture; demolition)</li> <li>• Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)</li> <li>• Applications for Tree Works</li> </ul>																																				
MM21	49	Policy M12 (Exemptions)	<p>This policy does not apply to the following:</p> <ul style="list-style-type: none"> <li>• Applications for householder development</li> <li>• Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site;</li> <li>• Applications for Advertisement Consent</li> <li>• Applications for Listed Building Consent</li> <li>• <del>Applications for Conservation Area Consent</del></li> <li>• Applications for reserved matters including subsequent applications after outline consent has been granted</li> <li>• Prior Notifications (telecommunications; forestry, agriculture; demolition)</li> <li>• Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)</li> <li>• Applications for Tree Works</li> </ul>																																				
MM22	65	Table 9	<p><b>2031 – Growth with Median Recycling scenario</b></p> <table border="1"> <thead> <tr> <th>Function</th> <th>Wastes</th> <th>Gap 2014</th> <th>Gap 2020</th> <th>Gap 2025</th> <th>Gap 2031</th> </tr> </thead> <tbody> <tr> <td>Mixed waste recycling</td> <td>LACW / C&amp;I / Agric.</td> <td>74,743</td> <td>117,752</td> <td>451,919 <b>144,411</b></td> <td>487,706 <b>172,273</b></td> </tr> <tr> <td>Specialised recycling</td> <td>LACW / C&amp;I / Agric.</td> <td>-334,205</td> <td>-333,447</td> <td>-332,796</td> <td>-332,126</td> </tr> <tr> <td>Composting</td> <td>LACW / C&amp;I</td> <td>-209,254 <b>-412,290</b></td> <td>-236,865 <b>-439,901</b></td> <td>-232,529 <b>-435,565</b></td> <td>-227,927 <b>-431,033</b></td> </tr> <tr> <td>Treatment plant</td> <td>LACW / C&amp;I / Agric.</td> <td>-123,727</td> <td>-158,190</td> <td>-175,059</td> <td>-193,329</td> </tr> <tr> <td>Energy recovery</td> <td>LACW / C&amp;I</td> <td>37,988</td> <td>131,663</td> <td>443,244 <b>158,256</b></td> <td>455,286 <b>186,153</b></td> </tr> </tbody> </table>	Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031	Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	451,919 <b>144,411</b>	487,706 <b>172,273</b>	Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126	Composting	LACW / C&I	-209,254 <b>-412,290</b>	-236,865 <b>-439,901</b>	-232,529 <b>-435,565</b>	-227,927 <b>-431,033</b>	Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329	Energy recovery	LACW / C&I	37,988	131,663	443,244 <b>158,256</b>	455,286 <b>186,153</b>
Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031																																		
Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	451,919 <b>144,411</b>	487,706 <b>172,273</b>																																		
Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126																																		
Composting	LACW / C&I	-209,254 <b>-412,290</b>	-236,865 <b>-439,901</b>	-232,529 <b>-435,565</b>	-227,927 <b>-431,033</b>																																		
Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329																																		
Energy recovery	LACW / C&I	37,988	131,663	443,244 <b>158,256</b>	455,286 <b>186,153</b>																																		

			Specialised incineration	Mainly Haz. / Agric.	22,682	23,296	23,823	24,364	
			Aggregates recycling	CD&E	232,590 <b>-411,410</b>	314,758 <b>-114,242</b>	388,026 <b>-20,974</b>	466,099 <b>157,099</b>	
			Non-hazardous landfill	LACW / C&I / Agric.	-36,452	-66,990	-83,216 <b>-90,724</b>	-100,427 <b>-115,860</b>	
			Inert landfill	Mainly CD&E but other non-haz.	-351,783 <b>-11,938</b>	-305,070 <b>50,875</b>	-296,310 <b>137,635</b>	-287,241 <b>148,557</b>	
			Hazardous landfill	Hazardous	21,685	22,477	23,127	23,796	
MM23	59	Para 6.16	<p>As noted previously this stream comprises two distinct elements: C&amp;D wastes which are primarily material from the external and interior structures, fixtures and fittings of demolished buildings, as well as material such as concrete and asphalt from demolition sites and unused aggregates and other wastes arising during subsequent construction. Excavation wastes comprise soil and stones only. <b><i>In line with paragraphs 1 and 8 of the National Planning Policy for Waste, it is recognised that Local Planning Authorities have a role to play in encouraging sustainable construction practices in developments in order to minimise the level of C&amp;D waste and ensure the best use of resources. This would be achieved through imposing appropriate planning conditions such as introducing requirements for construction management plans/waste audit programmes.</i></b></p>						
MM24	65	Para 6.34	<p>The County Council is maintaining its objective of not providing for new inert or non-hazardous landfill capacity above current levels, recognising that a supply of void space would be created by continuing extraction in sand/gravel pits and quarries. The needs assessment <b><i>has identified a capacity gap for inert waste disposal from 2019 gradually increasing to the end of the plan period. Notwithstanding the fact that there is an identified capacity gap from 2019 the County Council maintains the position of not allocating additional sites for new landfill based on the following factors;</i></b></p> <ul style="list-style-type: none"> <li><b><i>there is a recognised surplus now forecasts surpluses in the main types of in non-hazardous landfill capacity (other than hazardous) throughout the plan period;</i></b></li> <li><b><i>a number of existing inert waste landfill sites have end dates extending beyond the Plan period with no planning restrictions on the rate of infilling, the rates could therefore be increased to meet demand and reduce the identified capacity gap; and</i></b></li> <li><b><i>there is the potential for C&amp;D recycling rates to increase over the plan period beyond those planned for in the Waste Needs Assessment, and in such circumstances this would lead to an associated reduction in inert waste landfill requirements</i></b></li> </ul> <p><b><i>Notwithstanding the above, if it becomes apparent through the monitoring of the plan that</i></b></p>						

			<b>additional landfill suitable for inert disposal is required, this Plan will be reviewed accordingly.</b> The principal concern now is maintaining improvements in recycling and recovery <b>in line with the waste hierarchy and Strategic Objective d</b> but not on such a scale that landfill operations in the county are no longer economically viable.																																								
MM25	66	Table 10	<table border="1"> <thead> <tr> <th rowspan="2">Facility type</th> <th rowspan="2">Annual capacity</th> <th colspan="4">New facilities needed</th> </tr> <tr> <th>Short term</th> <th>By 2020</th> <th>By 2025</th> <th>By 2031</th> </tr> </thead> <tbody> <tr> <td>Mixed LACW &amp; C&amp;I waste recycling</td> <td>75,000</td> <td>1</td> <td>1</td> <td></td> <td>1</td> </tr> <tr> <td>Energy recovery from LACW &amp; C&amp;I</td> <td><del>150,000</del> <b>200,000</b></td> <td>1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Specialised thermal treatment</td> <td>25,000</td> <td>1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>CD&amp;E and aggregates recycling</td> <td>50,000</td> <td>5</td> <td>2</td> <td>1</td> <td>2</td> </tr> <tr> <td>Hazardous waste landfill</td> <td>25,000</td> <td>1</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Facility type	Annual capacity	New facilities needed				Short term	By 2020	By 2025	By 2031	Mixed LACW & C&I waste recycling	75,000	1	1		1	Energy recovery from LACW & C&I	<del>150,000</del> <b>200,000</b>	1				Specialised thermal treatment	25,000	1				CD&E and aggregates recycling	50,000	5	2	1	2	Hazardous waste landfill	25,000	1			
Facility type	Annual capacity	New facilities needed																																									
		Short term	By 2020	By 2025	By 2031																																						
Mixed LACW & C&I waste recycling	75,000	1	1		1																																						
Energy recovery from LACW & C&I	<del>150,000</del> <b>200,000</b>	1																																									
Specialised thermal treatment	25,000	1																																									
CD&E and aggregates recycling	50,000	5	2	1	2																																						
Hazardous waste landfill	25,000	1																																									
MM26	67	Policy W1	The County Council will, through the Site Locations document, identify locations for a range of <b>new or extended waste management</b> facilities within Lincolnshire <b>where these are necessary</b> to meet the predicted <b>capacity gaps for waste</b> arisings <b>in the County</b> up to and including 2031, <del>and to meet the recycling and treatment targets as a minimum as presented in Table 9, at 2014, 2020-2025 and 2031</del> subject to any new forecasts published in the Council's Annual Monitoring Reports.																																								
MM27	68	Para 6.44	<b>as shown on the key diagram and 'around' means the areas directly adjacent to the edge of the defined urban areas. It also includes settlements on an A Class road connecting directly into one of the main urban areas set out within Policy W3 and that have an existing and/or planned employment or industrial areas within their defined boundary, suitable for consideration for a waste management use in line with the principles of the National Planning Policy for Waste.</b>																																								
MM28	70	Para 6.50	Historically waste facilities in the East Midlands were located in countryside locations linked to landfills and, potentially, well located to the road network but poorly to arisings. Therefore, for existing sites which wish to extend their operations <b>significantly</b> through a physical extension outside of the area permitted for waste management or the throughput of the site (where planning permission is needed) <b>it must be demonstrated how the proposal will not undermine the</b> spatial strategy <b>for waste set out in Policy W3</b> . <del>would still apply.</del> <b>Given that some existing sites are not located in or around the urban areas identified in Policy W3, the policy includes provision for</b>																																								

			<p><b>proposals to come forward for larger extensions to such sites (over and above those allowed under Policy W7 Small Scale Waste Facilities) in certain circumstances. Such proposals will need to demonstrate how the additional capacity contributes to the network of waste management facilities in Lincolnshire; meets a need identified in the Waste Needs Assessment; and is in a sustainable location well connected to where the waste it will manage will arise. This is to recognise that not all existing sites are in remote and/or unsustainable locations and extensions to their existing operations may deliver greater resource efficiency for the business than relocation, as well as contributing to the network of waste management facilities in Lincolnshire without undermining the Spatial Strategy for waste.</b></p>
MM29	70	Policy W3	<p>Proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the following main urban areas as indicated on the key diagram subject to the criteria of Policy W4:</p> <ul style="list-style-type: none"> <li>• Lincoln;</li> <li>• Boston;</li> <li>• Grantham;</li> <li>• Spalding;</li> <li>• Bourne;</li> <li>• Gainsborough;</li> <li>• Louth;</li> <li>• Skegness;</li> <li>• Sleaford; and</li> <li>• Stamford.</li> </ul> <p>Proposals for new waste facilities, <del>including extensions to existing waste facilities</del>, outside the above areas will only be permitted where they are:</p> <ul style="list-style-type: none"> <li>• facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting (<b>see Policy W5</b>);</li> <li>• the treatment of waste water and sewage (<b>see Policy W9</b>);</li> <li>• landfilling of waste (<b>see Policy W6</b>);</li> <li>• small scale waste facilities (<b>see Policy W7</b>).</li> </ul> <p><b>Proposals for large extensions to existing facilities, outside of the above areas will only be permitted where it can be demonstrated that they meet an identified waste management need, are well located to the arisings of the waste it would manage and are on or close to an A class road and meet the criteria of Policy W4.</b></p>
MM30	72	Policy W4	<p>Proposals for new waste facilities, including extensions to existing waste facilities, in and around the</p>

			<p>main urban areas set out in Policy W3 will be permitted provided that proposals accord with all relevant Development Management Policies set out in the Plan, and where they would be located on either:</p> <ul style="list-style-type: none"> <li>• previously developed and/or contaminated land; or</li> <li>• existing or planned industrial/employment land and buildings; or</li> <li>• land already in waste management use; or</li> <li>• in the case of proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates, existing active mineral operations; or</li> <li>• <b>sites allocated in the Site Locations Document; or</b></li> <li>• in the case of biological treatment the land identified in Policy W5.</li> </ul> <p><b>Proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates in and around the main urban areas set out in Policy W3 will also be permitted at existing Active Mining Sites.</b></p> <p><b>In the case of large extensions to existing waste facilities, where the proposals do not accord with the main urban areas set out in Policy W3, proposals will be permitted where they can demonstrate they have met the above criteria. Small scale facilities that are not in and around the main urban areas will be considered under Policy W7.</b></p> <p><b>Proposals must accord with all relevant Development Management Policies set out in the Plan.</b></p>
MM31	75	Policy W6	<p>Planning permission will only be granted for new landfills or extensions to existing landfills (inert, non-hazardous and hazardous) provided that:</p> <ul style="list-style-type: none"> <li>• <b>it has been demonstrated that</b> the current capacity is insufficient to manage that local waste <b>arising in Lincolnshire or its equivalent, which</b> requires disposal to landfill in <b>the County Lincolnshire</b>; and</li> <li>• there is a long term improvement to the local landscape and character of the area, with enhanced public access where appropriate; and</li> <li>• the development would not cause a significant delay to the restoration of existing waste disposal sites; and</li> <li>• the proposals accord with all relevant Development Management <b>and Restoration</b> Policies set out in the Plan.</li> </ul>
MM32	76	Para 6.68	<p>Where new <b>non-waste</b> development involving buildings which would normally be occupied is proposed in proximity <b>within 400m of</b> to a sewage treatment works <b>water recycling centre</b>, the application should be accompanied by an odour assessment report, which considers existing odour emissions of the works at different times of the year and in a range of different weather conditions.</p>

MM33	77	Policy W8	<p>The County Council will seek to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless:</p> <ul style="list-style-type: none"> <li>• alternative provision in the vicinity can be made <b>in accordance with the Development Plan</b>; or</li> <li>• it can be demonstrated that there is no longer a need for a waste facility at that location.</li> </ul>
MM34	78	Policy W9	<p>Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted where they are required to meet new growth. Proposals must demonstrate that <b>provided that it can be demonstrated that</b>:</p> <ul style="list-style-type: none"> <li>• there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and</li> <li>• there would be no deterioration in the ecological status of the affected watercourse (to comply with the Water Framework Directive), <del>unless there is an overriding public need for the development</del>; and</li> <li>• the proposals accord with all relevant Development Management Policies set out in the Plan.</li> </ul>
MM35	84	Para 7.26	<p>The objective of reducing greenhouse gas emissions will be achieved by encouraging:</p> <ul style="list-style-type: none"> <li>• waste treatment processes that reduce the amount of waste going to landfill (with all waste management facilities being required to provide evidence of how much waste will be diverted from landfill);</li> <li>• decentralised, low-carbon/renewable energy generation and carbon reduction measures at new mineral working sites and waste management developments (including landfill gas collection);</li> <li>• <del>where possible, combined heat and power (CHP) in new waste management developments;</del></li> <li>• <b>low carbon energy recovery facilities, such as combined heat and power (CHP), where possible, to be suitably sited in close proximity to suitable potential heat customers to enable the utilisation of the heat produced as an energy source;</b></li> <li>• increased energy efficiency measures in plant, buildings and operations; and</li> <li>• good practice in transport related matters to reduce vehicle miles.</li> <li>• <b>Any planning applications for waste management facilities should incorporate opportunities for sustainable energy recovery wherever practicable.</b></li> </ul>
MM36	85	Policy DM2	<p>Proposals for minerals and waste management developments should address the following matters where applicable:</p> <p>Minerals and Waste</p> <ul style="list-style-type: none"> <li>• Identify locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste, unless other environmental/sustainability and, for minerals, geological considerations override this aim.</li> </ul>

			<p>Waste</p> <ul style="list-style-type: none"> <li>• Through implementation of the Waste Hierarchy, <b>and in particular</b> reduce waste disposal to landfill;</li> <li>• Identify locations suitable for renewable energy generation;</li> <li>• Encourage carbon reduction/capture measures to be implemented where appropriate.</li> </ul> <p>Minerals</p> <ul style="list-style-type: none"> <li>• Encourage ways of working which reduce the overall carbon footprint of a mineral site;</li> <li>• Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks <b>and / or better connected ecological networks</b>;</li> <li>• Encourage the most efficient use of primary minerals</li> </ul>
MM37	85	Para 7.28	<p>Minerals extraction and waste management facilities by their nature are likely to have some negative effects on local communities. Minerals can only be worked where they exist and this can lead to the development of quarries in close proximity to communities. The Council's waste strategy is to locate most waste sites near to the largest concentrations of population to maximise sustainability potential. It will consequently be necessary to overcome impacts through appropriate mitigation measures to avoid a negative effect on the local communities in question. <b>To ensure such impacts are avoided, it may be necessary to impose suitable planning conditions to secure good working practices, as discussed in more detail in this section. Such conditions could include (but would not be limited to) hours of working, appropriate sheeting of vehicles and wheel cleaning.</b></p>

MM38	88	Policy DM3	<p>Planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from:</p> <ul style="list-style-type: none"> <li>• noise,</li> <li>• dust,</li> <li>• vibration,</li> <li>• odour,</li> <li>• <b>litter,</b></li> <li>• emissions,</li> <li>• <b>the migration of contamination,</b></li> <li>• illumination,</li> <li>• visual intrusion,</li> <li>• run off from sites to protected waters, or</li> <li>• traffic,</li> <li>• <b>tip- and quarry- slope stability,</b></li> <li>• <b>differential settlement of quarry backfill, or</b></li> <li>• <b>mining subsidence</b></li> </ul> <p>to occupants of nearby dwellings and other sensitive receptors.</p> <p><b>and in respect of waste developments is well designed and contributes positively to the character and quality of the area in which it is to be located.</b></p> <p><b>Where unacceptable impacts are identified, which cannot be addressed through appropriate mitigation measures, planning permission will be refused.</b></p>
MM39	90	Policy DM4	<p>Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.</p> <p><b>Planning Permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.</b></p> <p>Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.</p>

			<p><b>Where adverse impacts are identified</b> Planning Permission will <b>only</b> be granted for minerals and waste development provided that:</p> <ul style="list-style-type: none"> <li>• <del>Heritage assets, and their settings, are conserved and, where possible enhanced; or</del></li> <li>• <b>the proposal cannot reasonably be located on an alternative site to avoid harm; and</b></li> <li>• <b>the harmful aspects can be satisfactorily mitigated; or</b></li> <li>• <del>There are no alternative solutions to mitigate the impact; and</del></li> <li>• <del>There are exceptional overriding reasons which outweigh the need to safeguard the</del> <b>significance of heritage assets</b> <del>value of sites or features</del> which would be harmed.</li> </ul>
MM40	91	Para 7.52	<p>Applicants should therefore consider the potential visual impact of their proposals and design accordingly; this may include appropriate design in keeping with the locality or prior landscaping and planting work. <b>Applicants will be expected to show how their proposals will appropriately address impacts on landscape and townscape. This would normally be undertaken through a study and evaluation of local landscape and townscape character and an assessment of how the proposal will impact on it, with reference to any relevant landscape character assessment or design guide. Alternatively, it could be carried out through a local assessment using a suitable methodology, appropriate to the scale of the development proposed. Landscape and visual impact assessment should follow the appropriate industry guidelines, currently Guidelines for Landscape and Visual Impact Assessment, 3rd Edition.</b></p>
MM41	91	Policy DM6	<p>Planning permission will be granted for minerals and waste development provided that due regard has been given to the likely impact of the <b>proposed development on landscape and townscape, including landscape character, valued or distinctive landscape features and elements, and important views.</b> <del>distinctive character of the landscape and townscape of Lincolnshire including landscape character, valued or distinctive landscape features and elements, and important views.</del> <b>If considered necessary by the County Council, additional design, landscaping, planting and screening will be required.</b> Where planting is required in advance of the commencement of the development it will be subject to a minimum 10 year maintenance period.</p> <p><b>Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considerable weight will be given to conservation of that landscape.</b></p>
MM42	92	Para 7.55	<p><b>The County Council</b> <del>Appropriate assessment is required by law for all European Sites (Regulation 61-6248 of the Conservation of Habitats and Species Regulations 2010 (as amended)) Conservation (Natural Habitat &amp;c.) Regulations 1994).</del> <b>to undertake an Appropriate Assessment prior to determining a planning application which is:</b></p> <ul style="list-style-type: none"> <li>o <b>likely to have a significant effect on a European site or European offshore marine site (either alone or in combination with other projects); and</b></li> </ul>

			<p><b><i>o is not directly connected with or necessary to the management of that site. If an Appropriate Assessment is required, the presumption in favour of sustainable development, set out in paragraph 14 of the NPPF, does not apply.</i></b> In Lincolnshire, there are <b><i>European sites</i></b> which include Special Areas of Conservation and Special Protection Areas. (some known also as European marine Sites) which fall within this category. It is UK policy that the Government also applies the above procedures in respect of Ramsar sites, even though these sites are not European sites as a matter of law, rather they are international wetland sites declared under the Ramsar Convention. The following wildlife sites are also given the same protection as European sites: potential Special Protection Areas, possible Special Areas of Conservation, proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites.</p>
MM43	92	Para 7.56	<p><b><i>Applicants will be required to supply sufficient information to enable the County Council to undertake</i></b> An Appropriate Assessment. will identify whether a proposed development is likely to have a significant effect, either alone or in combination with other plans or projects, on any of the above sites. The HRA Scoping Report related to this document provides guidance as to when the need for project level assessments are likely to be triggered in respect of proposals for minerals and waste developments. The accompanying HRA Scoping Report also provides advice on site specific considerations for proposals in proximity to European sites and requirements for project level HRA. The site selection exercise as part of the Site Locations document will take into account these recommendations.</p>
MM44	92	Para 7.57	<p>Development will <del>only</del> be permitted if an Appropriate Assessment indicates the proposal(s) will not adversely affect the integrity of the site. Where development will adversely affect the integrity of the site, it will only be permitted if:</p> <ul style="list-style-type: none"> <li><b><i>o</i></b> there are no suitable alternatives <b><i>solutions</i></b>;</li> <li><b><i>o</i></b> and it is necessary <b><i>is to be carried out for imperative</i></b> for reasons of overriding public interest <b><i>as set out in Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (as amended); and that</i></b></li> <li><b><i>o</i></b> <b><i>appropriate compensatory measures can be secured (in accordance with Regulation 66).</i></b> which could be of social or economic nature, sufficient to override the harm to the site. In such cases, where permission is granted, <p><b><i>Where the requirements of Regulations 62 and 66 are satisfied, planning permission will be granted subject to</i></b> planning conditions <b><i>and/or</i></b> agreements may be used to protect the biodiversity interests of the designated site (including providing <b><i>necessary</i></b> mitigation and/or compensation <del>as necessary</del>). <b><i>Otherwise, where the requirements of Regulations 62 and 66 are not met, planning permission will be refused.</i></b></p> </li></ul>
MM45	93	Policy DM7	<p>Proposals for minerals and waste development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient, current information for the purposes of an appropriate assessment of the implications of the proposal, alone or in-combination</p>

			with other plans and projects, for any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. <b>Where the conclusions of the appropriate assessment, carried out in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010 (as amended), must show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site-, planning permission will be granted</b>
MM46	93	Para 7.58	<p><b>Sites of Special Scientific Interest provide statutory protection for some of the best examples of the UK's flora, fauna or geological or physiographical features. As such, they are of national importance.</b> The NPPF states that proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest should not normally be permitted. <b>and that p Exceptions should only be made where the benefit of the development in that location clearly outweighs both the impacts on the features of that site and on the wider national network of Sites of Special Scientific Interest.</b></p> <p><b>X.XX The NPPF also states that</b> planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and geological features, including fossils unless the need for, and benefits of, the development in that location clearly outweigh the loss.</p>
MM47	93	Para 7.59	<p><b>Local Wildlife Sites are non-statutory areas of importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important areas that are rich in biodiversity.</b> The NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. It states that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. <b>Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.</b></p>
MM48	95	Para 7.64	<p>In the absence of alternatives, <b>and if significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.</b> the local planning authority will ensure that, before development commences, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity interests which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.</p>
MM49	101	Policy DM15	Proposals for minerals and waste developments will need to demonstrate that they are located upon land with the lowest probability of flooding, considering both the Environment Agency Flood Zone Map and suite of Flood Risk Maps, and the Strategic Flood Risk Assessment maps where available.

			<p><del>Proposals will also need to demonstrate that sites can be developed without increasing the risk of flooding both to the sites <b>of the proposal</b> and to third parties <b>the surrounding area</b>, taking into account all potential sources of flooding and increased risks from climate change induced flooding.</del></p> <p>Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.</p>
MM50	103	Policy DM17	<p><b>Planning permission will be granted for minerals and waste developments where the cumulative impact would not result in <i>significant</i> adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.</b></p>
MM51	110	Policy R3	<p>Restoration proposals for sand and gravel operations within the proposed Areas of Search (other than those involving best and most versatile agricultural land <b>that would be restored back to agricultural land of a comparable quality</b>) should have regard to the landscape scale objectives of the area and should reflect the following priorities:</p> <ul style="list-style-type: none"> <li>• Trent Valley (north of Lincoln): creation of reedbed, wet woodland and lowland wet grassland habitats</li> <li>• Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities</li> <li>• Central Lincolnshire (Tattershall Thorpe): creation of wet woodland and heathland and acid grassland habitats together with reedbed in areas of high water table</li> <li>• South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats</li> </ul>
MM52	111	Policy R4	<p>Restoration proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except on best and most versatile agricultural land <b>that would be restored back to agricultural land of a comparable quality</b>. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.</p>
MM53	112	New Para after Para 9.2	<p><b><i>The provisions in Table 11 are directed at measuring the success of the various policies in the Plan. In addition, and to assist in this task, in relation to waste the County Council will routinely monitor matters such as take-up in allocated sites and areas; existing stock and changes in stock and capacities; waste arisings; and the amounts of waste recycled, recovered or going for disposal. In relation to minerals, the County Council will monitor the number and nature of applications that involve the extraction of mineral types which are not</i></b></p>

<i>covered by specific policies in this Plan. The information from this monitoring will help to inform the decisions on when to review the Plan, and the matters that need to be covered.</i>							
Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target			
MM54	113 - 121	Table 11  <b>PLEASE NOTE:</b> As all of the Indicators and associated Targets in Table 11 are proposed to be re-written in order to ensure consistency, the adjacent table displayed in this schedule only sets out the Indicators and Targets <b>in their proposed amended form.</b> (It is considered that to attempt to show all individual proposed modifications and deletions to existing text for all indicators and targets as originally set out in the pre-submission draft would be unnecessarily complicated).	g.	10	M1: Recycled and Secondary Aggregates	<i>Percentage of relevant planning applications determined in accordance with Policy M1</i>	<i>100%</i>
			b.	12	M2: Providing for an Adequate Supply of Sand and Gravel	<ol style="list-style-type: none"> <li><i>1. Delivery of the identified annual provision by Production Area</i></li> <li><i>2. Type of sites: extensions/new</i></li> <li><i>3. Location of new quarries by Production Area</i></li> <li><i>4. Allocation of sites meeting the required annual and plan-period provision</i></li> <li><i>5. Permissions for non-allocated sites</i></li> </ol>	<ol style="list-style-type: none"> <li><i>1. 100% accordance with policy M2</i></li> <li><i>2. Priority to extensions</i></li> <li><i>3. 100% location within Areas of Search</i></li> <li><i>4. Through adopted Sites Location Plan</i></li> <li><i>5. Zero</i></li> </ol>

			b.	11, 12	M3: Landbank of Sand and Gravel	<b>Level of landbank for sand and gravel aggregate within each Production Area.</b>	<b>Minimum landbank of 7 years within each Production Area calculated in accordance with the latest LAA.</b>
			a., c.	7, 8	M4: Proposals for Sand and Gravel Extraction	<b>Percentage of relevant planning applications determined in accordance with policy M4.</b>	<b>100%</b>
			a., c.	7, 8	M5: Limestone	<b>1. Percentage of relevant planning applications determined in accordance with policy M5.</b>  <b>2. The delivery of the identified annual provision</b>	<b>1. 100%</b>  <b>2. 100%</b>
			a., c.	7, 8	M6: Chalk	<b>Percentage of relevant planning applications determined in accordance with Policy M6.</b>	<b>100%.</b>
			a., b., c., k.	7, 8	M7: <b>Historic</b> Building Stone	<b>Percentage of relevant planning applications determined in accordance with Policy M7.</b>	<b>100%</b>

			a., b., c.	7, 8	M8: Silica Sand	<i>Percentage of relevant planning applications determined in accordance with policy M8.</i>	<b>100%</b>	
			a., c.	7, 8	M9: Energy Minerals	<i>Percentage of relevant planning applications determined in accordance with policy M9.</i>	<b>100%.</b>	
			a., c.	7, 8	M10: Underground Gas Storage	<i>Percentage of relevant planning applications determined in accordance with policy M10</i>	<b>100%.</b>	
			f., k.	10	M11: Safeguarding of Mineral Resources	<i>Number of planning applications that are granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy M11.</i>	<b>Zero</b>	
			a., f., k.	7, 8	M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	<i>Number of planning applications that are granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy M12.</i>	<b>Zero</b>	
			a.	7, 8	M13: Associated Industrial Development	<i>Percentage of relevant planning applications determined in accordance with policy M13.</i>	<b>100%</b>	

			a.	7, 8	M14: Irrigation Reservoirs	<i>Percentage of relevant planning applications determined in accordance with policy M14.</i>	<i>100%</i>
			a., c.	7, 8	M15: Borrow Pits	<i>Percentage of relevant planning applications determined in accordance with policy M15.</i>	<i>100%</i>
			a., d., e.	5, 7, 8, 12	W1: Future requirements for new waste facilities	<p>1. New operational waste management capacity by type.</p> <p>2. New permitted but not operational waste management capacity by type.</p> <p>3. Amount of waste arising by broad waste stream and the percentage each management type represents of the waste managed.</p> <p><i>1. Allocation of sites to meet the capacity gaps identified in Table 9, except for inert landfill and hazardous landfill</i></p> <p><i>2. Review of capacity gaps</i></p>	<p>Recycling, composting and treatment targets to be met as presented in the Plan subject to any new forecasts in the AMR.</p> <p><i>1. Through adopted Sites Location Document</i></p> <p><i>2. Accordance with Annual Monitoring Report</i></p>

			a., e.	7, 8	W2: Low Level Non-Nuclear Radioactive Waste	<i>Percentage of relevant planning applications determined in accordance with Policy W2.</i>	<b>100%</b>	
			a., e.	7, 8, 11	W3: Spatial Strategy for New Waste Facilities	<i>Percentage of relevant planning applications determined in accordance with Policy W3.</i>	<b>100%</b>	
			a., e.	7, 8	W4: Locational Criteria for New Waste Facilities in and around main urban areas.	<i>Percentage of relevant planning applications determined in accordance with Policy W4.</i>	<b>100%</b>	
			a., e.	7, 8	W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	<i>Percentage of relevant planning applications determined in accordance with Policy W5.</i>	<b>100%</b>	
			a., e.	7, 8	W6: Landfill	<i>Percentage of relevant planning applications determined in accordance with Policy W6.</i>	<b>100%</b>	
			a., e.	7, 8	W7: Small Scale Waste Facilities	<i>Percentage of relevant planning applications determined in accordance with Policy W7.</i>	<b>100%</b>	

			a.	7, 8	W8: Safeguarding Waste Management Sites	<b><i>Number of planning applications granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy W8.</i></b>	<b><i>Zero.</i></b>
			a., e.	7, 8	W9: Waste Water and Sewage Treatment Works	<b><i>Percentage of relevant planning applications determined in accordance with Policy W9.</i></b>	<b><i>100%</i></b>
			a.	5, 7, 8	DM1: Presumption in favour of sustainable development	<b><i>Percentage of relevant planning applications determined in accordance with Policy DM1.</i></b>	<b><i>100%</i></b>
			d.	4, 5	DM2: Climate Change	<b><i>Percentage of relevant planning applications determined in accordance with Policy DM2.</i></b>	<b><i>100%</i></b>
			a.	7, 8	DM3: Quality of life and amenity	<b><i>Percentage of relevant planning applications determined in accordance with Policy DM3.</i></b>	<b><i>100%</i></b>
			a., j.	2, 7, 8	DM4: Historic Environment	<b><i>Percentage of relevant planning applications determined in accordance with Policy DM4.</i></b>	<b><i>100%</i></b>
			a., j., m.	2, 7, 8	DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	<b><i>Percentage of relevant planning applications determined in accordance with Policy DM5.</i></b>	<b><i>100%</i></b>

			a., j.	2, 7, 8	DM6: Impact on Landscape and Townscape	<i>Percentage of relevant planning applications determined in accordance with Policy DM6.</i>	<b>100%</b>	
			a., m.	1, 7, 8	DM7: Internationally Designated Sites of Biodiversity Conservation Value	<i>Percentage of relevant planning applications determined in accordance with Policy DM7.</i>	<b>100%</b>	
			a., m.	1, 7, 8	DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	<i>Percentage of relevant planning applications determined in accordance with Policy DM8.</i>	<b>100%</b>	
			a., m.	1, 7, 8	DM9: Local Sites of Biodiversity Conservation Value	<i>Percentage of relevant planning applications determined in accordance with Policy DM9.</i>	<b>100%</b>	
			a.	7, 8	DM10: Local Sites of Geological Conservation Value	<i>Percentage of relevant planning applications determined in accordance with Policy DM10.</i>	<b>100%</b>	
			a., h.	7, 8, 9	DM11: Soils	<i>Percentage of relevant planning applications determined in accordance with Policy DM11.</i>	<b>100%</b>	
			a., h.	7, 8, 9	DM12: Best and Most Versatile Agricultural Land	<i>Percentage of relevant planning applications determined in accordance with Policy DM12.</i>	<b>100%</b>	

			a., n.	5, 7, 8	DM13: Sustainable Transport Movements	<i>Percentage of relevant planning applications determined in accordance with policy DM13.</i>	<b>100%</b>	
			a.	7, 8	DM14: Transport by road	<i>Percentage of relevant planning applications determined in accordance with Policy DM14.</i>	<b>100%</b>	
			a., l.	6, 7, 8	DM15: Flooding and Flood Risk	<i>Percentage of relevant planning applications determined in accordance with Policy DM15.</i>	<b>100%</b>	
			a.	3, 7, 8	DM16: Water Resources	<i>Percentage of relevant planning applications determined in accordance with Policy DM16.</i>	<b>100%</b>	
			a., h., j., l., m.	7, 8	DM17: Cumulative Impacts	<i>Percentage of relevant planning applications determined in accordance with Policy DM17.</i>	<b>100%</b>	
			i.	9	R1: Restoration and Aftercare	<i>Percentage of relevant planning applications determined in accordance with Policy R1.</i>	<b>100%</b>	
			h., i.	9	R2: After-use	<i>Percentage of relevant planning applications determined in accordance with Policy R2.</i>	<b>100%</b>	

			h., i.	9	R3: Restoration of Sand and Gravel Operations within Areas of Search	<b>Percentage of relevant planning applications determined in accordance with Policy R3.</b>	<b>100%</b>	
			i.	9	R4: Restoration of limestone and chalk workings	<b>Percentage of relevant planning applications determined in accordance with Policy R4.</b>	<b>100%</b>	
MM55			<b>All relevant mapping to be updated to reflect amendment to MSAs to incorporate buffer extending 250 metres into excluded urban areas and all references to site specific mineral consultation areas to be corrected to site specific mineral safeguarding areas</b>					



## LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN

### CORE STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

#### CONTENTS

1. INTRODUCTION.....	4
2. LEGISLATIVE AND POLICY CONTEXT.....	7
3. SPATIAL PORTRAIT AND ENVIRONMENTAL ASSETS.....	12
4. SPATIAL VISION & STRATEGIC OBJECTIVES.....	21
5. PROVIDING FOR MINERALS.....	24
6. PROVIDING FOR WASTE.....	57
7. DEVELOPMENT MANAGEMENT POLICIES.....	83
8. RESTORATION.....	111
9. MONITORING AND IMPLEMENTATION.....	119
10. KEY DIAGRAM.....	128
Appendix 1: Relationship between Policies.....	130
Appendix 2: Waste and Mineral Sites in Lincolnshire.....	133
Appendix 3: Minerals and Waste Site Mapping by District.....	144
Appendix 4: Glossary of Terms.....	152

#### TABLES

<b>Table 1:</b> Calculation of Sand and Gravel Provision 2014 – 2031.....	28
<b>Table 2:</b> Calculation of sand and gravel provision for 2014-2031 by Production Area.....	29
<b>Table 3:</b> Calculation of Limestone (Aggregate) Provision 2014-2031 ....	35
<b>Table 4:</b> LACW arisings and management requirements 2014-2031– Growth with Median Recycling scenario.....	59
<b>Table 5:</b> C&I arisings and management requirements 2014-2031– Growth with Median Recycling scenario.....	61
<b>Table 6:</b> CD&E waste arisings and management methods 2014-2031 – Growth with Median Recycling scenario.....	63
<b>Table 7:</b> Hazardous waste arisings and management requirements 2014- 2031 – Growth with Median Recycling scenario.....	64
<b>Table 8:</b> Agricultural waste arisings and management requirements ....	66
<b>Table 9:</b> Forecast Capacity Gaps by Facility Type 2014, 2020, 2025 and 2031 – Growth with Median Recycling scenario.....	67
<b>Table 10:</b> Predicted Requirements for New Facilities.....	68
<b>Table 11:</b> Policy Related Indicators and Targets.....	121

## **POLICIES**

Policy M1: Recycled and Secondary Aggregates .....	27
Policy M2 : Providing for an Adequate Supply of Sand and Gravel .....	32
Policy M3: Landbank of Sand and Gravel .....	33
Policy M4: Proposals for Sand and Gravel Extraction .....	34
Policy M5: Limestone .....	35
Policy M6: Chalk .....	36
Policy M7: Historic Building Stone.....	38
Policy M8: Silica Sand.....	38
Policy M9: Energy Minerals .....	41
Policy M10: Underground Gas Storage .....	42
Policy M11: Safeguarding of Mineral Resources .....	47
Policy M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure.....	51
Policy M13: Associated Industrial Development .....	53
Policy M14: Irrigation Reservoirs .....	55
Policy M15: Borrow Pits.....	56
Policy W1: Future requirements for new waste facilities.....	69
Policy W2: Low Level Non-Nuclear Radioactive Waste.....	70
Policy W3: Spatial Strategy for New Waste Facilities.....	73
Policy W4: Locational Criteria for New Waste Facilities in and around main urban areas.....	75
Policy W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting .....	76
Policy W6: Landfill.....	78
Policy W7: Small Scale Waste Facilities .....	79
Policy W8: Safeguarding Waste Management Sites .....	80
Policy W9: Waste Water and Sewage Treatment Works .....	82
Policy DM1: Presumption in favour of sustainable development.....	86
Policy DM2: Climate Change .....	89
Policy DM3: Quality of life and amenity .....	92
Policy DM4: Historic Environment .....	94
Policy DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty .....	96
Policy DM6: Impact on Landscape and Townscape .....	97
Policy DM7: Internationally Designated Sites of Biodiversity Conservation Value .....	99
Policy DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value .....	100
Policy DM9: Local Sites of Biodiversity Conservation Value.....	101
Policy DM10: Local Sites of Geological Conservation Value .....	102
Policy DM11: Soils.....	102
Policy DM12: Best and Most Versatile Agricultural Land .....	103
Policy DM13: Sustainable Transport Movements .....	105

Policy DM14: Transport by Road.....	106
Policy DM15: Flooding and Flood Risk.....	108
Policy DM16: Water Resources.....	109
Policy DM17: Cumulative Impacts.....	110
Policy R1: Restoration and Aftercare.....	112
Policy R2: After-use.....	115
Policy R3: Restoration of Sand and Gravel Operations within Areas of Search.....	117
Policy R4: Restoration of limestone and chalk workings.....	118

# 1 INTRODUCTION

- 1.1 Lincolnshire County Council is responsible for minerals and waste planning in the County. It has prepared this document, the **Core Strategy and Development Management Policies** document, as the first part of a new **Lincolnshire Minerals and Waste Local Plan**. This Core Strategy and Development Management Policies document sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County up to 2031. It also sets out the development management policies against which planning applications for minerals and waste development will be considered. The second part of the Lincolnshire Minerals and Waste Local Plan, the **Site Locations** document, is still in preparation and will in due course include specific proposals and policies for the provision of land for mineral and waste development.
- 1.2 The Core Strategy and Development Management Policies document replaces the Lincolnshire Minerals Local Plan (1991) and most of the policies in the Lincolnshire Waste Local Plan (2006) with the exception of Policies WLP2, WLP6 and WLP12 of that document. These policies are saved until the Site Locations document has been adopted (see Appendix 1).

## **The Scope and Nature of the Core Strategy and Development Management Policies**

- 1.3 This document includes the vision, objectives, spatial strategy and development management policies for minerals and waste development in Lincolnshire over the period to the end of 2031. It should provide the minerals and waste industry, the general public, interest groups and all other interested parties with a clear understanding of the strategy in Lincolnshire regarding the future scale and pattern of mineral working and waste facilities, and how they will be controlled. It does not include site allocations as these will be identified through the Site Locations document.
- 1.4 The document consists of a written statement and reasoned justification in support of the policies and proposals. The document also includes a monitoring framework which identifies the targets and indicators to review the effectiveness of the policies.
- 1.5 The document is to be read as a whole and policies should not be interpreted in isolation. Phrases or terms with a particular meaning within the policies are defined in the glossary. Policies are not listed in priority order and where a policy includes specific criteria or proposals these are not in any order of priority, unless specifically stated. The document has been developed in line with national legislation and policy. However, national policy is not repeated in policies.

- 1.6 The document is supported by the following background and evidence base documents:
- Sustainability Appraisal
  - Habitats Regulations Assessment
  - Local Aggregate Assessment
  - Waste Needs Assessment
  - Minerals Background Paper
  - Minerals Safeguarding Background Paper
  - Restoration Background Paper
  - Consultation Statement
  - Duty to Cooperate Statement

### **Sustainability Appraisal**

- 1.7 The production of a Sustainability Appraisal (SA) report is mandatory under Section 39(2) of the Planning and Compulsory Purchase Act 2004. The purpose of an SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of planning policy documents. It also fulfils the requirements of the EU Strategic Environmental Assessment Directive. The Council has to date had sustainability reports carried out on all the consultation documents listed above. This document has also been subject to sustainability appraisal. A key element of this is the testing of Mineral and Waste policies against SA objectives in order to identify likely impacts of the policies and any mitigation required.

### **Habitats Regulations Assessment**

- 1.8 Appropriate Assessment/Habitat Regulations Assessment (HRA) of land use plans is required under the European Communities (1992) Council Directive 92/43/EEC (the 'Habitats Directive'). HRA provides for the protection of 'European Sites' (also known as 'Natura 2000' or 'N2K' sites), these are sites which are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community.
- 1.9 A Habitat Regulations Assessment (HRA) Scoping Report of the potential effects of the Local Plan Core Strategy and Development Management Policies on the *Natura 2000* network has been undertaken. The policies within the document have been 'screened out' as not requiring a full Appropriate Assessment, largely due to the wording of the policy regarding the protection of internationally important biodiversity sites (DM7). The HRA concludes that there are no likely significant effects from the policies either alone or in combination with other projects and plans.
- 1.10 A HRA Scoping Report was prepared for the draft Core Strategy and Development Management Policies document. Changes were made to policies at that stage in the light of the recommendations contained in the HRA. One European Site ('Baston Fen' SAC) falls within a proposed area of search for Sand and Gravel extraction. This consists of a 2km long main drain, the Counterdrain, which runs alongside the Fen. The HRA recommends that any proposals for new sand and gravel

extraction/washing works within the catchment of Baston Fen SAC should either ensure that they remain above the water table and/or do not abstract water for gravel washing or undertake a project-level HRA to demonstrate that no likely significant effects on the SAC will occur. Reference to project level HRA is included in paragraph 7.57 of this document and the nature of working at new sites within the areas of search will be looked at further as part of the development of the Site Locations document when specific sites are to be identified.

### **Duty to Co-operate**

- 1.11 Under Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by s110 of the Localism Act 2011, the Council is now required to formally co-operate with other local planning authorities and bodies prescribed in regulation 4(1) of The Town and Country Planning (Local Planning) (England) Regulations 2012. This is to maximise the effectiveness of the preparation of the Local Plan and supporting activities so far as it relates to strategic matters. The Council and others are required to engage constructively, actively and on an ongoing basis. Regard must also be had, under section 33A(9) and regulation 4(2), to the activities of the Local Enterprise Partnership as they relate to the Local Plan and supporting activities. The Council has carried out engagement with other local planning authorities and bodies throughout the preparation of the Local Plan.

## 2 LEGISLATIVE AND POLICY CONTEXT

### Introduction

2.1 The Plan has been prepared to comply with the legal requirements of the Planning and Compulsory Purchase Act 2004, the Planning Act 2008, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework. The Minerals and Waste Local Plan must be consistent with European and National policy.

### Sustainable Development

2.2 Sustainable Development is at the centre of the planning system. The UK Sustainable Development Strategy "Securing the Future" has five guiding principles, namely living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. This builds upon strategies and policies in place at the international level to promote sustainable development and tackle climate change.

### European Legislation

2.3 The Minerals and Waste Local Plan must reflect and where appropriate comply with European directives and legislation. This includes those relating to waste and environmental protection.

2.4 The EU Waste Directive<sup>1</sup> is the overarching legislative framework for the collection, transport, recovery and disposal of waste and sets out the requirements of Member States in relation to the management of waste and the basic waste management definitions. These regulations have been transposed into English law under the Waste (England and Wales) Regulations 2011. Guidance on the implementation of the planning requirements of the Waste Framework Directive has been published by the Department of Communities and Local Government<sup>2</sup>. In addition the Landfill Directive<sup>3</sup> sets targets for the reduction of biodegradable waste going to landfill and sets the technical criteria for preventing and reducing the adverse effects of landfilling on the environment as well as a reduction in the amount of waste being sent to landfill. Other relevant Directives include those relating to the management of end of life of vehicles and waste electrical and electronic equipment (WEEE)<sup>4</sup>.

2.5 For plan making the requirements of the Strategic Environmental Assessment Directive and the Habitats Directive must be taken into

---

<sup>1</sup> Directive on Waste (2008/98/EC) (transposed into English law under the Waste (England and Wales) Regulations 2011 and the Waste (England and Wales) Amendment Regulations 2012)

<sup>2</sup> Guidance for local authorities on implementing planning requirements of the European Union Waste Framework Directive (2008/98/EC)

<sup>3</sup> Directive on the Landfill of Waste (99/31/EC) (transposed into English law under the landfill (England & Wales) Regulations 2002)

<sup>4</sup> Waste Electrical and Electronic Equipment Directive (2002/96/EC); Restriction of Hazardous Substances in Electronic and Electronic Equipment (RoHS) (2002/95/EC)

account<sup>5</sup>. A Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment Directive and a Habitats Regulation Assessment Screening Report as required by Habitats Directive has been carried out. The policies in the plan must also take into account Directives in relation to wild birds, noise, air quality and water<sup>6</sup>.

## **National Planning Policy**

- 2.6 The National Planning Policy Framework (NPPF, March 2012), known as the Framework, sets out the Government's overarching planning policies for England. This is supported by online Planning Practice Guidance. The overarching aim of the NPPF is to achieve sustainable development by ensuring economic, social and environmental gains are sought jointly and simultaneously through the planning system. At the centre of this is a presumption in favour of sustainable development. For plan making this means that Local Plans must positively seek to meet the development needs of the area with clear guidance on how the presumption in favour of sustainable development will be applied locally.
- 2.7 Local Plans must have regard to national policies and advice. The Framework includes general policies that must be taken into account in plan making as well as specific policies for minerals development. However, it does not contain specific waste policies, as these are set out in the separate National Planning Policy for Waste (October 2014).
- 2.8 In relation to minerals the Framework sets out how Local Planning Authorities should facilitate the sustainable use of minerals. Local Plans should include policies for the extraction of minerals of local and national importance in the plan's area and wherever possible substitute secondary and recycled materials for primary materials to preserve natural resources. Mineral safeguarding areas must also be identified to safeguard mineral resources from non-mineral development as well as policies setting out the environmental criteria and requirements for restoration and aftercare against which planning applications for mineral development will be assessed.
- 2.9 For waste planning, the National Planning Policy for Waste sets the national framework for planning for waste management. It outlines the planning system's key roles in delivering the new facilities that are essential for implementing sustainable waste management and protecting the environment and human health. The emphasis is on delivering sustainable development, driving waste up the waste hierarchy, seeing waste as a resource and disposal as the last option. It requires communities to take responsibility for their own waste and for planning authorities to assist in delivering waste management facilities required.

---

<sup>5</sup> The Conservation of Natural Habitats and Wild Flora and Fauna Directive (92/43/EC) (transposed into UK law under the Conservation of Habitats Species Regulations 2010); The Strategic Environmental Assessment Directive (transposed into UK law under the Environmental Assessment of Plans and Programmes Regulations 2004)

<sup>6</sup> Conservation of Wild Birds Directive (2009/147/EC); Water Framework Directive (2000/60/EC); Air Quality Directive (2008/50/EC); Environmental Noise Directive (2002/49/EC)

These must be in appropriate locations and for a range of waste management facilities including for disposal.

- 2.10 The National Planning Policy for Waste sits alongside the National Waste Management Plan, published in December 2013, which sets out how England will support and implement the requirements of the Waste Framework Directive including the application of the waste hierarchy and proximity principle. It includes the current waste management situation in England and an assessment of the need for new waste management infrastructure. The Plan includes a commitment to a more sustainable approach to the use of waste materials, delivering environmental benefits and supporting economic growth. It prioritises the management of waste in line with the waste hierarchy and in a manner that reduces the carbon footprint. There is also an emphasis on encouraging waste prevention and reuse and greater resource efficiency.

### **Existing Planning Policies and Strategies**

- 2.11 The policies in this Core Strategy and Development Management Policies document replace those in the former Lincolnshire Minerals Local Plan (1991) (MLP) and the majority of the policies in the adopted Lincolnshire Waste Local Plan (2006) (WLP). Some of the policies in the WLP (2006) will be retained until the Site Locations document is also adopted. A table showing the relationship between the policies in this document, the Site Locations Document and policies to be retained/replaced in the MLP and WLP is set out in Appendix 1.
- 2.12 The **Waste Local Plan** (WLP) was adopted in 2006. All of its policies were saved by the Secretary of State in 2009. The WLP contains the following main aim: *'To provide a strategy and policy framework for sustainable waste management in Lincolnshire in accordance with the principles and objectives of the national waste strategy and the principles of regional self-sufficiency and the proximity principle.'*
- 2.13 The **Statement of Community Involvement** (SCI) was adopted in September 2007, and subsequently updated in autumn 2014. It is a clear statement of how and when the County Council intends to achieve continuous, meaningful and mutually beneficial community involvement on planning matters. The SCI sets out what the community will be consulted on and when and how this will be carried out.
- 2.14 There are seven districts in Lincolnshire: Boston, City of Lincoln, East Lindsey, North Kesteven, South Holland, South Kesteven and West Lindsey. A new planning area has been agreed between the Districts of West Lindsey, City of Lincoln and North Kesteven District Councils to produce a Central Lincolnshire Local Plan, currently proposed to be adopted in 2016. South Kesteven DC adopted its Core Strategy in July 2010 and its Site Allocation and Policies DPD in April 2014. East Lindsey DC consulted on a draft Core Strategy in October 2012. Boston BC and South Holland DC are also working together with the County Council to prepare a Local Plan for South East Lincolnshire and are hoping to adopt the Plan in 2016.

## Relationship to other Council Plans and Strategies

- 2.15 The Minerals and Waste Local Plan is one of the key delivery documents for the priorities and development needs of Lincolnshire. It supports the delivery of other plans and strategies of the County Council including the Corporate Plan, the Joint Municipal Waste Management Strategy and the Local Transport Plan.
- 2.16 The **Joint Municipal Waste Management Strategy** (JMWMS) provides a structure that will enable the eight partnering authorities of Lincolnshire and the Environment Agency to effectively manage the municipal waste produced in the County. Collectively these partnering authorities are known as the Lincolnshire Waste Partnership (LWP). The Strategy was adopted by the County Council in June 2008 and contains ten key objectives for the management of municipal waste.
- 2.17 The LWP are in the process of reviewing the JMWMS, including looking at options for closer joint working, and suitable objectives and targets which reflect the use of Energy from Waste as opposed to landfill.
- 2.18 **Lincolnshire County Council's Natural Environment Strategy** was published in 2012. The Strategy along with a number of other documents forms part of the Council's overarching Environmental Management Strategy. It sets out a clear set of priorities within a national framework, and within the Council's corporate vision and objectives, in order to provide Council services, local communities and businesses and partner organisations with clarity and confidence about the approach the Council will take in working with the natural environment.
- 2.19 The County Council, as Lead Local Flood Authority, is required to implement and monitor a Local Flood Risk Management Strategy. Accordingly, the Joint **Lincolnshire Flood Risk and Drainage Management Strategy** was developed through public and stakeholder consultation during 2011 and 2012, and was approved by the County Council's Executive on 4th December 2012. The purpose of the Strategy is to increase the safety of people across Lincolnshire by reducing the number of people at risk of flooding, increasing the resilience of local communities and reducing the impact of flooding.
- 2.20 NHS Lincolnshire and Lincolnshire County Council have now agreed the **Joint Health and Wellbeing Strategy for Lincolnshire 2013 – 2018**. This is the first Joint Health and Wellbeing Strategy (JHWS) for Lincolnshire. It has been produced by the Lincolnshire Shadow Health and Wellbeing Board and is based on the five priorities identified in the Joint Strategic Needs Assessment for Lincolnshire. The JHWS is a document that aims to inform and influence decisions about health and social care services in Lincolnshire so that they are focused on the needs of the people who use them and tackle the factors that affect everyone's health and wellbeing.
- 2.21 Lincolnshire's 4<sup>th</sup> **Local Transport Plan** (LTP4) covers the Council's transport strategy for the period from 2013/14 to 2022/23. Its policies

are set within an overall vision of how Lincolnshire's transport system will develop in the longer term beyond 2022/23. The 'Vision for 2030' shown below was adopted for previous LTPs and has been carried forward to LTP4:

- There is a good inter- and intra- regional access to support a growing economy.
- There is good access by a choice of modes to services, jobs and for leisure within Lincolnshire.
- Our streets in built-up areas are seen primarily as places where people can carry on their activities in a pleasant environment.
- There is a well-managed and safe road network to maximise the reliability of journeys and reduce the impact of traffic on communities.
- Our sensitive rural areas are managed in ways that retain, and where possible, enhance the value of the natural environment.

### **3. SPATIAL PORTRAIT AND ENVIRONMENTAL ASSETS**

#### **Settlement Character**

- 3.1 The settlement pattern of Lincolnshire is made up of the Principal Urban Area of Lincoln; the Sub-Regional Centres of Boston, Grantham and Spalding and several market towns, smaller villages and hamlets. Growth Point status was previously granted to Lincoln, Grantham and Gainsborough. The East Midlands Regional Plan 2009 (revoked in 2013) listed Bourne, Gainsborough, Louth, Skegness, Sleaford and Stamford as 'Main Towns'. Although the RSS has been revoked, the Minerals and Waste Local Plan has retained reference to the 'main towns' to guide future waste and minerals requirements.

#### **Administrative Boundaries and Neighbours**

- 3.2 Lincolnshire is within the East Midlands Region, bounded by the Yorkshire and Humber Region to the north and the East of England Region to the south. Nottinghamshire, Leicestershire, Rutland, Northamptonshire, City of Peterborough, Cambridgeshire, Norfolk, North-East Lincolnshire and North Lincolnshire border the county – along with 80km of North Sea coastline.
- 3.3 There are seven districts in Lincolnshire: Boston, City of Lincoln, East Lindsey, North Kesteven, South Holland, South Kesteven and West Lindsey.
- 3.4 Lincolnshire is a predominantly rural shire covering 5,921sq km (2,286sq miles) with a population of 724,500<sup>7</sup>, dispersed across the County; it is the fourth largest county in England and the fourth most sparsely populated (density of approximately 122 per sq. km). This provides fundamental difficulties concerning the provision of a comprehensive and modern infrastructure network. Lincolnshire had 307,000 households as at the 2011 Census and the number is expected to grow significantly over the plan period to 2031.

#### **Transport**

- 3.5 The highway network in Lincolnshire is extensive, totalling over 9,000km of road; however there are no motorways in Lincolnshire and only 66km of dual carriageway. The A1 trunk road runs down the western boundary of the county and the A46, A57, A52, A15, A16, A17 routes link settlements throughout Lincolnshire. Accessibility is an issue throughout Lincolnshire, but more so in the more rural isolated parts of the County. There are particular problems in travelling east/west.
- 3.6 Local rail services operate within the county and connect the main towns/villages to the surrounding regions. Midland Trains operate a daily direct service to London via Nottingham, as does East Coast Mainline from

---

<sup>7</sup> Office for National Statistics – Mid-2013 Estimates

Lincoln to London. The East Coast Mainline runs along the western side of the county, through Grantham, to London.

- 3.7 There are ports at Boston and Sutton Bridge. The ports of Grimsby and Immingham, just outside the county, are also significant and generate commercial traffic that impacts on Lincolnshire's transport networks. The River Trent runs along some of the County's western border and has established routes for waterway traffic.

### **Land-use & the Economy**

- 3.8 Farming is still a major industry in Lincolnshire, as is manufacturing. A broad estimate (constructed from BRES 2010 and DEFRA data) suggests around 15,000 are employed in agriculture and around 31,500 in manufacturing. Both activities are restricted to certain parts of the County. The food industry is concentrated to the south of the County. Tourism is significant along the coast, in and around the Lincolnshire Wolds and historic settlements.
- 3.9 Unemployment rates have fallen recently, and are relatively low in Lincolnshire. The unemployment claimant rate for October 2014 was 1.9%, compared with 2.1% for England and Wales.
- 3.10 The Business Monitor PA1007, covering Minerals Extraction in Great Britain, indicates that 268 jobs were involved with mineral extraction in Lincolnshire in 2010. Of these, 67% were directly employed, 5% were contractors and 28% were drivers. Most jobs were at limestone and sand and gravel quarries, which employed 53% and 46% of total employees involved with mineral extraction respectively.
- 3.11 The south of the County contains some of the highest grade agricultural land in England; 44% of all agricultural land in the county is classified as being of either Grade 1 or 2 quality. Most of this land is within the eastern and southern parts of the County.

### **Landscape**

- 3.12 The county of Lincolnshire has a diverse and distinctive landscape. Landscape character – what makes a particular area unique – is an important aspect to be taken into account when considering the impacts of development; in this case the location, operation and restoration of mineral and waste sites.
- 3.13 England is divided into 159 National Character Areas (NCA), each defined by a unique combination of landscape, biodiversity, geodiversity and

cultural and economic activity<sup>8</sup>. While several NCAs cover the county of Lincolnshire, three are of particular relevance to this Plan:

- NCA 44 – Central Lincolnshire Vale (covering the Central Lincolnshire Area of Search)
- NCA 46 – The Fens (covering most of the South Lincolnshire Area of Search)
- NCA 48 – Trent and Belvoir vales (covering the Lincoln-Trent Valley Area of Search).

3.14 Environmental assets and "Statements of Environmental Opportunity" for each area, as published by Natural England, will be taken into account in the implementation of policies within this Plan, particularly those relating to the restoration of mineral sites.

## Natural Environment

3.15 The countryside and its associated natural environment have long been recognised as one of Lincolnshire's principal assets. In addition to nationally designated areas such as the Lincolnshire Wolds AONB, the Wash and Gibraltar Point, the county's whole character and distinctiveness is framed by its essentially open, rural and tranquil image. The coastal area of Lincolnshire is a defining feature of the county; it has a variety of land-uses linked to agriculture, settlements and tourism, and plays an important role in terms of the natural environment. The County's main assets, areas and features, along with associated landscape scale initiatives, are summarised below.

3.16 The **Lincolnshire Wolds Area of Outstanding Natural Beauty** (AONB) lies in the north-eastern quarter of the County, mid-way between Lincoln and the coast, surrounded by relatively flat fens, coastal marsh and the Lincoln Clay Vale. The AONB comprises an area of 558 km<sup>2</sup> (216 miles<sup>2</sup>), while the wider Lincolnshire Wolds National Character Area incorporates the two neighbouring areas of the 'Spilsby Crescent' to the south and the remaining chalk uplands to the north. The Lincolnshire Wolds is one of only two nationally protected landscapes in the East Midlands and provides the principal aquifers for the nationally important Lincolnshire Chalk Streams resource. The statutory Lincolnshire Wolds AONB Management Plan (2013-2018) includes the strategic and action plan for protecting and enhancing the highly scenic landscapes of the Wolds.

3.17 The **Coversands** of north-west Lincolnshire are fine windblown deposits laid down around the shores of a large lake which filled the Trent valley in late glacial times. The blown sand gave rise to special landscape features such as sandy warrens and inland dune systems. The Coversands heaths include dry heath, wet heath, lichen heaths and extensive communities of acid grassland, forming a rich mosaic of habitats. Historical evidence suggests there were once some 60,000 hectares of Coversands heaths, most of which would have been heathland. But there has been a dramatic loss due to competing land uses - primarily forestry, sand and gravel quarrying, intensive agriculture and urban expansion. Today, around 700

---

<sup>8</sup> <http://www.naturalengland.org.uk/publications/nca/default.aspx>

hectares of Coversands heathland remain. In 2003, a five-year project was launched to restore and re-create Coversands heathlands.

- 3.18 The **Lincolnshire Limewoods** area includes a concentration of woodland between Wragby, Bardney and Woodhall Spa to the east of Lincoln. The woodlands themselves cover 382 hectares and are collectively designated as the Bardney Limewoods National Nature Reserve. The woods in this area are special because they are one of the few areas of woodlands characterized by small-leaved lime remaining in Britain. Many of the woods have ancient origins dating back to the Domesday Survey. Unfortunately, over time, many of the woods have been lost or dramatically changed. Those that remain are important habitats for species that are locally or nationally threatened. One of the aims of the Lincolnshire Limewoods Project, which started in 2005, was to restore habitat linkages by extending the existing woodlands. To date, over 130 hectares of new native woodland and over 26km of new hedgerows have been planted across the Limewoods area.
- 3.19 The **Lincolnshire Coastal Grazing Marshes** stretch from Grimsby to Gibraltar Point just inland from the coast. The marshes are particularly important for a number of wading and other bird species. For these birds, the seasonally wet grassland is key for feeding and roosting. Coastal and floodplain grazing marshes are identified as habitats of principal importance within the Natural Environment and Rural Communities Act (2006) and there are a number of important nature reserves in the area. Although much of the traditional grazing marsh has disappeared, there are still pockets of land which show us how this pastoral landscape would have looked 100 years ago, and where some of its native flora and fauna can still be found. The Lincolnshire Coastal Grazing Marshes Project is a partnership project which supports local farmers and landowners to conserve the remaining traditional grazing marsh landscape and heritage.
- 3.20 The **Lincolnshire Coastal Country Park** is located between Sandilands and Chapel St Leonard's, covering approximately five miles of coastline and up to 22 square miles of coastal hinterland. The area comprises working farmland, established nature reserves (reedbeds and wetlands) and coastal dunes, providing accessible natural greenspace for residents and visitors. The partnership, led by Lincolnshire County Council, is working to link together existing wildlife sites by creating new nature reserves with wetland, reedbed and grazing marsh habitats, along with creating new access routes and supporting the development of a year-round tourist destination.
- 3.21 Situated to the south-west of Lincoln, the concept of the **Witham Valley Country Park** is to create an easily accessible network of managed outdoor places to encourage residents and visitors to make the most of the green spaces, historic sites and leisure facilities that are available to them in and around Lincoln. The idea is not to create new facilities, but simply make the most of what Lincolnshire already has by improving accessibility and raising awareness. Restoration of mineral sites in the area will play an important role in developing the Park's assets.

- 3.22 The **South Lincolnshire Fenlands Project area** covers approximately 7000 hectares of land centred on the nationally important Baston and Thurlby Fens Nature Reserves and Sites of Special Scientific Interest (SSSI). The South Lincolnshire Fenlands Partnership aims to restore and re-create up to 800 hectares of fenland between Bourne, Spalding and Market Deeping as part of the Fens for the Future Partnership. Habitat restoration includes creation of wet grasslands for grazing and hay production; reedbeds, wet woodland and open water. Restoration of mineral sites in this area will provide opportunities for fenland habitat creation and wider multifunctional benefits through well thought out landscape scale restoration for, agriculture, the environment, water resources, flood defence and access to the countryside.
- 3.23 The **Kirkby Moor / Bain Valley** area, centered on the Lincolnshire Wildlife Trust reserves at Kirkby Moor and Kirkby Gravel Pit, provides an opportunity to develop an extensive area of new wildlife habitat including heathland, wet woodland and acid grassland. Restoration of mineral sites along the River Bain will provide further opportunities for habitat creation in this area.
- 3.24 The **Trent Valley / floodplain** is an important area for mineral production, incorporating one of the "Areas of Search" for sand and gravel extraction. The RSPB's Trent and Tame Futurescape programme aims to create "a wetland corridor from Birmingham to the Humber that is rich in nature and an inspirational place to live, work and visit".

### **Internationally, nationally and locally protected nature conservation sites**

- 3.25 There are five Special Areas of Conservation (SACs) in Lincolnshire: Baston Fen, Grimsthorpe, part of the Humber Estuary, the Coast (Saltfleetby–Theddlethorpe Dunes and Gibraltar Point) and part of the Wash (and North Norfolk Coast). The Wash is the largest estuarine system in the UK. Gibraltar Point, Saltfleetby-Theddlethorpe Dunes, the Humber Estuary and the Wash (and North Norfolk Coast) are also Special Protection Areas (SPA) and Ramsar sites.
- 3.26 **The Wash**, shared between Lincolnshire and Norfolk, is one of the UK's most important estuaries. It is a complex ecosystem influenced by various factors such as the amount of marine water entering from the North Sea and the amount of fresh water entering from five rivers; Steeping, Witham, Welland, Nene and Great Ouse. In addition, the estuary is of international nature conservation significance.

- 3.27 Other natural features<sup>9</sup> within the county include:
- 94 Sites of Special Scientific Interest (SSSIs), several of which are in existing or disused quarries
  - 17 Local Nature Reserves (LNRs)
  - 5 National Nature Reserves (NNRs):
    - The Wash and North Norfolk Coast
    - Bardney Limewoods
    - Donna Nook
    - Gibraltar Point
    - Saltfleetby-Theddlethorpe Dunes
  - 1654 Local Sites (863 Local Wildlife Sites; 723 Sites of Nature Conservation Importance; 47 Local Geological Sites; 21 Regionally Important Geological and Geomorphological Sites).
- 3.28 In addition to statutorily protected sites, Local Sites are selected at a local level for their wildlife or geological value. Local Sites are referred to within national policy and guidance aimed at protecting biodiversity and geodiversity, and are recognised in local planning policy.

## **Woodland**

- 3.29 Only 4% of Lincolnshire is covered by woodland, making it one of the least wooded counties in Britain. Ancient woodland in England is defined as an area that has been wooded continuously since at least 1600 AD. Woodland of all kinds in Lincolnshire today only covers 22,500 hectares (ha) but only about 6,300ha (28% of the total) is considered to be ancient semi-natural woodland. Three concentrations of ancient woodland remain: the Bourne woods area on the Kesteven uplands, the Wragby to Woodhall Spa group (including the Limewoods) on the central Clay Vale and the eastern Wolds edge on the Middle Marsh.

## **Biodiversity**

- 3.30 The England Biodiversity Strategy (2011) exists to "halt overall biodiversity loss, support well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people". A key target is an increase in the overall extent of priority habitats by at least 200,000ha by 2020. Similarly, the Natural Environment White Paper, The Natural Choice (2011) recognizes the need to create a resilient ecological network across England. The National Planning Policy Framework (2012) requires local

---

<sup>9</sup> Natural England/Greater Lincolnshire Nature Partnership

authorities, through the planning system/planning policies to:

- Contribute to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- Plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure;
- Plan for biodiversity at a landscape-scale across local authority boundaries;
- Identify and map components of local ecological networks;
- Promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations.

3.31 The first **Lincolnshire Biodiversity Action Plan** (LBAP) was published in May 2000 by a partnership of organisations including the County Council. The LBAP places the emphasis towards action within the environment as a whole, to protect and enhance current natural resources and restore past losses. The Third Action Plan was published in October 2011; the update reflects the changes in wildlife legislation and sets the agenda for action, establishing priorities for increasing biodiversity in the county and the adjoining North Sea over the next ten years and beyond. Only small pockets of high quality habitat remain in Lincolnshire. The LBAP provides targets for priority habitat creation and restoration. As an LBAP partner, the County Council will work with others to achieve the aims of the LBAP and contribute to habitat creation targets. The landscape-scale initiatives outlined above contribute towards the development of resilient ecological networks, including biodiversity enhancements, across Lincolnshire, and carried out as part of such long-term initiatives, the restoration of mineral sites has the potential to contribute significantly to these targets.

## **Geodiversity**

3.32 The first Lincolnshire Geodiversity Action Plan (LGAP) was published in May 2010 by a partnership of organizations including the County Council. The LGAP places the emphasis towards enhancing understanding and action to conserve and develop the geodiversity of Lincolnshire, whilst promoting and managing its sustainable use. Geodiversity in Lincolnshire encompasses not only the bedrock and superficial geological deposits, of most interest to the extractive industries and building trade, but also both inland and coastal geomorphology and soils.

## **Historic Environment**

3.33 Lincolnshire is a county rich in historic assets. The County is interspersed with Conservation Areas; has a Civil War battlefield at Winceby, near Horncastle; and is home to a varied archaeological heritage, including remains of national and international importance of all dates, from the Palaeolithic period to the last century. Lincolnshire has many pleasant and appealing market towns and villages, vernacular cottages, farm buildings and great country houses but the historic centre of Lincoln is one of the County's greatest attractions. These examples and the unique combinations of various architectural forms, styles and materials are

representative of the economic, social and aesthetic influences on Lincolnshire during different periods in history. Many of these buildings are recognised as significant and are protected as Listed Buildings. There are 383 Grade I, 533 Grade II\* and 6052 Grade II listings in Lincolnshire.

- 3.34 Lincolnshire's wealth of very important archaeological remains include the flint tools of the early "Palaeolithic" inhabitants, the prehistoric burial mounds of the Wolds, the waterlogged landscapes of the Witham and Trent Valleys. Structures include medieval castles and monasteries and the industrial buildings of Lincolnshire's major towns and the agri-industrial buildings in the countryside, plus Second World War sites and defences.
- 3.35 There are 477 nationally important and legally protected Scheduled Monuments, as well as many thousands of locally important archaeological sites covering all types of site from pre-history to the recently modern period. Lincolnshire retains important examples of the nation's air-warfare heritage dating from the Second World War, in particular, and the Cold War.

### **Historic Landscape**

- 3.36 The historic fabric of the county's towns, villages and individual buildings, archaeological features, historic parks and gardens, battlefields and the wider historic landscape, together with wildlife and geological and landform features, all need to be recognised, understood and conserved. There are 162 designated Conservation Areas in the County. There is also one registered battlefield at Winceby in the Lincolnshire Wolds.
- 3.37 Historic landscapes are an important part of Lincolnshire's physical and cultural resource. They contain innumerable visible traces of human interaction with nature over several millennia. They contribute to the identity of the County, provide settings for everyday life, attract tourism and business, and are a source of enjoyment and inspiration.
- 3.38 The County Council has produced a Historical Landscape Character Assessment covering the whole historic county; this follows on from the mapping of The Wash Historical Landscape Character Assessment. The County Historic Landscape Characterisation project describes the modern landscape of the historic county of Lincolnshire in terms of the existing features seen today and of the processes by which they were formed.
- 3.39 Lincolnshire County Council in partnership with Groundwork Archaeology Ltd and Historic England, completed a Lincolnshire Aggregates Landscape Project (LALP) in 2008 using funding from the Government's Aggregates Levy Sustainability Fund, derived from a tax on the aggregate industry. LALP aims to establish the archaeological knowledge for all the aggregate areas of the historic county of Lincolnshire, in order to provide the high quality information needed for its effective management in the face of pressures from the minerals industry.

## **Parks and Gardens**

3.40 There are 28 historic parks and gardens within the county which are listed on the National Heritage List for England database maintained by Historic England. All of these are of at least national importance, some, such as that at Belton are of International importance. In total they cover about 2,948 hectares and constitute a unique Lincolnshire resource.

## **Heritage at Risk**

3.41 The Historic England 'Heritage at Risk' Register records that there are 67 listed buildings at risk in Lincolnshire (Grade I and Grade II\* listed buildings and Places of Worship only). There are also 63 Scheduled Monuments, 2 Registered Parks and Gardens and 21 Conservation Areas recorded as at risk by Historic England within the County.

## 4. SPATIAL VISION & STRATEGIC OBJECTIVES

- 4.1 The spatial vision shapes the overall direction of the Lincolnshire Minerals and Waste Local Plan. The spatial vision recognises the balance that must be struck in Lincolnshire between making provision for minerals and waste developments to meet future requirements, whilst at the same time ensuring that such developments seek social, environmental and economic gains.
- 4.2 Future mineral extraction and waste management in the County must be based on the principles of sustainable development. The Minerals and Waste Local Plan will strive to ensure that minerals are available at the right time and in the right locations to support levels of growth in terms of new housing, commercial, industrial development and essential infrastructure; and that waste is managed near to where it is produced in accordance with the waste hierarchy. Lincolnshire County Council will through the policies in the Plan seek to provide for future minerals and waste needs; conserve the County's resources; maximise the recovery of waste; provide local jobs; and protect and improve the environment.
- 4.3 The Spatial Vision takes into account other plans and strategies that impact on minerals and waste planning, along with local issues relating to Lincolnshire.

### Spatial Vision

**Over the period to 2031 Lincolnshire County Council will provide a strategic planning framework to facilitate the sustainable supply and use of minerals and to manage waste sustainably in accordance with the waste hierarchy and recognising it as a resource. This will ensure the economic, environmental and social benefits of mineral and waste development are considered whilst Lincolnshire's natural, built and historic environment is protected and enhanced, economic growth is supported, and the health and amenity of local communities is protected. New development will take positive action to mitigate and adapt to climate change.**

**The Council will identify and safeguard important minerals resources and provide a network of sustainable waste management facilities directed at achieving net self-sufficiency in Lincolnshire to provide certainty to both the minerals industry and local communities.**

### Strategic Objectives

- 4.4 To assist in the delivery of the Spatial Vision and in delivering sustainable development, the following key objectives provide a framework for policy development. The Minerals and Waste Local Plan must have regard to national policies and advice, and take account of other relevant strategies and programmes such as the Lincolnshire Biodiversity Action Plan,

Lincolnshire Geodiversity Action Plan and the national strategy Biodiversity 2020.

4.5 The Strategic Objectives are listed in no particular order and should be considered on an equal basis. **The Strategic Objectives of the Lincolnshire Minerals and Waste Local Plan are as follows:**

**a. Protect the environment and local communities from negative impacts of minerals and waste development, reduce residual impacts and deliver improvements where possible. Ensure new facilities include high standards of design and layout, sustainable construction methods, good working practices and environmental protection measures;**

**b. Ensure that the minerals extracted in Lincolnshire supplies industry in line with national guidance and contributes to local and national requirements;**

**c. Seek to ensure that minerals are supplied from appropriately located and environmentally acceptable sources;**

**d. Through prioritising movement of waste up the waste hierarchy, minimise greenhouse gas emissions by reducing the reliance on landfill; maximise opportunities for the re-use and recycling of waste; facilitate new technologies to maximise the renewable energy potential of waste as a resource; and promote the use of carbon capture technology;**

**e. Deliver adequate capacity for managing waste more sustainably when it is needed; to ensure waste is managed as near as possible to where it is produced, including the need for waste water infrastructure;**

**f. Safeguard key mineral resources from sterilisation by other forms of development;**

**g. Provide for a steady and adequate supply of minerals and ensuring the efficient use of primary minerals and encourage the production and use of good quality secondary and recycled aggregates;**

**h. Protect Lincolnshire's high quality agricultural land (Grades 1, 2 and 3a) and soil where practicable from development; and in cases where it is affected, safeguard its long term potential by encouraging restoration back to agriculture, or protection of soils through restoration schemes to biodiversity where soils are cared for in a sustainable manner, enabling habitat creation in addition to soil preservation for future agricultural needs;**

**i. Consider the restoration of mineral sites at the beginning of the proposal; after-uses will be identified which best meet local circumstances. The enhancement of existing and the creation of**

**new priority habitats, in line with National Guidance, the Lincolnshire Biodiversity Action Plan, Lincolnshire Geodiversity Action Plan; the national strategy Biodiversity 2020 and green infrastructure will be key objectives;**

**j. Ensure the unique historical heritage of Lincolnshire, including its built, archaeological and natural landscape features and their wider settings are protected from the adverse impacts of mineral and waste developments;**

**k. Ensure that local sources of building stone are available to contribute towards the maintenance and enhancement of locally distinctive buildings. Stone for Lincoln Cathedral will be specifically protected;**

**l. Protect Lincolnshire's coastal and fluvial high flood risk areas from inappropriate minerals and waste development and reduce flood risk through development opportunities wherever possible;**

**m. Protect and enhance the Lincolnshire Wolds AONB, coastline and other nature conservation areas ranging from International (Natura 2000 sites) through to local designations;**

**n. Sustainable alternative modes of transport will be given priority and vehicular-tonne miles movements will be minimised wherever practicable.**

## **5. PROVIDING FOR MINERALS**

- 5.1 The National Planning Policy Framework (NPPF) states that local planning authorities should identify and include policies for extraction of mineral resource of local and national importance in their area. Lincolnshire contains a wide variety of mineral resources and is a major minerals producer. Both aggregate and non-aggregate minerals are produced within the County. Aggregates are derived from sand and gravel, limestone or chalk and are used in the construction industry for building purposes. Sand and gravel and limestone are the most significant minerals produced in the County. Non-aggregate minerals in Lincolnshire currently include building stone and energy minerals such as oil and gas, but in the past also included clay and ironstone. There are also reserves of silica sand and coal within the county, although these are not exploited at present.
- 5.2 The NPPF states that minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.
- 5.3 In order to ensure continuity of supply, the Government advises that landbanks should be used as an indicator of when new permissions are likely to be needed. A landbank is the sum (in tonnes) of all the permitted reserves with valid planning permission (this includes sites that are currently not working, but excludes those sites which are dormant as set out under the Planning and Compensation Act 1991 and Environment Act 1995, for which a review is required before operations can resume).
- 5.4 The recommended landbank period for sand and gravel is at least seven years, while for crushed rock and silica sand sites it is at least 10 years. National Planning Practice Guidance on the Managed Aggregate Supply System advises that the landbank should be based on projected rates of future demand set out in the latest Local Aggregate Assessment (LAA), which should consider the past 10 years average sales and other relevant local information. Landbanks are not appropriate for energy minerals (coal, oil and gas) as the Government advises that it is not for the planning system to limit any particular source or level of energy supply. It is important to note that landbanks can only be maintained in practice if the minerals industry comes forward with planning applications in the right place and at the right time.
- 5.5 Extensions to existing mineral workings (comprising the extraction of minerals on land in close proximity to an existing quarry where extracted mineral is moved to an existing quarry processing plant and access via means other than the public highway) commonly have less environmental impacts than a wholly new proposal and there is the advantage of continuity of production as existing sites have infrastructure already in

place. They can also help retain the existing workforce and provide a mechanism for the full recovery of the resource thus avoiding the unnecessary sterilisation of the mineral. Proposals at sites which over time have become split between two or more operators will be assessed against the total permitted reserves remaining at the site.

- 5.6 Extensions can, however, have the disadvantage of prolonging mineral extraction within areas which have already been affected for many years by mineral operations, so having adverse impacts on local communities. This could lead to cumulative impacts in a concentrated area caused by incremental extensions to existing sites. In addition, if an existing site is not well located to the transport system the impacts could be exacerbated.

## **AGGREGATES**

- 5.7 The NPPF states that mineral planning authorities should plan for a steady and adequate supply of aggregates. It indicates that authorities should take account of published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates.
- 5.8 The latest National and Regional Guidelines for Aggregate Provision in England were published by the Government in June 2009 for the period 2005 to 2020. These set out guidelines for land won aggregates and assumptions for supplies of marine, alternative aggregates and those supplied from outside England. The Guidelines require the East Midlands region to provide 500 million tonnes of crushed rock, 174 million tonnes of sand and gravel, and 110 million tonnes of alternative materials between 2005 and 2020.
- 5.9 A Sub-Regional Apportionment (SRA) for the East Midlands was agreed by East Midlands Aggregates Working Party (EMAWP) on 8th January 2010. The SRA would require Lincolnshire to provide 52.48 million tonnes of sand and gravel and 18 million tonnes of crushed rock (specifically limestone) from 2005 to 2020. This amounts to an average of about 3.28 million tonnes of sand and gravel and 1.1 million tonnes of crushed rock each year over this 16-year period.
- 5.10 At its meeting on 5<sup>th</sup> March 2010, the East Midlands Regional Assembly's Housing, Planning & Transport Joint Board subsequently agreed that the revised SRA figures be included in the draft replacement Regional Plan Policies for submission to the Secretary of State. The Partial Review was submitted to the Secretary of State on 26th March 2010 as a Revised Draft East Midlands Regional Plan. However, the Secretary of State did not progress this review following the revocation of Regional Spatial Strategies.
- 5.11 Since the SRA was agreed, sales of sand and gravel and limestone in the county have been significantly lower than the annual averages set by the SRA. Indeed, for the 10 year period 2004-2013, sales of sand and gravel averaged only 2.37 million tonnes per annum, which is 0.91 million tonnes

(28%) less than the SRA annual average. For limestone the difference has been even more marked with annual sales averaging only 0.62 Million tonnes, which is 0.48 million tonnes (43%) less than the SRA annual average. As a result the County Council considers the SRA no longer provides a reliable forecast of aggregate demand and that it would be more appropriate to base the level of future provision on average sales over the period 2004-2013. This would require Lincolnshire to make provision for 42.66 million tonnes of sand and gravel and 11.16 million tonnes of limestone over the period 2014-2031(inclusive).

## **Recycled and Secondary Aggregates**

- 5.12 The NPPF states that local planning authorities should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.
- 5.13 It should be noted that the Environment Agency needs to be consulted when the recycling of soils and aggregate is being considered, as it may require permitting and some extraction activities may require Mining Waste permits.
- 5.14 The use of secondary and recycled aggregates in construction projects and highways development (sub-base for roads) contributes to more sustainable development. The substitution of part of the primary won aggregate by alternative products lessens the need for quarrying with the associated benefits of reduced social and environmental impacts.
- 5.15 Recycled aggregates can comprise of construction, demolition and excavation wastes, asphalt road planings and used railway ballast. The main source of alternative aggregates in Lincolnshire arises from construction, demolition and excavated waste (often referred to as CD & E waste). 'Secondary aggregates' are by-products of other processes, and will not have been used previously as aggregates.
- 5.16 The National and Regional Guidelines for Aggregate Provision have taken into account alternative (secondary/recycled) materials and so the subsequent sub regional apportionment figures already include deductions for these (see paragraph 5.8 above). Whilst the bulk of aggregates required for the construction industry are likely to continue to be won from primary resources, the Council recognises that a sustainable minerals supply strategy should make provision for maximising the recovery and use of recycled and secondary materials.
- 5.17 There are clear links between Policy M1, which encourages facilities for recycling and reprocessing of materials for use as aggregates, and the policies for the processing of construction and demolition waste, road planings and other waste suitable for aggregate production contained in Section 6, Providing for Waste (see in particular Policies W3 and W4). All new or expanded facilities for handling, recycling and distributing recycled

and secondary aggregates will also need to be assessed against a range of policy criteria, as set out in Section 7, Development Management Policies.

### **Policy M1: Recycled and Secondary Aggregates**

**Planning permission will be granted for recycling/reprocessing of materials for use as secondary or recycled aggregates in appropriate locations as specified in Policy W4, provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

## **Sand and Gravel**

- 5.18 Sand and gravel resources are the most important of the County's aggregate minerals. Over the ten year period 2004 to 2013, sales from Lincolnshire averaged 2.37 million tonnes (Mt) per annum. This represented 31.1% of sand and gravel sales within the East Midlands. The resources are used primarily in the construction industry as building sand or in the manufacture of concrete and tend to serve local markets.
- 5.19 Whilst deposits occur across large parts of the County, historically sand and gravel production has been concentrated in three main areas: the Trent Valley generally southwest of Lincoln; the Lower Bain Valley (around Woodhall Spa and Tattershall); and the Baston-Langtoft/West Deeping area in the south of the County. Some sites within these areas have been active for very long periods of time. From recent discussions with the minerals industry it is clear that in general it will be the industry's preference for this to continue during the plan period – thereby maintaining the overall spatial pattern of existing production.
- 5.20 As stated in paragraph 5.11 above, the level of provision for Lincolnshire is 2.37Mt per annum. At the end of 2013, the County had 22.90Mt of permitted reserves. These reserves would be more or less depleted by 2022 if sales achieved the 10 year average rate calculated for the period 2004-2013 and no further planning permissions were granted.
- 5.21 Table 1 below provides a calculation of potential future requirements for sand and gravel for the period 2014-2031. The calculation assumes that the requirement will continue throughout this period at the same average rate as for the period 2004-2013. The calculation takes account of the level of permitted reserves as at 31<sup>st</sup> December 2013. The permitted reserves include active and inactive sites, but exclude dormant sites. The table indicates that there would be a shortfall of sand and gravel reserves over the period 2014-2031 of some 19.76 million tonnes.

**Table 1: Calculation of Sand and Gravel Provision 2014 – 2031**

<b>A</b>	Annual Requirement	<b>2.37Mt</b>
<b>B</b>	Total Requirement 2014-2031	<b>42.66Mt</b>
	<b>Reserves</b>	
<b>C</b>	Permitted Reserves at 31/12/2013	<b>22.90Mt</b>
	<b>Shortfall</b>	
<b>D(B-C)</b>	Shortfall 2014 – 2031	<b>19.76Mt</b>

- 5.22 The County Council recognises that calculating estimates of demand are increasingly uncertain when considering a period of 18 years. Whilst demand at the current time is low (1.88Mt in 2013) and average sales over the last 10 years are below the SRA (see paragraph 5.9), it is crucial that sufficient mineral is provided to realise ambitions for growth within the County. The projected population growth rate is higher than the national growth rate, which allied to increasing demand for new built development will result in more pressure on primary resources and the need to plan for the release of additional reserves to service this increased demand. The situation will however be carefully monitored as any increase in annual outputs very much depends on operational and economic factors outside the control of the County Council. This will be done annually through the County Council's Local Aggregate Assessment. If production rates vary significantly to the annual requirement set out in Table 1 for an extended period, then the overall requirement will need to be re-evaluated through a review of this Plan.
- 5.23 A Call for Sites exercise was carried out by the Council between October 2009 and January 2010 and a "refresh exercise" between March 2014 and April 2014. This resulted in the minerals industry and other landowners submitting proposals for new/extended extraction areas. This exercise resulted in a significant amount of additional sand and gravel resource being proposed by the minerals industry. Provision will be made in the Site Locations Document for the release of additional sand and gravel reserves. This document will include specific proposals and policies for the release of sites, including the provision of appropriate safeguards and reclamation and after-use details.

### **Spatial Strategy for Sand and Gravel.**

- 5.24 The cost of transporting high bulk/low value materials such as aggregate means that, in general, sand and gravel quarries normally only serve relatively local markets. Therefore, given the large area covered by the County, together with the uneven distribution of active sand and gravel quarries (which are mainly clustered into three areas), the County has historically been subdivided into areas reflecting the markets served by the common centres of production. This practice began in the 1940s when the country was divided into gravel regions, each sub-divided into service areas, with Lincolnshire falling within three gravel regions and five service areas. By the time the 1991 Lincolnshire Minerals Local Plan was

being prepared there had been a move away from a strict adherence to the historical service areas. However, based on information supplied by the industry relating to the patterns of distribution, it was recognised that production in the County should be divided between three broad areas. As a result, three Production Areas were established as shown on the key diagram, namely: Lincoln/Trent Valley; Central Lincolnshire; and South Lincolnshire.

- 5.25 The County Council will continue its approach of dividing the County into three Production Areas within which to allocate the overall County demand forecast as it considers that:
- the Production Areas broadly reflect the markets served;
  - it assists in spreading the burden of provision and dispersing the effects of mineral working to different areas (thereby avoiding an over concentration of works in a single area); and
  - it will facilitate any future comparative studies on aggregate sales/distribution.
- 5.26 Over the last 10 years (2004 to 2013), 42.1% of the County's sales have come from the Lincoln/Trent Valley Production Area, 36.6% from the South Lincolnshire Production Area and 21.3% from the Central Lincolnshire Production Area. Over this period, annual sales have averaged: 1.00 million tonnes from the Lincoln/Trent Valley; 0.50 million tonnes from Central Lincolnshire; and 0.87 million tonnes from South Lincolnshire. The County demand forecast will be divided between the three Production Areas based on their relative contributions to sand and gravel sales in the County over the 10 year period 2004-2013.
- 5.27 Table 2 below provides a calculation of potential future requirements for sand and gravel for each production area for the period 2014-2031 (inclusive). The county has sufficient quantities of sand and gravel in the three production areas to meet demand over the period of the Plan. More than enough reserves have been put forward through the call for sites exercise to meet the potential shortfalls.

**Table 2: Calculation of sand and gravel provision for 2014-2031 by Production Area**

	<b>Lincoln/Trent Valley</b>	<b>Central Lincs.</b>	<b>South Lincs.</b>
Annual provision	1.00Mt	0.50Mt	0.87Mt
Required provision 2014-2031 (18yr period)	18.00Mt	9.00Mt	15.66Mt
Permitted Reserves @ 31/12/13	11.24Mt	4.23Mt	7.43Mt
Shortfall	6.76Mt	4.77Mt	8.23Mt

- 5.28 The County Council's preferred spatial strategy will be to secure the County's future supplies of sand and gravel from extensions to existing operational sites (Active Mining Sites) wherever possible and where this will not have unacceptable impacts on local communities or the environment. The County Council considers that this approach:
- avoids a proliferation of sites and ensures that future extraction is confined to areas where disturbance to the local environment has already taken place;
  - permits the County Council to exercise greater control over the release of reserves as a new quarry would invariably require the release of substantial reserves to justify expenditure in new plant and equipment; and
  - potentially provides an opportunity for higher overall standards of restoration.
- 5.29 The NPPF states that provision for land won aggregates in mineral plans should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate. Specific sites will generally be where viable mineral resources are known to exist, where landowners are supportive of mineral development taking place and where the Council considers that any planning applications which are made are likely to be acceptable in planning terms. Preferred areas are areas of known resources where planning permission might reasonably be expected. Areas of search will be broader areas where knowledge of mineral resources may be less certain but within which planning permission could be granted to meet any shortfall in supply.
- 5.30 The County Council does not consider that there are "strategic" sites which would be central to a strategy for the location of future sand and gravel operations. This document consequently does not identify any specific sites. Rather it is proposed that the strategy be delivered through the identification of Areas of Search within this document, followed by the allocation of specific sites in the Site Locations Document (Development Plan Document).
- 5.31 The County Council has designated three areas of search, one in each Production Area as shown on the Key Diagram, namely:
- West of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;
  - Tattershall Thorpe for the Central Lincolnshire Production Area; and
  - West Deeping/Langtoft for the South Lincolnshire Production Area.

- 5.32 The proposed Areas of Search extend those contained in the 1991 Minerals Local Plan to include the most viable sand and gravel resource based on a recent assessment of resources within the County carried out by the British Geological Survey (BGS) in 2010. These do, however, exclude some areas shown as having a high grade resource. In particular, a large area of sub-alluvial sand and gravel covering the Witham Valley has not been included because this has not been subject to any industry interest and is known to contain extensive archaeological features. The sub-alluvial deposit in the South Lincolnshire area has similarly been excluded.
- 5.33 The County Council recognises that the BGS study does not cover the whole of the county. There will therefore be instances where there are existing permitted active sand and gravel sites with potential viable reserves not falling within the proposed areas of search. In these circumstances it is not the Council's intention to prevent such quarries operating in the future by refusing permission for extensions because the site is outside an Area of Search.
- 5.34 The County Council will make provision in the Site Locations Document for the release of additional reserves sufficient to meet the shortfall set out in Table 2 adjusted to take into account any additional reserves that have been granted planning permission in the interim.
- 5.35 In allocating sites in that document, the County Council will give preference to extensions to existing workings (Active Mining Sites) provided that these do not have unacceptable impacts on local communities or the environment. Where new sites are required to replace sites that will become exhausted during the plan period, preference will be given to sites located within the Areas of Search. This does not, however, imply that the new quarry must be operated by the company whose quarry it will replace.
- 5.36 The spatial strategy recognises that minerals can only be worked where they are found, and as such are restricted in their ability to achieve more sustainable transport options. However, the Areas of Search cover extensive areas so there may be potential for replacement sites to either reduce transportation distances or facilitate more sustainable means of transport. For example, a new quarry in the Gainsborough area could provide locally sourced aggregate to the town for building projects and could potentially utilise the Trent River for transportation purposes. Through Policy DM13: Sustainable Transport Movements and its supporting text, the plan sets out its approach to achieving sustainable transport of minerals and this is a key consideration of the spatial strategy and any development which comes forward.

## **Policy M2: Providing for an Adequate Supply of Sand and Gravel**

**The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by making provision over the period 2014 - 2031 (inclusive) for the extraction of 42.66 million tonnes of sand and gravel (2.37 million tonnes per annum). This will be divided between the three Production Areas (as shown on the Key Diagram) as follows:**

- **18.00 million tonnes (1.00 million tonnes per annum) from the Lincoln/Trent Valley Production Area;**
- **9.00 million tonnes (0.50 million tonnes per annum) from the Central Lincolnshire Production Area; and**
- **15.66 million tonnes (0.87 million tonnes per annum) from the South Lincolnshire Production Area.**

**The County Council will make provision for the release of sand and gravel reserves in the Site Locations Document. This will give priority to extensions to existing Active Mining Sites. New quarries will be allocated where they are required to replace existing Active Mining Sites that will become exhausted during the Plan period and where they are located in the relevant Areas of Search as shown on the Policies Map (Figure 5), namely:**

- **west of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;**
- **Tattershall Thorpe for the Central Lincolnshire Production Area; and**
- **West Deeping/Langtoft for the South Lincolnshire Production Area.**

5.37 Although the County Council will be making provision for the release of additional reserves in each Production Area sufficient to maintain production levels to the end of the Plan period based on average sales over the period 2004-2013, it needs to be recognised that actual production levels may vary significantly from those forecast. The County Council will therefore review the situation, including the method for calculating the landbank, each year through its Local Aggregate Assessment. As set out in paragraph 5.22, if production levels deviate significantly from the levels forecast, this may trigger a need to review this Plan. The County Council is committed to a programme of regular reviews of the Plan and will bring forward such a review if monitoring shows that either low landbanks or falling productive capacity demonstrates that provision of a steady and adequate supply of sand and gravel is at risk.

### **Policy M3: Landbank of Sand and Gravel**

**In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on the County Council's latest Local Aggregate Assessment which includes provision for the preservation of production capacity.**

- 5.38 The County Council will seek to maintain the landbank of sand and gravel within each Production Area through granting planning permission for sites allocated in the Site Locations Document. These sites will be allocated on the basis that they represent the best means for the County Council to meet the provisions set out in Table 2 following a Strategic Environmental Assessment and Sustainability Appraisal. The County Council recognises that the 7 year landbank is a minimum, not a target, and that in order to maintain the level of output in each Production Area the landbank may on occasions need to significantly exceed this level. This is likely to arise particularly where the level of permitted reserves, although high overall, are unevenly distributed amongst the various quarries.
- 5.39 It is possible that a shortfall could develop in the landbank of a Production Area if an application for an allocated site is not forthcoming or is refused. In these circumstances the County Council will grant planning permission for unallocated sites where the site is an extension to an existing quarry or a replacement for a quarry that is nearing exhaustion, and in the case of a replacement site is located within the appropriate Area of Search. All such applications should demonstrate that they would not have unacceptable impacts on local communities or the environment. Where a replacement quarry is required, this does not imply that the new quarry would have to be operated by the company whose quarry it will replace.
- 5.40 Irrespective of the size of the landbank, there may be exceptional circumstances over the life of the Plan when an additional quarry is justified, such as when a deposit has special characteristics not found in other deposits worked locally. When such a need is demonstrated, planning permission will be granted provided that the development does not have unacceptable impacts on local communities or the environment.

#### **Policy M4: Proposals for Sand and Gravel Extraction**

**Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that:**

- **in the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site; and**
- **in the case of a new quarry, it is required to replace an existing Active Mining Site that is nearing exhaustion.**

**For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes where the site is required to meet:**

- **a proven need that cannot be met from the existing permitted reserves; or**
- **a specific shortfall in the landbank of the relevant Production Area and either:**
  - (i) forms an extension to an existing Active Mining Site; or**
  - (ii) is located in the relevant Area of Search as shown on the Policies Map (Figure 5) and will replace an existing Active Mining Site that is nearing exhaustion.**

**In all cases the proposal must accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.**

#### **Limestone**

5.41 Normally crushed Lincolnshire Limestone aggregate is of relatively low strength with poor resistance to frost damage. It is therefore generally only suitable for use as constructional fill. Whilst the main use for the limestone is aggregate, since the year 2000 sales have declined sharply from 1.5 million tonnes in that year to less than 0.5 million tonnes in 2013. As a result a growing proportion of output has been used for non-aggregate purposes, notably agricultural lime and building stone.

5.42 Table 3 below provides a calculation of potential future requirements for limestone for aggregate purposes for the period up to 2031. The calculation assumes that the requirement will continue throughout this period at the same average annual rate as for the period 2004-2013. The calculation takes account of the level of permitted reserves as at 31<sup>st</sup> December 2013. The permitted reserves include active and inactive sites, but exclude dormant sites.

**Table 3: Calculation of Limestone (Aggregate) Provision 2014-2031**

<b>A</b>	Annual Requirement	<b>0.62Mt</b>
<b>B</b>	Total Requirement 2014-2031	<b>11.16Mt</b>
	<b>Reserves</b>	
<b>C</b>	Total permitted reserves, excluding reserves in dormant sites, at 31/12/2013	<b>40.25Mt</b>
	<b>Surplus</b>	
<b>D(B-C)</b>	Surplus 2014 – 2031	<b>29.09Mt</b>

- 5.43 The table indicates that there would be more than sufficient limestone reserves to meet future requirements (a surplus of around 29 million tonnes). These reserves are split between 13 quarries that are widely distributed over the limestone deposit between Lincoln and Stamford. This would suggest that there is no need for any additional provision to be made for aggregate. There may however be exceptional circumstances over the life of the plan when the release of additional reserves may be justified, such as where the mineral deposit has special characteristics not found in other deposits being worked locally or where it is essential to maintain continuity of supply due to special demand factors which would have an impact on the local economy. There may also be benefits in allowing a "swap" whereby an existing permission for a site which is causing environmental damage would be revoked in exchange for new site with minimal environmental impact.
- 5.44 Although the county has sufficient permitted reserves to cover the Plan period, the County Council will monitor the situation through its annual Local Aggregates Assessments. Should supply issues arise this may trigger a need to review the Plan.
- 5.45 There is no specific target output or apportionment for non-aggregate. Proposals for small scale building stone operations to be carried out primarily for conservation works are dealt with below under "Historic Building Stone". In all other cases, including larger scale building stone quarries, the County Council does not propose to restrict such development geographically but to judge proposals on the quality and quantity of the stone, the proportion of aggregate that is likely to be generated as a by-product and the intended markets.

**Policy M5: Limestone**

**Proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than for the small scale extraction of building stone covered by Policy M7) will be permitted provided that they meet a proven need that cannot be met by existing sites/sources, and accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.**

## Chalk

- 5.46 Chalk has been extracted within Lincolnshire for both aggregate and industrial purposes, including iron making, lime production for steel manufacture and industrial fillers, for constructional purposes and agricultural use. Chalk is of relatively low quality and the sites, which produce it, are either on the border or within the Lincolnshire Wolds AONB. There are currently only two operational quarries in the County, one located within the Wolds A.O.N.B and the other immediately adjacent to it.
- 5.47 There is no specific regional apportionment for chalk in Lincolnshire. At the end of 2013, there were 6.22Mt of permitted reserves of chalk in the County (aggregate and non-aggregate) in both active sites and inactive sites, but excluding dormant sites. No sales information is available since 2010, but by then total sales had been in decline for three years falling from just under 250,000 tonnes in 2007 to 5,000 tonnes in 2010. Since then it is likely that production levels have been well below the level reached in 2007. The County Council therefore considers that there are more than sufficient chalk reserves to meet the low demand for chalk over the plan period.
- 5.48 The County Council is also seeking the progressive reduction of mineral production within the AONB to help conserve the landscape and scenic beauty of this area in line with the NPPF. As a result, the County Council does not propose to make any additional provision for chalk extraction.
- 5.49 As for limestone (see above), the County Council recognises that there may however be exceptional circumstances over the life of the plan when the release of additional chalk reserves may be justified.

### **Policy M6: Chalk**

**Proposals for extensions to existing chalk extraction sites or new chalk extraction sites will be permitted provided that they meet a proven need that cannot be met by existing sites, and accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.**

## **NON-AGGREGATES**

### **Historic Building Stone**

- 5.50 Historically, Lincolnshire has produced and used a wide range of indigenous stones for building purposes. Parts of Lincolnshire have developed their own unique and locally distinctive character which in many respects depends upon locally available building materials. English Heritage (now Historic England) published the Lincolnshire Strategic Stone Study in July 2013 which provides a detailed analysis of building stone types within the County. Specific building stone is needed for repairing historic structures across the County and for maintaining local distinctiveness with appropriate new buildings. Stone selected for the repair of historic buildings and structures has to closely match the original stone to avoid differences in appearance. Building Stone therefore has an important role to play in the conservation, management and enhancement of the historic environment, and in tackling heritage at risk. Lincolnshire building stone also has an important role beyond the County, where relatively small quantities are exported to neighbouring areas for use in repair of historic buildings.
- 5.51 The only building stone resource that is exploited in the county is limestone from the Lincolnshire Limestone Formation. There are four "historic" limestone quarries in the County that exclusively produce building stone. These are the Cathedral Quarry located in the City of Lincoln and operated by the Dean and Chapter to supply stone principally for conservation work at the Cathedral; two quarries in the Wilsford/Heydour area that produce Ancaster Stone; and the Holywell Quarry near Stamford that produces Clipsham Stone. In addition, a number of aggregate and former aggregate quarries also produce building stone as the principal product.
- 5.52 The NPPF states that local planning authorities should, when determining planning applications, consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.
- 5.53 In general such proposals should demonstrate a specific need for the stone which cannot be met from existing quarries as well as reflecting the Government's view that such quarries should be small scale and of low impact. Proposals which are primarily a means to extract aggregate will be assessed against Policy M5. The County Council does, however, recognise that building stone quarries often contain beds of varying quality. As a result, a quarry that produces nationally important stone for use in some of the nation's most important historic buildings may also need to produce stone for other building stone markets, such as new build, to be economically viable.

5.54 The historic building stone quarries are significantly smaller than aggregate quarries in terms of scale of operation, and their levels of potential impacts such as noise, vehicle movements and dust, rate of working and scale of impacts on people and the environment are generally considerably less.

#### **Policy M7: Historic Building Stone**

**Proposals for the small-scale extraction of building stone will be permitted where it can be demonstrated that:**

- **there is a specific need for the stone; and**
- **the stone cannot be obtained from permitted reserves at existing sites; and**
- **the proposals accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.**

#### **Silica Sand**

5.55 Silica sand is sand which contains a high proportion of silica in the form of quartz and is marketed for purposes other than for direct use in the construction industry. Silica sands are essential raw materials for glassmaking and a wide range of other industrial and horticultural applications. Silica sand is geologically and geographically sparsely distributed and, consequently, the mineral is a valuable resource of recognised national importance.

5.56 The NPPF states that minerals planning authorities should plan for a steady and adequate supply of industrial minerals by providing a stock of permitted reserves of at least 10 years for individual silica sand sites (or 15 years where significant new capital is required) to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment.

5.57 In the north of the County, there are deposits of blown sand which extend into the neighbouring North Lincolnshire Authority, where they have been extensively worked for silica sand in the Messingham area.

#### **Policy M8: Silica Sand**

**Planning permission will be granted for silica sand extraction where required to provide a stock of permitted reserves of at least 10 years for an individual silica sand site (or 15 years where significant new capital is required), provided that proposals accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.**

## ENERGY MINERALS

- 5.58 The Government's energy policy is to have a secure and diverse supply of energy sources. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. Oil and gas are important mineral resources and primary sources of energy in the United Kingdom. Oil products provide around 33% of the primary energy used. Significant reductions in demand are not expected over the next 10-15 years because the transport sector, the main consumer of oil, will continue to be heavily dependent on it over this period.
- 5.59 Oil and Gas resources can be broadly split into two categories: Conventional and Unconventional. 'Conventional' oil and gas refers to oil and gas resources ('hydrocarbons') which are located in relatively porous rock formations such as limestone and sandstone. Conventional extraction methods generally involve drilling a borehole down to the porous rock where oil or gas has formed in a reservoir. The oil and gas resources are then pumped out of the ground using beam pumps (known as 'nodding donkeys') or electric pumps.
- 5.60 Lincolnshire has a long history associated with the production of conventional oil and gas going back to the 1940s, and large parts of the County are licensed for production. Welton oilfield is the second largest on-shore field in the UK after Wytch Farm in Dorset. It started oil production in 1984 and to date peak production has reached 0.16mt per annum. Gas has also been previously produced from the Saltfleetby field, to the east of the county, on a significant scale. Currently permitted oil and gas sites are listed in Appendix 2 and shown on Figures 6-12 in Appendix 3.
- 5.61 "Unconventional" oil and gas resources require methods for extraction which are not normally necessary in the conventional extraction of hydrocarbons. Such resources are generally obtained from less porous rock formations that were previously considered too impermeable ('tight') to allow economic recovery, however technological advancements over the last decade have made them economically viable. Examples of unconventional hydrocarbons include Coal Bed Methane (CBM) and Shale Gas. Methods involved in the extraction of unconventional hydrocarbons can include hydraulic fracturing.
- 5.62 The deep coal reserves in Lincolnshire have the potential for Coal Bed Methane (CBM) extraction. CBM development provides an opportunity to extract methane from deep coal seams as part of the Government's strategy for clean coal technology. In recent years some interest has been shown in assessing the prospect of CBM in Lincolnshire, with exploration activities previously undertaken in an area to the north of Lincoln. However, at present no subsequent proposals or planning applications for production of CBM within Lincolnshire have come forward.
- 5.63 Shale Gas is a natural gas produced from shale rock, and is most commonly associated with the process of hydraulic fracturing in order to enable the gas to be extracted from the Shale rock. As unconventional

hydrocarbons have become more economically viable in recent years, a number of studies have been undertaken to assess the potential for Shale Gas recovery across the UK. The British Geological Survey (BGS) has undertaken research in association with the Department of Energy and Climate Change (DECC), and in 2013 completed a study which estimates the resource (gas-in-place) of shale gas associated with the 'Bowland Shale' in Central Britain. The Infrastructure Act 2015 defines associated hydraulic fracturing as hydraulic fracturing of shale or strata encased in shale which:

- Is carried out in connection with the use of the relevant well to search or bore for or get petroleum;
- Involves, or is expected to involve the injection of more than 1,000 cubic metres of fluid at each stage, or expected stage of the hydraulic fracturing or more than 10,000 cubic metres of fluid in total.

- 5.64 Pursuant to Section 50, subsection 4a of the Infrastructure Act, hydraulic fracturing cannot take place within 'protected ground water source areas' or 'other protected areas'. Associated Regulations will define a protected ground source area as any land at a depth of less than 1,200 metres beneath a relevant surface area and in relation to 'other protected areas' these are a National Park; the Broads; an Area of Outstanding Natural Beauty; and a World Heritage Site.
- 5.65 The BGS study area includes the northern half of Lincolnshire, and identifies an area referred to as the 'Gainsborough Trough' as being prospective for shale gas. This area lies partly within Lincolnshire, to the south and east of Gainsborough, and extends westwards into adjoining Nottinghamshire and North Lincolnshire. Whilst interest has been shown in the above area, Shale Gas development does not currently take place in Lincolnshire, and until any exploratory wells are sought and drilled, the location and extent of any resource, and prospect for economic recovery in Lincolnshire is unknown.
- 5.66 Another emerging new technology is Underground Coal Gasification (UCG), the in situ conversion of deep coal resources into gases after ignition under pressure. This technology is still experimental and no such schemes are currently in operation within the County.
- 5.67 The regulatory process of obtaining consent to drill a well is the same whether the well is targeting conventional or unconventional hydrocarbons. The Department of Energy and Climate Change (DECC) issue Petroleum Exploration and Development Licence's (PEDL) in competitive offerings (licence rounds) which grant exclusivity to operators who receive a licence in the area. PEDL licences do not give consent for drilling or any other operations. An operator must seek Planning Permission from the Minerals Planning Authority. An operator can only seek planning permission in areas covered by a licence. The operator must also negotiate access with affected landowners.
- 5.68 The operator must also obtain a Permit from the Environment Agency (EA) but this is usually sought after planning permission is obtained. The

Health and Safety Executive (HSE) are also involved in regulating well design and operation. The EA and HSE's regulatory roles in relation to conventional and unconventional hydrocarbon development are wide ranging and include for example the protection of surface water, and ground water (and its supply), from any negative impacts through comprehensive monitoring of well operations. Any induced seismicity would also be addressed although there are no documented cases of fracturing operations causing subsidence or tremors large enough to cause damage at the surface.

- 5.69 Conventional and unconventional hydrocarbon development has several different stages including the exploration of oil and gas prospects, appraisal of any oil and gas reserves found, and production and distribution. All stages require planning permission. There will be no presumption in favour of permission being granted for subsequent stages if an earlier stage be permitted, nor will possible effects of a later stage not yet applied for constitute grounds for refusal of an earlier stage.
- 5.70 Exploration activities involve drilling which is often the most intrusive part of the development through visual, lighting and noise disturbance and impacts on local roads. There will be a need for night time drilling to ensure the borehole does not close up during any break in drilling which would significantly extend the period the drilling rig remained on site. The limited duration of exploratory operations will be reflected in the nature of any planning permission that may be granted. Appraisal takes the form of longer-term testing of an exploratory well. The long-term suitability of the site of appraisal wells will be taken into account since such wells may subsequently be required for production purposes. The production phase generally involves additional facilities such as pipelines, storage facilities and export terminals.
- 5.71 Policy M9 is a criteria-based policy which seeks to ensure that activities related to the exploration, appraisal and production of conventional and unconventional hydrocarbons take place in an environmentally acceptable manner, in accordance with all relevant Development Management Policies set out in the Plan. Applications for energy mineral development should contain sufficient information to adequately assess the impact of the proposal on the local community and the environment, and include detailed field development plans at the production stage. Conditions and legal agreements, if necessary will be attached to planning permissions to ensure that operations do not have an unacceptable impact on local residents or the environment. Permission for wells will be conditioned for the life of the well.

**Policy M9: Energy Minerals**

**Planning permission will be granted for exploration, appraisal and/or production of conventional and unconventional hydrocarbons provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

## **Underground Gas Storage**

- 5.72 The NPPF states that minerals planning authorities should encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility.
- 5.73 The most important type of gas storage is in underground reservoirs. There are three principal types — depleted gas reservoirs, aquifer reservoirs and salt cavern reservoirs. Each of these types possesses distinct physical and economic characteristics which govern the suitability of a particular type of storage type for a given application.
- 5.74 The hazards and risk associated with the storage of natural gas relate to many areas such as systems integrity, health and safety and environmental effects, economic risks and risks related to public perception and trust. The main hazard associated with underground gas storage is the leakage of gas through the surrounding strata and reaching ground surface, where it could represent a significant health and safety risk. Such developments are also comprehensively regulated by DECC, the HSE and EA.
- 5.75 In Lincolnshire, planning permission was granted in 2010 for an underground gas storage facility within the Saltfleetby gas field. The facility would provide up to 800 million cubic metres of storage and boost the UK's storage capacity by 15%.

### **Policy M10: Underground Gas Storage**

**Planning permission will be granted for the development of underground gas storage facilities provided that proposals accord with all relevant Development Management Policies set out in the Plan.**

## OTHER MINERALS

- 5.76 Lincolnshire has a long history of **clay** working. However, competition from the major brick-working areas of South Humberside and Peterborough led to the decline of these local industries and in 1945 only a handful of active clay workings survived. The last workings closed in the mid-1970s with the one remaining brickworks at that time obtaining its supplies from outside the County. That brickworks, located in Stamford, closed around 2003.
- 5.77 Lincolnshire contains substantial deposits of **ironstone**. From the late nineteenth century to the 1970s, it was extensively worked both by underground and opencast methods. There are substantial areas of land with planning permission for ironstone working in the south west and north of the county but these areas are all dormant except for one site at South Witham which is worked exclusively for the overlying limestone. Because of the decline of the steel industry in the UK and the low grade quality of the ironstone in Lincolnshire, it is considered unlikely that ironstone working will take place in the foreseeable future, other than as a source of building stone.
- 5.78 A major part of the county is underlain by Lower and Middle **Coal** Measures strata entirely concealed by a thick Permian and Mesozoic cover. These coal measures have never been worked, although the Witham Prospect area, to the south west of Lincoln, may be classed as a valuable resource in the future.
- 5.79 Proposals for these minerals together with any other minerals not currently worked in Lincolnshire will be considered on their merits, judged against the policies in the Development Management and Restoration sections.

## **MINERAL SAFEGUARDING**

### **Safeguarding Mineral Resources**

- 5.80 The NPPF states that, in preparing Local Plans, local planning authorities should:
- define Minerals Safeguarding Areas and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked; and define Minerals Consultation Areas based on these Minerals Safeguarding Areas;
  - set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place.
- 5.81 A Mineral Safeguarding Area is not a proposed area of extraction and does not mean that proposals will be permitted within the area. The main purpose of the MSA is to protect a mineral resource for the long term for future generations. It should also be borne in mind that just because there may be no economic need for the minerals now that may not be the case in the future.
- 5.82 The British Geological Survey (BGS) publication, 'Mineral safeguarding in England: good practice advice' (2011), recommends that a good starting point for identifying MSAs is the BGS's mineral resources maps. It suggests that modifications to the resource extent are most likely to result from the provision of additional or more detailed geological information obtained through consultation. The BGS good practice advice states that MSAs that are not considered of any great national or regional importance and that occur extensively over the area of a MPA could be reduced in size.
- 5.83 A combination of expert geological opinion and knowledge on the extent of mineral resources together with consultation with the minerals industry has provided the County Council with broad geological resource information for minerals within Lincolnshire. Information contained on the Minerals Resources map published by the BGS in the 'Mineral Resource Information in Support of National, Regional and Local Planning: Lincolnshire' report (2002) has been supplemented by work carried out by the BGS for the County Council in 2010 to assess which sand and gravel deposits are of economic importance and where they are located.
- 5.84 The County Council has concluded that deposits of sand and gravel, limestone and blown sand in Lincolnshire are of current or future economic importance. The broad extent of these deposits is indicated on Figure 1.
- 5.85 The County Council does not have sufficient detailed knowledge of the nature and extent of suitable building stone resources to identify potentially workable materials. The quality of stone and suitability for working as building stone is very variable. It would therefore be difficult to

identify potentially workable building stone resources for safeguarding except on a detailed site specific basis.

- 5.86 It is, however, proposed to safeguard potential sources of building stone for the repair and conservation of Lincoln Cathedral and Lincoln Castle, due to their importance not just as historic buildings but also as a major tourist attraction and symbol of Lincoln and indeed the County. The location of these potential sources is indicated on Figure 2.
- 5.87 The County Council does not consider that chalk is an economically important mineral in Lincolnshire and that, given its widespread occurrence, it does not need to be safeguarded, with the exception of permitted chalk workings as shown in Figure 3. Chalk is not a nationally important resource, and it is not a scarce mineral. The majority of the chalk resource in Lincolnshire also lies within the Lincolnshire Wolds Area of Outstanding Natural Beauty.
- 5.88 Ironstone deposits in the county are not considered to have any future economic significance as a source of iron, given the decline of the steel industry in the UK and their low grade quality. Whilst they could be worked as a source of building stone or low quality aggregate, they are not considered to be of current or future economic importance.
- 5.89 It is not proposed to define MSAs for hydrocarbons as prospects can only be identified after extensive exploration activity. In any event, oil and gas deposits are found at much greater depths than other minerals exploited within the County and are therefore less threatened by surface development.
- 5.90 Incompatible development close to a MSA may lead to sterilisation of part of the resource. The BGS good practice advice suggests that it may therefore often be appropriate to extend the MSA beyond the resource boundary to take account of such risks, the extent of which will vary between minerals and the likely method of extraction. The County Council proposes to extend the boundary of MSAs beyond the area of the resource to prevent residential development encroaching on a mineral extraction to the extent that the amenity of residents could be affected by noise, visual intrusion or blast vibration. The resource areas shown on Figure 1 include a buffer zone of 250m around sand and gravel and blown sand resources and 500m around limestone resources to ensure an adequate safeguarding margin.
- 5.91 The BGS guidance advises that, in urban areas, MPAs should define MSAs to highlight the potential for extracting minerals beneath large regeneration projects and brownfield sites. In Lincolnshire, however, such opportunities are probably limited to small scale building stone operations to provide stone for Lincoln Cathedral/ Lincoln Castle. Other mineral resources that are present do not generally lend themselves to prior extraction in built-up areas because of the nature of their extraction methods, and the possibility of such circumstances arising seems too slim to warrant safeguarding. The resource areas shown on Figure 1 consequently exclude mineral deposits within settlements with a

population in excess of 1000 and a minimum area of 20 hectares, however in such cases a 250m buffer extending into the urban area has been retained in order to avoid sterilisation by proximal development at the urban edge.

- 5.92 In two-tier planning areas such as Lincolnshire, safeguarding of mineral resources can be achieved only through county and district councils co-operating in the exercise of their respective planning powers over land with potential for mineral extraction. This can be facilitated by defining Minerals Consultation Areas (MCA). This will provide the mechanism for district councils to consult the County Council before granting planning permission, on any planning applications they receive for non-mineral developments which fall within the boundary of a MCA, and which would be likely to affect the winning and working of minerals.
- 5.93 The County has therefore defined Minerals Consultation Areas (MCA) to coincide with the extent of the resources within the Mineral Safeguarding Areas. The MCA will also cover the safeguarding of mineral sites and associated infrastructure (Policy M12). District Councils within the County will be supplied with a copy of the MCA along with the development criteria that the County Council wish to be consulted on. It will be the responsibility of the District Councils to ensure that the MCA is used when considering planning applications or future developments and that the County Council is consulted on developments located within the MCA.
- 5.94 Within a Minerals Safeguarding Area, except for the exemptions set out in policy M11, applications for non-minerals development should be accompanied by a Minerals Assessment in accordance with the latest guidance from the British Geological Survey (currently set out in Mineral Safeguarding in England: Good Practice Advice, reference OR/11/046). This should provide an appropriate assessment of the minerals resource including an estimate of the economic value, its potential for use in the forthcoming development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation. Where prior extraction can be undertaken, the assessment should also include an explanation of how this will be carried out as part of the overall scheme.
- 5.95 Following the assessment of the mineral resource, the Mineral Planning Authority will make a judgement about the likelihood of the mineral being worked in an environmentally acceptable manner and may advise the District Council that any development on or near mineral reserves should not proceed before the mineral is extracted, or that steps are taken to avoid sterilisation of the deposit.
- 5.96 Some minor development is unlikely to sterilise mineral reserves, such as small extensions to existing buildings or sites. However, this will depend on the location of the development and the type and extent of the mineral concerned. For instance a building proposed in the middle of a small building stone resource could lead to sterilisation.

## **Policy M11: Safeguarding of Mineral Resources**

Sand and gravel, blown sand and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas shown on Figure 1, together with potential sources of dimension stone for use in building and restoration projects connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2, and chalk resources included on Figure 3, will be protected from permanent sterilisation by other development.

Applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment. Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. Where this is not the case, planning permission will be granted when:

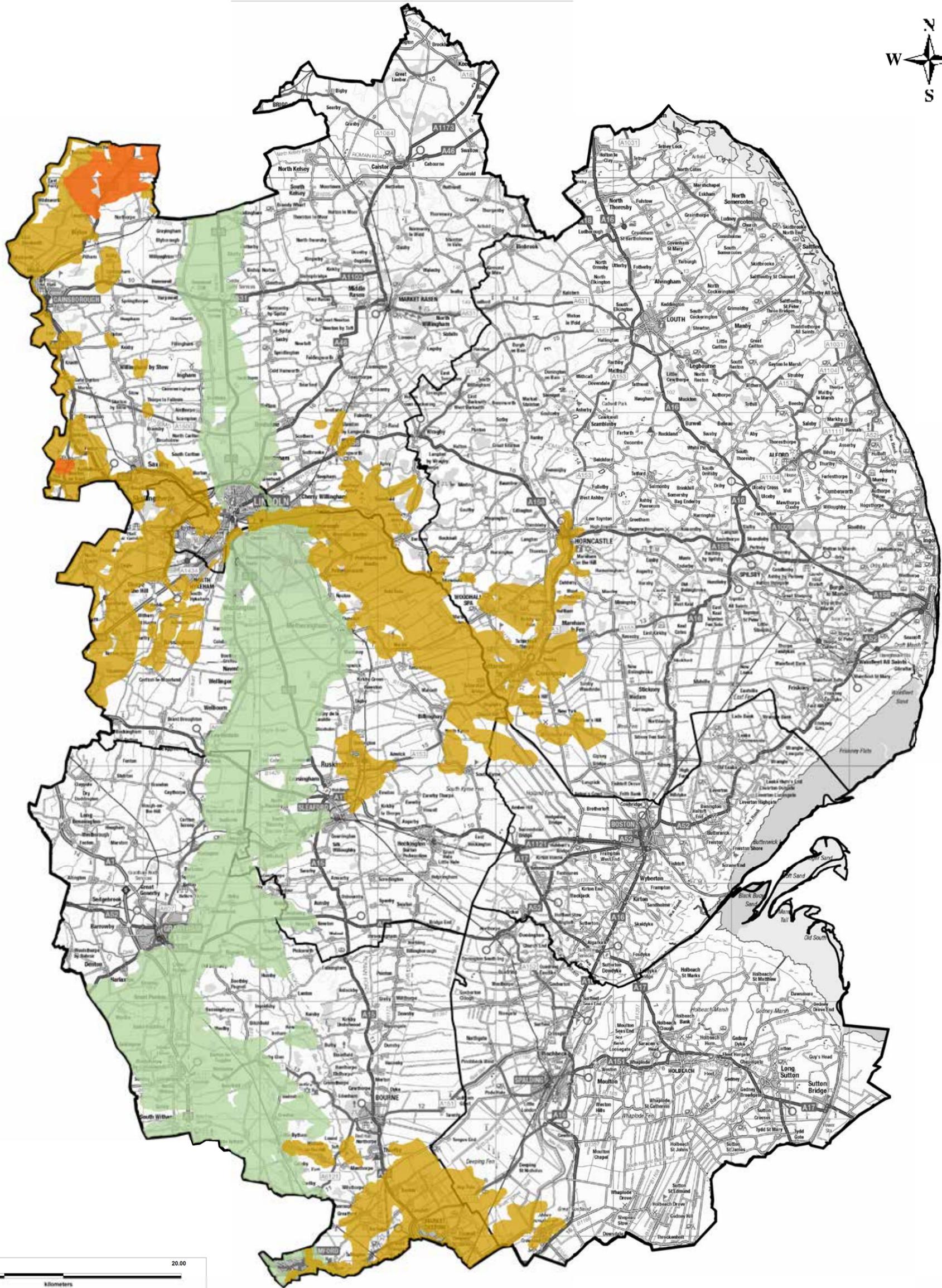
- the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would be impracticable, and that the development could not reasonably be sited elsewhere; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the development to meet local economic needs, and the development could not reasonably be sited elsewhere; or
- the development is of a minor nature which would have a negligible impact with respect to sterilising the mineral resource; or
- the development is, or forms part of, an allocation in the Development Plan.

### **Exemptions**

*This policy does not apply to the following:*

- *Applications for householder development*
- *Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site*
- *Applications for Advertisement Consent*
- *Applications for Listed Building Consent*
- *Applications for reserved matters including subsequent applications after outline consent has been granted*
- *Prior Notifications (telecommunications; forestry; agriculture; demolition)*
- *Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)*
- *Applications for Tree Works*

Figure 1: Lincolnshire Minerals Safeguarding Areas Map



**Lincolnshire County Council**

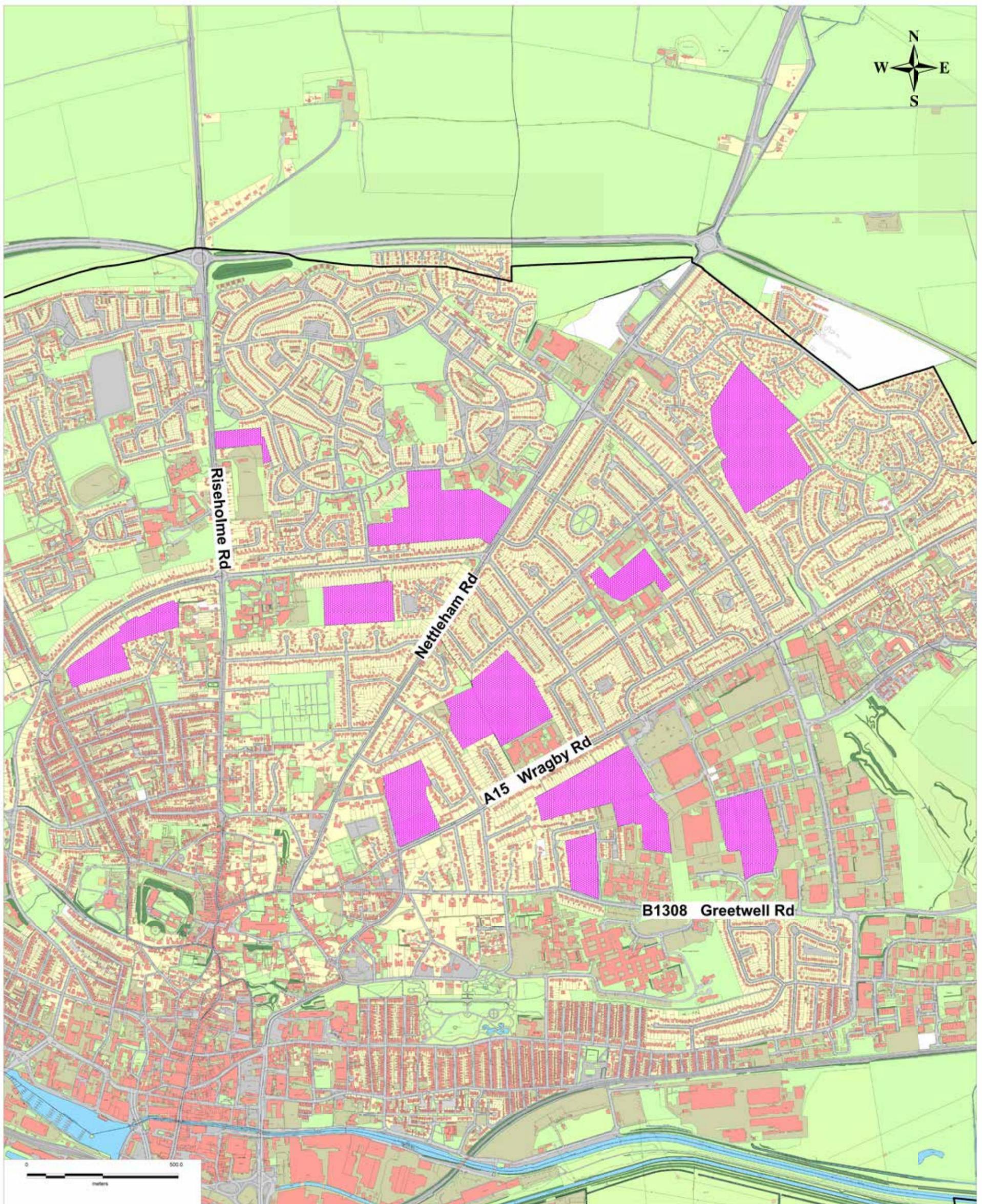
Reproduced from the 2014 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.

**Key**

- Limestone Mineral Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area



**Figure 2 Lincoln Stone Minerals Safeguarding Areas Inset Map**



**Lincolnshire County Council**

Reproduced from the 2014 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.

OS Licence 100025370

**Key**

- Lincoln Stone Minerals Safeguarding Area



## **Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure**

- 5.97 The NPPF states that, in preparing Local Plans, local planning authorities should safeguard:
- existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and
  - existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material
- 5.98 The future use of mineral sites and associated infrastructure could be constrained if sensitive developments such as housing are permitted nearby. In order to ensure that the supply of minerals is not interrupted, the County Council therefore considers that mineral sites and their associated infrastructure should be safeguarded. This includes aggregates recycling sites; sand and gravel quarries; limestone extraction quarries; chalk extraction quarries; and energy mineral development sites. The sites and facilities to be safeguarded are listed in Appendix 2 and shown on figures 6-12 in Appendix 3.
- 5.99 Most of the concrete batching plants and other associated minerals infrastructure are co-located at quarries or producers of recycled aggregates. The safeguarded list will indicate those sites which carry out these activities.
- 5.100 The MCA to be issued by the County Council (see paragraph 5.93 above) will include the mineral sites and associated infrastructure safeguarded by Policy M12, including a 250 metre buffer zone around sites as shown in Figure 3. Local planning authorities will be expected to consult the County Council on proposals for non-minerals development which could affect the use of such sites and facilities. The County Council may advise that development should not be permitted if it would constrain the effective operation of existing sites, or future use of land or associated infrastructure identified for mineral use.

## **Policy M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure**

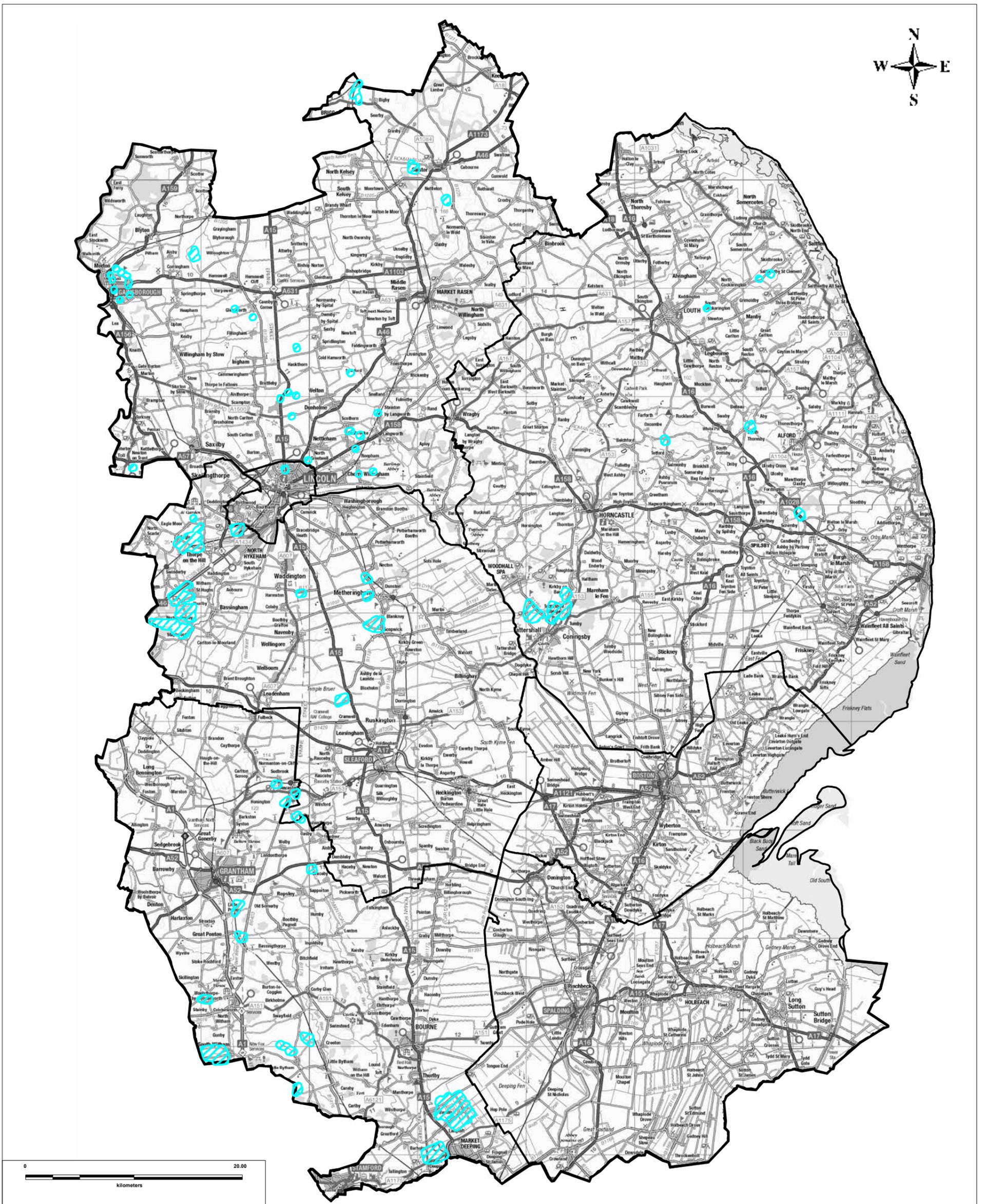
Mineral sites (excluding dormant sites) and associated infrastructure that supports the supply of minerals in the County will be safeguarded against development that would unnecessarily sterilise the sites and infrastructure or prejudice or jeopardise their use by creating incompatible land uses nearby.

### **Exemptions**

*This policy does not apply to the following:*

- *Applications for householder development*
- *Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site*
- *Applications for Advertisement Consent*
- *Applications for Listed Building Consent*
- *Applications for reserved matters including subsequent applications after outline consent has been granted*
- *Prior Notifications (telecommunications; forestry; agriculture; demolition)*
- *Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)*
- *Applications for Tree Works*

Figure 3 Lincolnshire Site Specific Minerals Safeguarding Areas Map



<p><b>Lincolnshire County Council</b></p> <p>Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.</p> <p><b>OS Licence 100025370</b></p>	<p><b>Key</b></p> <p> Site Specific Minerals Safeguarding Area</p>	<p><b>Lincolnshire</b> COUNTY COUNCIL</p> <p><i>Working for a better future</i></p>
--	---	---

## **OTHER MINERAL DEVELOPMENTS**

### **Associated Industrial Development**

- 5.101 In addition to the plant, machinery and buildings directly associated with the working of the mineral, there are certain industrial activities which are sometimes located at mineral extraction sites. A limited range of development is permitted under the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015 without the prior approval of the Mineral Planning Authority (MPA), although this may only be carried out on land that is used as a mine. It must be for purposes principally in connection with the winning and working of minerals from the mine, and includes the treatment, storage or removal of minerals and derived wastes. A wider range of development, including secondary industry is also permitted under the GPDO but subject to the prior approval of the MPA, including ready mixed concrete and coating plants.
- 5.102 There may be benefits for certain industrial development directly associated with the processing of minerals to be located in close proximity to where the mineral is extracted, such as ready-mixed concrete batching plants at sand and gravel sites. Policy M13 deals with proposals for industrial development that are beyond the scope of the GPDO. Such development will only be approved where it can be demonstrated that there are clear environmental benefits in providing a close link between the industrial activities and associated mineral operation. In particular, regard will be given to any environmental effects, transportation implications, visual amenity and proposed time scales.
- 5.103 Where planning permission is granted, conditions will be imposed to ensure that minerals supplying the development are sourced principally from the adjacent extraction site and that, upon cessation of mineral extraction, the development will be removed and the site restored unless there are overriding reasons for its retention or exceptional circumstances.

#### **Policy M13: Associated Industrial Development**

**Planning permission will be granted for ancillary industrial development within or in proximity to mineral sites where it can be demonstrated that there are close links with the mineral development and the proposals accord with all relevant Development Management Policies set out in the Plan. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.**

## **Irrigation Reservoirs**

- 5.104 Agricultural irrigation reservoirs are functional installations providing water to a particular site. There are various benefits for farming and water management but also for wildlife and people if appropriately designed. Irrigation reservoirs could provide opportunities for multifunctional benefits including biodiversity enhancements and flood risk management (e.g. abstraction from rivers during high flows). Their construction can involve the extraction of mineral. Most irrigation reservoirs can be constructed under permitted development rights if excavated material is kept on-site following prior approval from the District Council. However, these developments sometimes have the potential to be used primarily as a means to extract aggregate so that the reservoir itself is not really needed.
- 5.105 It is important, therefore, that such developments are controlled and only allowed for the primary purpose of agricultural improvement. In this respect the design of the reservoir must be fit for purpose and the applicant will be expected to properly demonstrate that the reservoir is needed for agricultural improvement and that it is not simply a means to extract aggregate. For instance, it may be more acceptable in some cases to construct an above ground facility, which would avoid the need to remove significant amounts of mineral off-site and applicants will be expected to demonstrate why an above ground facility could not be used. In either case, it will be particularly important to ensure that any ground works do not impact on the historic or natural environment i.e. archaeological features or Local Wildlife Sites.
- 5.106 The size of reservoir will be a compromise of engineering, financial, and agronomic issues. The main starting point will be the total seasonal irrigation need in a dry year for a chosen return period (the probability of a dry year occurring). This will depend on the various crops grown and their total irrigated area. Allowance for future expansion or changes in cropping intensity will also need to be considered.
- 5.107 Early discussions with the Environment Agency are essential. Most substantial streams and rivers, and groundwater aquifers are already gauged by the Agency. The Agency can give advice on licensing and the expected reliability of existing and proposed abstractions. Additional low (summer) flow abstractions may not be available. But most rivers still have water available for abstraction at times of high (winter) flow. It is also recommended that discussions are held with relevant Internal Drainage Boards.
- 5.108 The County Council will seek full co-operation from the District Councils on this matter and will request that proposals which appear to be primarily intended for aggregate extraction are forwarded to the County Council for determination.

### **Policy M14: Irrigation Reservoirs**

**Planning permission will be granted for new or extensions to existing irrigation reservoirs that involve the extraction and off site removal of minerals where it can be demonstrated that:**

- **there is a proven agricultural justification for the reservoir; and**
- **the need can be met by an irrigation facility; and**
- **an abstraction licence has been granted by the Environment Agency; and**
- **the design is fit for purpose; and**
- **the environmental impacts of removing material off-site would be less than constructing an above ground facility; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

### **Borrow Pits**

5.109 Borrow pits are temporary mineral workings sited adjacent to major construction projects, particularly new road schemes, and are used solely to supply aggregates and/or fill material for this purpose. The void created by the extraction can be used for the disposal of unsuitable and/or surplus materials arising from the project, or it could be left to fill with water to develop into a wetland site for wildlife, or to assist in flood alleviation, therefore providing multifunctional benefits. In certain circumstances they can have advantages over established sites by reducing the impact of concentrated flows of heavy goods traffic on the public highway and meeting peaks of demand without disrupting supplies elsewhere. They may also assist in the sustainable use of minerals by conserving resources of higher quality aggregates through the use of locally sourced materials and thereby reducing the need to make additional provision. Clay borrow pits may also be appropriate in certain circumstances such as for flood defence schemes and landfill restoration.

5.110 Borrow pit proposals must demonstrate that a balance can be struck between the need for the mineral and the impact on the environment and any local communities, ensuring that adequate mitigation or compensation is provided for the effects of the proposed development. It will also be necessary to demonstrate that, in overall terms, the borrow pit would result in environmental benefits over alternative sources of supply.

### **Policy M15: Borrow Pits**

**Planning permission will be granted for borrow pits to supply materials for major construction projects where:**

- **there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials; and**
- **the transport of mineral from existing sites to the construction project would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations; and**
- **in the case of proposals involving the extraction of aggregates, the site lies on or in close proximity to the project; and**
- **the mineral can be transported to the point of use without leading to harmful conditions on a public highway; and**
- **the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

**Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.**

## 6. PROVIDING FOR WASTE

### Background

- 6.1 Lincolnshire County Council as Waste Planning Authority (WPA) must provide a policy framework for managing all of Lincolnshire's controlled waste. Such waste, by definition is controlled by legislation and its storage, handling and disposal must meet certain legal requirements. Controlled waste comes from many sources including homes, shops, offices, factories, farms and hospitals. The principal waste streams are *Local Authority Collected Waste, commercial & industrial, construction & demolition, agricultural, and hazardous*.

### Box 1: Definitions of different waste types

#### **Local Authority Collected Waste (LACW)**

This waste stream was previously referred to as Municipal Solid Waste, and the new name reflects a slight expansion in the range of wastes it covers. Most is generated by householders, whether it is collected from the kerbside or taken to recycling points such as Household Waste Recycling Centres. It also includes small quantities of commercial waste which is collected from small businesses by the local authority, as well as non-household waste such as road and pavement sweepings and gully-emptying wastes. Waste collection is largely undertaken by the Waste Collection Authorities' own operatives, but recovery and disposal activities are controlled by the county Waste Disposal Authority in conjunction with third party waste management companies.

#### **Commercial & Industrial Waste (C&I Waste)**

These wastes are collected, managed and disposed by private waste companies serving businesses of all sizes across all industry sectors. A large proportion of *Commercial* waste is a mix of plastics, paper, card, glass and food waste collected from offices, shops, food outlets, etc. as well as waste metals (equipment, vehicles, machinery) and smaller quantities of chemicals, timber and other waste. The *Industrial* part of the stream comprises a similar range of materials but in different proportions, with larger quantities of chemicals, metals, textiles, and a variety of processing and packaging wastes, but with mixed office wastes also.

#### **Construction, Demolition and Excavation Waste (CD& E Waste)**

These wastes come from a wide range of new build and regeneration projects as well as road schemes and railway maintenance. Construction & Demolition wastes include structural and groundworks waste (bricks, asphalt, concrete, insulation material) and fittings (wood, plastic, glass, metal). Most of the waste is chemically inert but insulation materials are usually hazardous because they contain asbestos. Excavation waste is primarily soil and stones. As they are often bulky and of low value, these wastes tend to be recycled or re-used at or close to where they are created. In the case of excavation wastes greater quantities are removed for disposal locally at landfill. Therefore, a greater proportion

of this waste stream (compared to others) may be managed at source.

### **Agricultural Waste**

Agricultural waste is mostly uncontrolled animal slurry and vegetable matter but many farms also produce 'non-natural' wastes that are controlled, such as scrap metals, batteries, oils, tyres, rubber, glass, plastic and veterinary pharmaceuticals. Virtually all of these wastes are normally managed on the agricultural holdings where they are created.

### **Hazardous Waste**

The term hazardous waste has traditionally been used to describe materials such as asbestos, oils, solvents and healthcare wastes. However, broadening of this definition means it now includes everyday items such as fluorescent tubes, televisions, computer monitors (known as Waste Electronic and Electrical Equipment (WEEE) and scrap cars. All of the above waste streams contain variable, but generally small, quantities of hazardous wastes.

- 6.2 Just under 2 million tonnes of controlled waste was produced in Lincolnshire in 2012 (the latest year for which information is available on all the streams referred to above) and until recently a large percentage of this was disposed of at landfill sites. There is a need to break this cycle and manage waste more sustainably, by moving away from landfill, seeking waste prevention/minimisation and ensuring that as much waste as possible is reused, recycled, composted or subjected to energy recovery. The recent completion of the new Energy from Waste (EfW) facility at Hykeham has resulted in the diversion of a significant quantity of LACW previously sent to landfill. Lincolnshire is already achieving high rates of LACW recycling but it is important to continue to divert more waste away from disposal and to provide the facilities to increase the recycling rates of other waste streams, in particular, for producers of commercial and industrial waste.
- 6.3 The planning system has a vital role to play in ensuring that suitable sites are identified for waste facilities and that the negative impacts are reduced and the benefits can be positively managed.

## **WASTE ARISING IN LINCOLNSHIRE**

- 6.4 Detailed data on the estimated current arisings, forecasts and indicative capacity gaps (the difference between the current operational waste management capacity and the predicted arisings) have been produced separately from this document and can be found within the latest Lincolnshire Waste Needs Assessment (July 2014) and subsequent addendums dated May 2015 and October 2015 which are available to view or download at [www.lincolnshire.gov.uk/mineralsandwaste](http://www.lincolnshire.gov.uk/mineralsandwaste). The text below summarises the position.
- 6.5 Future requirements for facilities to manage all waste streams were evaluated through the Waste Needs Assessment (July 2014) which looked at 3 scenarios based on different rates of growth in these wastes, and a

further 3 scenarios assuming different levels of recycling, composting and diversion from landfill.

6.6 The subsequent sections present details of the Council's chosen option of growth with median recycling<sup>10</sup> and details of additional capacity that will be needed reflecting the chosen scenario, which the Council considers to be the most realistic, achievable and delivers the best combination of value for money and resource efficiency.

### Local Authority Collected Waste (LACW) Arisings

6.7 Unlike other waste streams, Lincolnshire County Council has up to date information on LACW and in 2012 342,000 tonnes of LACW was generated. The assumptions summarised above have been used to project quantities forward to 2014 and beyond.

6.8 Table 4 shows the quantities of waste forecast under the chosen scenario which includes assumptions about growth and improvement in the quantities of waste diverted from landfill by greater levels of recycling, composting and energy recovery. It indicates the quantity of LACW to be managed will increase by almost 75,000 tonnes over the Plan period. The detailed analysis identifies that small quantities of LACW will need to be managed at sites recycling inert wastes or at hazardous landfill sites.

**Table 4: LACW arisings and management requirements 2014-2031  
Growth with Median Recycling scenario**

	Total arisings	Non-inert recycling	Inert recycling	Total Composting	Energy recovery	Non-hazardous landfill	Hazardous landfill
2014	400,270	109,462	14,705	81,508	156,038	36,282	2,275
2015	405,934	111,011	14,913	82,662	158,246	36,795	2,307
2016	410,656	112,302	15,087	83,623	160,087	37,223	2,334
2017	415,432	113,608	15,262	84,596	161,949	37,656	2,361
2018	420,265	114,930	15,440	85,580	163,833	38,094	2,388
2019	425,154	116,267	15,619	86,576	165,739	38,537	2,416
2020	430,100	117,619	15,801	87,583	167,667	38,986	2,444
2021	434,021	118,692	15,945	88,381	169,195	39,341	2,467
2022	437,978	119,774	16,090	89,187	170,738	39,700	2,489
2023	441,971	120,866	16,237	90,000	172,294	40,062	2,512
2024	446,001	121,968	16,385	90,821	173,865	40,427	2,535
2025	450,067	123,080	16,535	91,649	175,450	40,795	2,558
2026	454,169	124,202	16,685	92,484	177,050	41,167	2,581
2027	458,310	125,334	16,837	93,327	178,664	41,543	2,605
2028	462,486	126,476	16,991	94,178	180,292	41,921	2,628
2029	466,703	127,629	17,146	95,037	181,936	42,303	2,652
2030	470,959	128,793	17,302	95,903	183,595	42,689	2,677
2031	475,251	129,967	17,460	96,777	185,268	43,078	2,701

[All figures in tonnes]

Source: Lincolnshire Waste Needs Assessment Model 2014

<sup>10</sup> The recycling levels for each waste stream proposed under median recycling are set out in Table 3 of the "Waste Needs Assessment Report 2014".

- 6.9 Comparison of the 2014 total arisings with data for preceding years shows an apparent jump in the quantity of waste that has to be managed. This reflects the effect of the opening of the North Hykeham Energy from Waste facility which generates secondary materials in the form of incinerator bottom ash and air pollution control residues. Both are wastes that have to be managed and therefore the quantity produced must be taken into account when assessing the type and quantity of capacity that is needed.
- 6.10 The assumptions used to derive these forecasts assume that the high existing level of recycling/composting, and the rapid diversion of a large proportion of residual LACW to the North Hykeham facility means that by 2014/15 the mix of management methods for this stream will have stabilised. This means there is no further increase in landfill diversion and the main issue is therefore the continuing growth of the stream and its impact on the capacity gap for the different management facilities.

### **Commercial and Industrial Waste (C&I) Arisings**

- 6.11 C&I data specific for Lincolnshire does not exist and the County Council is reliant upon national and comparable regional studies in order to extrapolate county-level estimates. This revision of the needs assessment compared results produced from studies in 2010 (national) and 2009 (for the North West region) and concluded that the latter provided a better estimate of waste quantities and how they are being managed.
- 6.12 Table 5 shows the arisings and management requirements forecast for the chosen scenario which incorporates assumptions about future waste growth and the quantities requiring different management methods. The total quantity of C&I waste created rises from around 554,600 tonnes in 2014 to almost 609,800 tonnes in 2031 (9.9% growth in total).

**Table 5: C&I arisings and management requirements<sup>11</sup> 2014-2031  
Growth with Median Recycling scenario**

	Commercial arisings	Industrial arisings	Recycling (mixed)	Recycling (metals)	Composting	Transfer & treatment	Energy recovery	Thermal (no recovery)	Land recovery	Landfill
2014	323,175	231,496	232,658	22,653	9,397	48,246	26,361	17,539	28,887	168,930
2015	324,949	232,910	238,171	22,778	9,449	41,488	44,207	17,635	28,371	155,760
2016	326,739	234,331	243,738	22,904	9,500	34,657	62,249	17,733	27,848	142,441
2017	328,534	235,761	249,359	23,029	9,553	27,748	80,488	17,830	27,319	128,969
2018	330,341	237,200	255,035	23,157	9,605	20,761	98,926	17,928	26,782	115,347
2019	332,159	238,647	260,765	23,283	9,659	13,699	117,564	18,027	26,240	101,569
2020	333,985	240,102	266,551	23,411	9,711	6,557	136,404	18,126	25,690	87,637
2021	335,822	241,425	270,554	23,541	9,765	6,593	140,092	18,226	25,831	82,645
2022	337,669	242,751	274,592	23,670	9,819	6,629	143,817	18,325	25,973	77,595
2023	339,527	244,086	278,667	23,800	9,873	6,666	147,579	18,426	26,116	72,486
2024	341,393	245,429	282,778	23,931	9,927	6,702	151,377	18,527	26,260	67,320
2025	343,270	246,778	286,926	24,062	9,981	6,739	155,212	18,630	26,404	62,094
2026	345,159	248,135	291,111	24,195	10,036	6,776	159,086	18,732	26,549	56,809
2027	347,058	249,502	295,334	24,328	10,091	6,813	162,998	18,836	26,695	51,465
2028	348,966	250,874	299,594	24,462	10,147	6,851	166,947	18,938	26,842	46,059
2029	350,887	252,253	303,892	24,596	10,203	6,889	170,935	19,043	26,990	40,592
2030	352,817	253,640	308,228	24,732	10,259	6,927	174,962	19,147	27,138	35,064
2031	354,756	255,036	312,602	24,868	10,315	6,965	179,028	19,253	27,288	29,473

[All figures in tonnes]

Source: Lincolnshire Waste Needs Assessment Model 2014

6.13 The quantities of Commercial and Industrial waste to be managed rise by around 31,500 tonnes and 23,500 tonnes respectively. Collectively, the proportion that is recycled or composted grows from 48% to 57% over the same period (individually the commercial stream achieves 59% recycling and the industrial stream 60%) while the proportion sent for thermal treatment collectively rises from 8% to 33% (individually the commercial stream achieves 35% recovery and the industrial stream 24%) with virtually all the increase being waste from which energy is recovered. As a result of these changes the proportion sent to landfill falls from 30% to 5% for both commercial and industrial. The assumptions used in the model refer specifically to energy recovery using thermal treatment and as a result an increasing proportion of waste is shifted from non-thermal to thermal treatment.

### Construction Demolition & Excavation Waste (CD&E)

6.14 As noted previously this stream comprises two distinct elements: C&D wastes which are primarily material from the external and interior structures, fixtures and fittings of demolished buildings, as well as material such as concrete and asphalt from demolition sites and unused aggregates and other wastes arising during subsequent construction. Excavation wastes comprise soil and stones only. In line with paragraphs 1 and 8 of the National Planning Policy for Waste, it is recognised that Local Planning Authorities have a role to play in encouraging sustainable construction practices in developments in order to minimise the level of

<sup>11</sup> Land recovery relates to land spreading of materials from the industrial waste stream including paper sludges, gypsum, organic wastes, treated food processing waste (via anaerobic) as digestates and composted food wastes as set out in the Commercial and Industrial Waste Survey 2009 Final Report May 2011 (Jacobs for DEFRA).

C&D waste and ensure the best use of resources. This would be achieved through imposing appropriate planning conditions such as introducing requirements for construction management plans/waste audit programmes.

- 6.15 As with C&I data, information on these arisings is subject to limitations, the principal source being information reported to the Environment Agency. Material that is re-used at source (for example, crushed concrete and asphalt for sub-base for parking areas; or soil and stones used in landscaping the site) or which is sent to a site deemed to be exempt from waste permitting and reporting and the quantity of these wastes are not recorded. However these wastes are managed using mobile plant and make no demand of the third-party merchant capacity which the Plan must provide for. Moreover, in both cases, any mobile plant and other mobile capacity lies outside the control/remit of the County Council. This means that the quantity of waste estimated using the Environment Agency data is a lower-bound estimate of how much waste is actually being generated but it is still a reasonably accurate indicator of the total management capacity that is needed.
- 6.16 There is a further complication because much of the waste removed from its source is taken to waste transfer stations where metal, glass, building rubble, etc. is separated and on some of the larger sites the latter material may be reprocessed (crushed into a secondary aggregate) and/or then sent to another site for use or to another transfer station. As a result there is a risk of over-estimating the size of the waste stream by double-counting material as it moves from one waste site to another.
- 6.17 Data provided by the Environment Agency shows C&D arisings fell from almost 400,000 tonnes in 2008 to around 130,000 tonnes in 2011 although the total rose to just over 220,000 tonnes in 2012. This increase reflects the resumption of house-building, infrastructure and other regeneration projects as the economy began to emerge from recession. Of the 2012 total, only 27% was exported from the county for re-use or disposal elsewhere. As a result a total of just under 165,000 tonnes of local C&D waste was managed at facilities in the county together with over 19,000 tonnes of material imported from elsewhere.
- 6.18 In contrast the quantity of Excavation waste created has been more erratic, though this is unsurprising as much of it is created in large quantities as a result of specific development projects over a limited time and therefore waste is not necessarily created repetitively each year as is the case for the LACW and C&I streams. Arisings of both Excavation and C&D wastes showed a marked increase in 2012 which reflect initial site preparation work for the North Hykeham EfW plant.
- 6.19 Table 6 summarises the forecast growth in arisings and how these wastes will be managed over the period 2014-2031. The forecast assumes slow growth in employment rates which will reflect industrial activity and waste creation rates in the mining/quarrying and construction sectors throughout this period. The forecast anticipates 90% of C&D wastes will be recycled by 2031.

**Table 6: CD&E waste arisings and management methods 2014-2031  
Growth with Median Recycling scenario**

	C&D arisings	E arisings	Transfer	Recycling & re-use	Treatment	Landfill
2014	453,150	503,500	330,042	217,885	172,064	236,660
2015	456,322	507,025	325,003	230,960	169,068	238,317
2016	459,517	510,574	319,877	244,208	166,021	239,985
2017	462,733	514,148	314,664	257,629	162,923	241,665
2018	465,971	517,746	309,361	271,226	159,774	243,356
2019	469,234	521,371	303,970	285,003	156,572	245,060
2020	472,519	525,020	298,487	298,957	153,319	246,775
2021	475,827	528,695	292,913	313,094	150,012	248,503
2022	479,157	532,397	287,247	327,413	146,651	250,243
2023	482,511	536,123	281,486	341,918	143,236	251,994
2024	485,888	539,876	275,631	356,610	139,765	253,758
2025	489,289	543,657	269,681	371,491	136,241	255,535
2026	492,715	547,462	263,633	386,563	132,658	257,323
2027	496,164	551,293	257,487	401,827	129,019	259,124
2028	499,637	555,152	251,242	417,286	125,323	260,938
2029	503,135	559,038	244,898	432,941	121,568	262,765
2030	506,656	562,952	238,452	448,797	117,756	264,604
2031	510,203	566,893	231,904	464,852	113,883	266,457

*[All figures in tonnes]*

*Source: Lincolnshire Waste Needs Assessment Model 2014*

6.20 Table 6 forecasts an additional 60,000 tonnes each of C&D and E wastes would need to be managed by 2031 compared to the current position.

### **Hazardous Waste**

6.21 The Hazardous Waste (England and Wales) Regulations 2005 redefined the range of waste materials that are defined as hazardous. As a result a number of commonplace items such as televisions and fridges now fall within the scope of the Act because they contain materials or components that are now classified as hazardous. These materials join other hazardous wastes such as residues from chemical production, manufacturing and a wide range of industrial activities which generate most of these materials.

6.22 These materials are normally managed at facilities that handle hazardous wastes exclusively. Unlike LACW and C&I wastes their hazardous properties prevent management of a mixture of materials. They are usually only created in small quantities and this factor combined with the need for specialised facilities means it is unlikely that it will be economically viable to provide a full range of treatment or disposal facilities within a single Plan area. The county currently contains a limited number of hazardous waste sites that provide mainly transfer and bulking capacity with treatment, recycling (where feasible) and disposal occurring at facilities elsewhere and as a result of the factors mentioned above it is unlikely that the Council could plan for a position in which the county becomes fully self-sufficient in managing these materials. Nevertheless,

should proposals for hazardous waste facilities come forward to meet an identified need within the County, they would be favourably considered, subject to accordance with all relevant policies in the Plan.

- 6.23 In 2012 the county produced 65,800 tonnes of hazardous wastes including large quantities of waste oil and contaminated soil and stones. Around 17,800 tonnes of this material – mainly the former – was managed at facilities in the county with the rest (almost 49,000 tonnes) being sent to specialised treatment or landfill sites elsewhere in the country. At the same time 15,400 tonnes of material was imported for management locally with the result that the county is a net exporter of hazardous waste.
- 6.24 Table 7 summarises the forecast arisings of hazardous waste over the Plan period. Linking waste creation rates to growth in employment in local industry gives rise to a very modest increase in the total waste created of around 6000 tonnes (10%) over the period to 2031. Hazardous waste transfer stations currently take some wastes from neighbouring authorities but the lack of local treatment, recycling or landfill capacity means this material is bulked into larger loads locally and then removed to facilities elsewhere in the UK. Even when this transiting material is taken into account, the county still has a surplus of 13,400 tonnes of transfer station capacity.

**Table 7: Hazardous waste arisings and management requirements 2014-2031 – Growth with Median Recycling scenario**

	<b>Arisings</b>	<b>Transfer station</b>	<b>Recycling</b>	<b>Non-thermal treatment</b>	<b>Thermal treatment</b>	<b>Landfill</b>
2014	66,163	17,066	28,664	926	870	18,637
2015	66,527	17,160	28,821	931	876	18,739
2016	66,894	17,255	28,980	936	880	18,843
2017	67,261	17,349	29,139	941	886	18,946
2018	67,632	17,445	29,300	947	890	19,050
2019	68,004	17,541	29,461	952	895	19,155
2020	68,377	17,637	29,623	957	900	19,260
2021	68,753	17,734	29,786	962	905	19,366
2022	69,132	17,832	29,950	968	909	19,473
2023	69,512	17,930	30,114	973	915	19,580
2024	69,895	18,029	30,280	978	920	19,688
2025	70,279	18,128	30,446	984	925	19,796
2026	70,665	18,227	30,614	989	930	19,905
2027	71,055	18,328	30,782	995	936	20,014
2028	71,444	18,428	30,952	1,000	940	20,124
2029	71,837	18,530	31,122	1,005	945	20,235
2030	72,233	18,632	31,293	1,011	951	20,346
2031	72,630	18,734	31,465	1,017	956	20,458

*[All figures in tonnes]*

*Source: Lincolnshire Waste Needs Assessment Model 2014*

6.25 The lack of local recycling, treatment or landfill capacity for this stream means that the arisings figures in Table 7 also define the capacity gaps for each management method, which collectively total 49,000 tonnes. Correspondence with authorities in which the majority of Lincolnshire's hazardous waste is managed at present suggests that there is sufficient capacity to continue to accept this waste until at least 2026. For the reasons explained in the opening paragraphs of this section, the economics of managing hazardous waste and the cost justification for new facilities is subject to limitations that do not apply to the same degree to other wastes. As a result the Council considers it unlikely that any type of hazardous waste landfill or treatment plant would be viable within Lincolnshire in the immediate future. Nevertheless the development of sites will be supported provided the capacity available does not exceed the quantity of hazardous wastes generated in the County at the time.

### **Agricultural Waste**

6.26 The limited data on the quantities, types and methods used to manage agricultural wastes comes primarily from Environment Agency surveys in 2003 and 2005, and from Defra surveys of the number of agricultural holdings the last of which was undertaken in 2010. These sources indicate there were 3,680 farm holdings in the county in 2010 producing just over 2,089,000 tonnes of material, making this by far the largest controlled waste stream in Lincolnshire. Over 99% of these wastes are described as organic by-products such as waste milk, straw and slurry which are managed where they originate by burial, disposal to sewer, burning or spreading the material on land for agricultural improvement. Less than 1% of these materials (17,700 tonnes) fall within the category of controlled waste which requires off-site management capacity for recycling (agricultural plastics and other packaging, batteries, tyres and waste equipment and machinery) or incineration (particularly animal by-products and used syringes or needles, all of which are hazardous wastes).

6.27 Table 8 summarises the quantities of waste forecast and management methods required. The assessment assumes that there will be no substantive change in intensity, scale or farming techniques during the Plan period and therefore these requirements remain constant over the period 2014-2031. The only exception to this has been the roll-out of Anaerobic Digestion facilities across the county over the last five years. Several of these facilities operate on a merchant basis, taking waste from the same holding and from other sites. However this capacity provides an alternative to existing practices of land-spreading of slurry which may still be the most practical and economically attractive disposal method in most cases.

Table 8: Agricultural waste arisings and management requirements

<b>Total arisings</b>	<b>Managed on-farm</b>	<b>Managed off-farm</b>	<b>Recycling</b>	<b>Thermal treatment</b>	<b>Special incineration</b>	<b>Landfill</b>
2,089,136	2,071,435	17,701	7,066	4,342	5,520	773

*[All figures in tonnes]*

*Source: Lincolnshire Waste Needs Assessment Model 2014*

6.28 The residual waste requiring off-site treatment is similar in content to C&I wastes and, therefore, could be managed in existing facilities. There may be a need for a small number of very small transfer facilities in rural locations to aggregate these wastes into larger loads for delivery to C&I waste facilities in the vicinity of the larger towns, however this role can also be performed by the existing network of small non-municipal transfer stations.

### **Capacity Gaps**

6.29 Tables 4-8 present the waste forecasts and establish the capacity requirements throughout the Plan. Local capacity of different waste management facilities has been identified from records provided by the Environment Agency. These figures take account of some new facilities and of known closures but total capacity will be subject to change if other facilities are permitted and become operational in the future, and as new forecasts are published on the waste arisings and their uses. Updates to these will be published in the County Council's Annual Monitoring Reports and should the arisings significantly decrease or increase it would allow the Council to react, in terms of waste site provision, rapidly to changes in economic circumstances. The forecasts are indicative and it is not possible to predict the number or types of facilities required with absolute certainty. However, the tables (4 - 8) do present the best available forecasts and suggest that a broad range of facilities may be required to deal with the treatment of waste up to 2030/31.

6.30 The capacity at some waste management facilities is dedicated to handling a particular waste but it is increasingly common for sites to offer the capability to handle a more diverse range of materials. In some instances this is because some streams comprise similar mixes of wastes (LACW and C&I) or because facilities serve particular groups of users who generate a range of inert and non-inert wastes (Household Waste Recycling Centres). For this reason it is more appropriate to assess capacity gaps according to the waste management function performed. Evaluating the requirements for each waste stream in isolation can mean that the available capacity is over-estimated if part of it is already used to manage other waste streams.

6.31 Table 9 summarises the predicted capacity gaps at three intervals corresponding to key points in achieving the assumed recycling and landfill diversion performance rates. Negative figures identify capacity surpluses. Further detailed information is provided in the Lincolnshire Waste Needs Assessment 2014.

**Table 9: Forecast Capacity Gaps by Facility Type 2014, 2020, 2025 and 2031 – Growth with Median Recycling scenario**

Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031
Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	144,411	172,273
Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126
Composting	LACW / C&I	-412,290	-439,901	-435,565	-431,033
Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329
Energy recovery	LACW / C&I	37,988	131,663	158,256	186,153
Specialised incineration	Mainly Haz. / Agric.	22,682	23,296	23,823	24,364
Aggregates recycling	CD&E	-411,410	-114,242	-20,974	157,099
Non-hazardous landfill	LACW / C&I / Agric.	-36,452	-66,990	-90,724	-115,860
Inert landfill	Mainly CD&E but other non-haz.	-11,938	50,875	137,635	148,557
Hazardous landfill	Hazardous	21,685	22,477	23,127	23,796

*[All figures in tonnes (rounded)]*

*Source: Lincolnshire Waste Needs Assessment Model 2014*

6.32 The County Council is maintaining its objective of not providing for new inert or non-hazardous landfill capacity above current levels. The needs assessment has identified a capacity gap for inert waste disposal from 2019 gradually increasing to the end of the plan period. Notwithstanding the fact that there is an identified capacity gap from 2019 the County Council maintains the position of not allocating additional sites for new landfill based on the following factors:

- there is a recognised surplus in non-hazardous landfill throughout the plan period;
- a number of existing inert waste landfill sites have end dates extending beyond the Plan period with no planning restrictions on the rate of infilling, the rates could therefore be increased to meet demand and reduce the identified capacity gap; and
- there is the potential for C&D recycling rates to increase over the plan period beyond those planned for in the Waste Needs Assessment, and in such circumstances this would lead to an associated reduction in inert waste landfill requirements.

Notwithstanding the above, if it becomes apparent through the monitoring of the Plan that additional landfill suitable for inert disposal is required, this Plan will be reviewed accordingly. The principal concern now is maintaining improvements in recycling and recovery in line with the waste hierarchy and Strategic Objective d but not on such a scale that landfill operations in the county are no longer economically viable.

6.33 Table 10 shows a summary of the number of new waste facilities that it is considered would address the identified capacity gaps and indicates the average annual capacity that has been assumed in each case. Waste functions for which there is already a surplus are not included.

**Table 10: Predicted Requirements for New Facilities**

Facility type	Annual capacity	New facilities needed			
		Short term	By 2020	By 2025	By 2031
Mixed LACW & C&I waste recycling	75,000	1	1		1
Energy recovery from LACW & C&I	200,000	1			
Specialised thermal treatment	25,000	1			
CD&E and aggregates recycling	50,000			1	2
Hazardous waste landfill	25,000	1			

*[Annual capacity in tonnes]*

6.34 Many operational minerals sites that appear capable of recycling waste CD&E materials are currently categorised as transfer stations and it is not clear what capacity is currently available. The requirements above should therefore be regarded as an upper or pessimistic estimate and elements of this capacity may be in use now or be capable of being brought forward as co-located ancillary development, though the contribution it could meet to closing the capacity gap cannot be estimated accurately. Conversely, it has not been possible to model the pattern of waste arisings across the county and there is no certainty that the existing network of sites matches the pattern of need closely. Most facilities are clustered in or near the principal settlements but need for additional, probably small, sites may arise elsewhere although the timing and location cannot be predicted at present. New developments in those locations would have the benefit of serving local requirements, reducing the need to move these bulky wastes some distance across the County.

6.35 The need or not for further waste transfer stations (WTS) has not been included in the assessment of the requirement for future waste sites except where these sites also provide ancillary functions such as aggregates recycling. Such facilities are essential elements of a network of facilities to manage waste but do not actively contribute to recycling

and recovery capacity. The scale of these facilities will depend on many factors, including location and types of waste being dealt with.

- 6.36 The intention of the County Council is to ensure that sufficient opportunities are identified to allow for new sites to be developed in Lincolnshire to enable the waste tonnages predicted to arise in Lincolnshire to be managed within the County. This would mean that, purely on arisings, the area would be net self-sufficient. But, movements of waste in and out of the County would continue subject to contracts and/or proximity to the nearest waste facility. There may also be specialist facilities which are not present in Lincolnshire to which waste may need to be sent for management. The identified capacity gaps for specialised thermal treatment (typically of agricultural wastes) and hazardous landfill exist already and the management requirement is being met by exporting the wastes to disposal facilities outside the County. The small quantity of materials involved may provide insufficient incentive for the waste industry to bring forward new capacity locally and the County would then continue to rely on external capacity. In order to achieve net self-sufficiency the Plan will still need to provide for a corresponding amount of new capacity for other waste management methods therefore this situation does not reduce the number of new sites that are needed. The Council will also need to co-operate with the Authorities which provide external management capacity to make sure that the facilities will remain available for the duration of the Plan.

#### **Policy W1: Future requirements for new waste facilities**

**The County Council will, through the Site Locations document, identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arisings in the County up to and including 2031, as presented in Table 9, subject to any new forecasts published in the Council's Annual Monitoring Reports.**

#### **Low level non-nuclear radioactive waste**

- 6.37 Low level non-nuclear radioactive waste is classified separately from hazardous waste and is that waste produced by non-nuclear industries such as hospitals, and research and educational establishments. Solid low level radioactive waste is similar in its physical and chemical nature to municipal, industrial and commercial wastes but it is radioactive. The majority of this waste and its subcategory of very low level radioactive waste are disposed of either by landfill or incineration. No such incineration facility exists within Lincolnshire but the landfill at North Hykeham can take low level wastes. Data on solid low level radioactive waste show that in 2008 Lincolnshire produced 1.10m<sup>3</sup> of this waste and North Hykeham Landfill received 2.0m<sup>3</sup> of low level radioactive waste consisting of paper, disposable gloves, and small quantities of metal and glass. By 2013 this figure had fallen back to 1.0m<sup>3</sup>.

- 6.38 Nationally, there are sufficient facilities until 2130 for the management of low level waste but for very low level waste there is a requirement to plan for further capacity post 2015. However, this requirement appears to be a result of current facilities requiring an extension to their current permissions rather than a need for new sites.
- 6.39 The above shows that Lincolnshire currently has capacity to continue to manage its low level non-nuclear radioactive waste where this involves burial, however the availability of capacity at North Hykeham landfill throughout the Plan period cannot be guaranteed. Moreover, there is a desire for the management of such wastes to be moved away from disposal to some form of recovery, where possible. Given the very small quantity of waste produced within Lincolnshire it would not be economically viable for such a facility to recover this waste in isolation, instead, as with disposal, such waste would be managed alongside other MSW/C&I wastes. Proposals for such facilities will be assessed against Policy W2 and other relevant policies in the plan.

#### **Policy W2: Low Level Non-Nuclear Radioactive Waste**

**Planning permission will be granted for the management of low level non-nuclear radioactive waste where:**

- **there is a proven need for the facility; and**
- **locating in Lincolnshire is the most viable locale for managing such waste; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

#### **WASTE SPATIAL STRATEGY**

6.40 The County Council is not allocating specific sites in this document as it considers there are none which are critical to the delivery of the strategy. Instead, suitable individual sites will be allocated in the Site Locations document. However, in line with the National Planning Policy for Waste, the Council has identified *areas of search* which are considered to be suitable for new or enhanced waste management facilities to meet the needs of Lincolnshire. Also, in accordance with Planning Practice Guidance, the Council will not be prescribing waste management technologies that will be used to deal with specific waste streams. This is to enable the sites and areas which come forward to accommodate a range of types and sizes of waste management facility in order for the plan to be flexible enough to cope with changes in waste practices and to allow the development of new and emerging waste technologies to come forward during the plan period.

6.41 The main types of waste facility that could be developed include waste transfer stations, materials recycling facilities, composting, anaerobic

digestion, energy from waste, and landfill. Although the management of waste is moving away from landfill it is unlikely that landfill will be totally phased out over the life of the plan period.

- 6.42 In keeping with the requirements of the National Planning Policy for Waste and communities taking responsibility for their waste, the spatial strategy is focussing new waste sites in the four largest settlements to achieve a reduction in the miles that untreated waste travels, by virtue of their location in proximity to the large centres of waste generation in Lincolnshire. This work would also build on other key settlements and recognised growth areas by the Lincolnshire District Local Plans, and would bring in areas such as the town of Gainsborough which has been designated as an economic growth point (alongside Grantham and Lincoln). To address this, the strategy expands the pattern of where the larger waste facilities could be located to include the main towns of: Bourne; Gainsborough; Louth; Skegness; Sleaford; and Stamford. These key urban areas therefore provide the *areas of search* for new waste management facilities. The 'urban area' is considered to comprise the defined boundary of the particular settlement as shown on the key diagram and 'around' means the areas directly adjacent to the edge of the defined urban areas. It also includes settlements on an A Class road connecting directly into one of the main urban areas set out within Policy W3 and that have an existing and/or planned employment or industrial areas within their defined boundary, suitable for consideration for a waste management use in line with the principles of the National Planning Policy for Waste.
- 6.43 A key consideration of waste is ensuring that waste is managed as close to source as possible, where waste has to travel, the spatial strategy seeks to promote the sustainable transportation of waste. The key principles to be considered are set out in Policy DM13: 'Sustainable Transport Movements' and its supporting text. The key points to be considered in the spatial strategy are set out below:
- locate larger waste facilities within the Areas of Search (in and around the main urban areas set out in Policy W3);
  - encourage smaller facilities (outside of the main urban areas set out in Policy W3) to locate in areas which serve local communities;
  - encourage large waste sites to locate on or close to A Class Roads in the county to reduce impacts on local communities;
  - encourage the co-location of waste facilities to reduce the level of movements of waste on the county's road network.
- 6.44 Locating waste facilities in the urban areas also allows a greater potential for decentralised renewable energy projects to be located in close proximity to potential customers for their heat and/or electricity. Of course, a waste facility in the urban areas provides a greater conflict between these operations and the amenity of the community. Therefore, where applicable, proposed waste facilities shall be suitably enclosed within a building or structure to minimise their impact on local amenity, the surrounding environment, and any nearby sensitive receptors. Most waste management activities are now suitable for industrial locations and may fall within the general industrial class in the Use Classes Order. With

advancement in mitigation techniques, some waste management facilities may also be considered as light industrial in nature and therefore compatible with residential development.

- 6.45 Notwithstanding the above spatial strategy there are a limited number of facility types which would be acceptable to be located outside of or away from the main urban areas. In the main, landfills occur following mineral extraction which itself only occurs where the geological conditions are suitable. Therefore, such sites are frequently within the countryside and it would not be appropriate to direct such facilities to urban areas. There are also facilities which by their nature may be best placed outside areas of high population due to their potential amenity impacts (in the main, odour), such as facilities for the open windrow composting of green waste, anaerobic digestion, and the treatment of sewage.
- 6.46 Lincolnshire is a large rural county with small settlements scattered across its extensive countryside and to restrict all new waste facilities to the main urban areas would not allow all waste to be treated in close proximity to its production. Also, there is probably a greater need than in other East Midlands' counties to have a widely dispersed network of small waste facilities. Such facilities would only be acceptable where there is a good relationship between the location of the site and where the waste arises. To assist with the development of small scale facilities, Policy W7: 'Small Scale Waste Facilities' sets out the requirements to be met and the locations where such development would be appropriate, in keeping with the Spatial Strategy and policy DM13.
- 6.47 Historically waste facilities in the East Midlands were located in countryside locations linked to landfills and, potentially, well located to the road network but poorly to arisings. Therefore, for existing sites which wish to extend their operations significantly through a physical extension outside of the area permitted for waste management or the throughput of the site (where planning permission is needed) it must be demonstrated how the proposal will not undermine the spatial strategy for waste set out in Policy W3. Given that some existing sites are not located in or around the urban areas identified in Policy W3, the policy includes provision for proposals to come forward for larger extensions to such sites (over and above those allowed under Policy W7 Small Scale Waste Facilities) in certain circumstances. Such proposals will need to demonstrate how the additional capacity contributes to the network of waste management facilities in Lincolnshire; meets a need identified in the Waste Needs Assessment; and is in a sustainable location well connected to where the waste it will manage will arise. This is to recognise that not all existing sites are in remote and/or unsustainable locations and extensions to their existing operations may deliver greater resource efficiency for the business than relocation, as well as contributing to the network of waste management facilities in Lincolnshire without undermining the Spatial Strategy for waste. Policy W3 will be used to assist the County Council in identifying specific sites in the Site Locations document, alongside, for example, the carrying out of sequential testing in relation to flood risk, in order to ensure any sites allocated are in the most sustainable locations possible.

6.48 This spatial strategy does not mean that any of the above exceptions cannot be accommodated in or around the main urban areas but that the Council is accepting that for these types of waste management a countryside location may be appropriate.

### **Policy W3: Spatial Strategy for New Waste Facilities**

**Proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the following main urban areas as indicated on the key diagram subject to the criteria of Policy W4:**

- Lincoln;
- Boston;
- Grantham;
- Spalding;
- Bourne;
- Gainsborough;
- Louth;
- Skegness;
- Sleaford; and
- Stamford.

**Proposals for new waste facilities, outside the above areas will only be permitted where they are:**

- facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting (see Policy W5);
- the treatment of waste water and sewage (see Policy W9);
- landfilling of waste (see Policy W6);
- small scale waste facilities (see Policy W7).

**Proposals for large extensions to existing facilities, outside of the above areas will only be permitted where it can be demonstrated that they meet an identified waste management need, are well located to the arisings of the waste it would manage and are on or close to an A class road and meet the criteria of Policy W4.**

## **LOCATIONAL CRITERIA FOR NEW WASTE FACILITIES IN AND AROUND THE MAIN URBAN AREAS**

- 6.49 The above waste spatial strategy is based on directing new waste facilities, including extensions, to the areas where the highest levels of waste are expected to be generated and, therefore, encouraging the proximity of a site to the most likely source of the waste leading to a reduction in the miles untreated waste travels.
- 6.50 The aim of the spatial strategy is to promote new waste infrastructure away from greenfield sites. The countryside's intrinsic character and beauty should be recognised and protected and the use of suitable previously developed land encouraged. Therefore, new facilities and extensions of existing operations (physical extensions outside of the area permitted for waste management or extensions of the throughput of the site) should be on vacant brownfield land, existing/planned industrial estates or land already with a waste management use in line with the principles of the National Planning Policy for Waste which supports the co-location of waste management facilities. The strategy recognises that some facilities may be considered acceptable on greenfield land, such as the recycling of construction and demolition waste and/or the production of secondary aggregates within existing mineral operations (mineral operations are classed as greenfield land where provision for restoration exists through development control procedures). To be considered appropriate, the site must be capable of accommodating such a facility and it should not impinge on any existing operations. Any planning permission for C&D recycling in an active quarry shall be temporary, and linked to the lifespan of the quarry. Also, any new or extended recycling operations must not cause or significantly increase the environmental impact of the site, in terms of noise, dust, vibration, traffic disturbance or visual impact (cumulative impacts). In this respect, limestone and chalk quarries are likely to be more suitable than sand and gravel sites because they are deeper, providing opportunities to locate recycling operations in the base of the quarry thereby minimising visual intrusion and noise and dust emissions. The strategy also recognises that some developments are likely to be developed outside the areas highlighted in Policy W3. The types of developments expected outside these areas include the biological treatment of waste including digestion and open-air windrow composting. The specific matters which need to be considered for such developments are set through Policy W5.
- 6.51 Sites should not be permitted where they would result in any significant adverse environmental impacts, so, harm to the landscape, biodiversity, the historic environment and the amenity of nearby residents (for example) should be avoided. For particular operations, like biological treatment, the use of a 'stand-off' between residential properties and the waste facility would be necessary.

**Policy W4: Locational Criteria for New Waste Facilities in and around main urban areas.**

**Proposals for new waste facilities, including extensions to existing waste facilities, in and around the main urban areas set out in Policy W3 will be permitted provided that they would be located on:**

- **previously developed and/or contaminated land; or**
- **existing or planned industrial/employment land and buildings; or**
- **land already in waste management use; or**
- **sites allocated in the Site Locations Document; or**
- **in the case of biological treatment the land identified in Policy W5.**

**Proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates in and around the main urban areas set out in Policy W3 will also be permitted at existing Active Mining Sites.**

**In the case of large extensions to existing waste facilities, where the proposals do not accord with the main urban areas set out in Policy W3, proposals will be permitted where they can demonstrate they have met the above criteria. Small scale facilities that are not in and around the main urban areas will be considered under Policy W7.**

**Proposals must accord with all relevant Development Management Policies set out in the Plan.**

## **BIOLOGICAL TREATMENT OF WASTE**

6.52 Biological treatment of biodegradable organic waste is the process by which micro-organisms are used to convert waste organic matter into, amongst other things, a liquid and/or solid to be used as a soil conditioner. Composting is undertaken in the presence of oxygen, producing the by-products of carbon dioxide and water vapour and the soil conditioner. Frequently, these take place in the open air on concrete pads and are typically located in rural or urban fringe sites. Waste taken to these sites is mainly that collected at civic amenity sites and source-segregated kerbside collected garden waste.

6.53 Anaerobic digestion differs from composting by virtue that it is the biological treatment of biodegradable organic waste in the absence of oxygen. By its nature this has to be done in a controlled environment, i.e. a sealed vessel. Anaerobic digestion results in the generation of:

- **Biogas**, which is rich in methane and can be used to generate heat and/or renewable electricity, vehicle fuel or for grid injection;
- **Fibre**, (or digestate) which is nutrient rich and can potentially be used as a soil conditioner; and
- **Liquor**, which can potentially be used as a liquid fertiliser.

- 6.54 Both forms of biological treatment present a realistic opportunity for the discharge of malodours and for this reason they are best located away from any sensitive receptors through provision of a 'stand-off' to ensure amenity is not harmed. Environment Agency research suggests that facilities within 250 metres of an occupied building will need to undertake a detailed assessment of the potential bio-aerosol releases. An odour management plan will need to be submitted as part of the permitting process for such facilities. Thus, siting these operations away from the main urban areas would be acceptable but, where they may be around the main urban areas then, in the first instance, they should be assessed against the spatial requirements of Policies W3 and W4.
- 6.55 Much of the waste for these processes will arise from the urban areas and, though locating sites away from these areas is not ideal (in terms of miles covered by the untreated waste) it provides an opportunity for agricultural wastes to be treated alongside other wastes. For example, anaerobic digestion can take poultry and bovine manures and produce a digestate which is less odorous and more readily available to plants than the untreated, raw manure. A countryside location also allows the end product, i.e. the soil improver, to be applied to land in the vicinity of the waste site thereby reducing the distance travelled by the resultant product. It is expected that proposals in rural areas justify the selection of the site in terms of the opportunities the site offers for treating agricultural wastes and the spreading of the end product on adjacent land.
- 6.56 Where operations include the spreading of compost or other residues over land, the material spread must meet the recognised quality standards to be no longer regarded as waste (BSI PAS 100 for compost and BSI PAS 110 for digestate from anaerobic digesters).

**Policy W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting**

**Planning permission will be granted for anaerobic digestion, open air composting, and other forms of biological treatment of waste outside of those areas specified in Policy W3 provided that proposals accord with all relevant Development Management Policies set out in the Plan; where they would be located at a suitable 'stand-off' distance from any sensitive receptors; and where they would be located on either:**

- **land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages; or**
- **land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use.**

## LANDFILL

- 6.57 Lincolnshire has around a dozen landfills with extant permission which are principally restoring former mineral extraction sites. Several of these landfills are now inactive as a large amount of residual LACW is being diverted to the new EfW facility in North Hykeham. Landfill, both inert and non-inert can play an important role in reclaiming mineral workings and bringing land back into use, be that for biodiversity, agriculture or recreation. However, there is a requirement to move away from using landfill as a means of disposing of our waste.
- 6.58 Application of the waste hierarchy requires disposal (of which landfill is one possible route) to be undertaken once the steps above disposal (prevention, reuse, recycling etc.) have been undertaken and, in effect, there is no better use for the waste. The Waste Management Plan for England sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management, for which positive planning will play a pivotal role as set out through the National Planning Policy for Waste (NPPW).
- 6.59 Notwithstanding the desire to move away from using landfill such a move cannot be achieved with immediate effect, it takes time to have the necessary infrastructure in place to enable such a transition and there will still be a need to utilise it as a means of disposal for those elements of the waste stream for which no other use can be found. No requirement for further landfill capacity above that already existing has been found through the chosen Waste Needs Assessment scenarios. Therefore, any proposal for a new landfill site, or a physical extension to an existing site, or an increase to the total waste throughput of the site would only be acceptable if it was required to fulfil a previously unplanned shortfall (such as a current inert or non-hazardous landfill ceasing operations earlier than anticipated) and provided that such a shortfall could not be accommodated through the reactivation of any inactive sites with void space remaining. However, it would not be acceptable for the County to provide an excess of capacity and any requirement would need to be monitored annually.
- 6.60 There are no hazardous landfills within Lincolnshire and given the amount that arises within the County and the County's poor links to other potential sources of such waste it would seem unlikely that Lincolnshire would be a likely location for such a site. However, a policy for landfill should cover all eventualities and, therefore, a proposal for a hazardous waste landfill is not precluded.
- 6.61 Any proposal for landfilling would be expected to be operated to the highest standards but the Council would also seek a high level of restoration which would, once completed, improve the local landscape and character of the area. This may include the return of land to a use of scarcity but of high value to the area in order to ensure that appropriate habitats are restored in the appropriate place, ensuring that there is a net gain for biodiversity from the proposal. Landfilling also provides the opportunity to improve, through upgrading and increasing the length of,

the local public rights of way network. For non-hazardous or hazardous waste landfills this may be a longer term aspiration with access being restricted over the landfill during the settlement of the waste but for these sites, in the first instance, the network should be improved around the periphery of the active landfill. Any proposal for landfilling would also need to demonstrate that it would not cause a significant delay to the restoration of already permitted waste disposal sites, in particular mineral extraction sites which require infilling to achieve their final reclamation.

#### **Policy W6: Landfill**

**Planning permission will only be granted for new landfills or extensions to existing landfills (inert, non-hazardous and hazardous) provided that:**

- **it has been demonstrated that the current capacity is insufficient to manage that waste arising in Lincolnshire or its equivalent, which requires disposal to landfill in the County; and**
- **there is a long term improvement to the local landscape and character of the area, with enhanced public access where appropriate; and**
- **the development would not cause a significant delay to the restoration of existing waste disposal sites; and**
- **the proposals accord with all relevant Development Management and Restoration Policies set out in the Plan.**

#### **SMALL SCALE WASTE FACILITIES**

6.62 To ensure that Lincolnshire has a network of waste management facilities it is essential that the County has a range of facilities beyond the main urban areas to support a sustainable development of infrastructure for Lincolnshire. Policy W3 allows specific facility types, such as composting and landfills outside of the main urban areas but there will still be a need for some smaller waste facilities in the rural areas of the County. Such facilities could include small recycling facilities, transfer stations, treatment, vehicle depollution or facilities linked directly to rural activities and the wastes they generate, where the throughputs are small and where it is demonstrated that such a location is necessary to achieve close proximity to arisings.

6.63 As set out in the previous Draft Core Strategy and Development Management Policies document, the key point for such a policy is to define what a 'larger' facility is or conversely what is a small facility that may be acceptable to be outside of the preferred urban areas. So, the Council has utilised the data from the Environment Agency's permit returns from 2010 for waste sites in Lincolnshire to ascertain the threshold when a waste facility in Lincolnshire could be considered to be a small facility. Sites operated by the County Council for municipal waste management were removed so that the analysis focussed only on sites operated on a commercial basis to ascertain what is economically viable. Sites were split

into broad groupings of similar types of operations and the second quartile (the median) was used to establish the threshold (in tonnes per annum (tpa)) for what is a small waste facility in Lincolnshire. The indicative scale for small facilities is the following: 3,000tpa for C&D recycling facilities; 9,000tpa for C&I transfer and/or recycling facilities; 500tpa for End of Life Vehicle (ELV) facilities; and 3,000tpa for metal recycling facilities. These indicative thresholds set the cut-off point for the scale of site that it is acceptable to locate outside of the main urban areas but only where there is a good relationship between the location of the site and where the waste arises. Also, the emphasis is for these small scale sites not to be upon greenfield land but on land upon which there has previously been development, including the conversion of redundant agricultural buildings.

#### **Policy W7: Small Scale Waste Facilities**

**Planning permission will be granted for small scale waste facilities, including small extensions to existing waste facilities, outside of those areas specified in Policy W3 provided that:**

- **there is a proven need to locate such a facility outside of the main urban areas; and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan; and**
- **the facility would be well located to the arisings of the waste it would manage; and**
- **they would be located on land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages.**

#### **SAFEGUARDING WASTE MANAGEMENT SITES**

6.64 Waste sites are an important element of a community's infrastructure, ensuring that waste is dealt with at appropriate locations and that communities take responsibility for their own waste. Gaining permission for such facilities can be a challenging and protracted process in direct opposition to the wishes of parts of the host community. Because of this the Council considers it essential that those waste management sites should be protected. This document is the first stage of replacing the extant Waste Local Plan, the next shall be the production of a Site Locations document where land will be identified as being suitable for future waste uses. To allocate land for waste uses an assessment has to be made of their potential suitability. Once the assessment has been undertaken and the land allocated the Council would not wish to see the ability of the land to be utilised for waste uses prejudiced. Therefore, sites allocated in the Site Locations document will also be protected.

- 6.65 Such protection should be twofold: to ensure that a site permitted or allocated with a waste use is not redeveloped to another use to retain capacity; and that there remains a sufficient distance between the waste facility and other forms of development or sensitive land uses (for example, housing). The latter requirement is to make certain that non-waste developments are not permitted within the vicinity of a waste management facility, if it would either prevent or prejudice the effective use of that facility. Where new non-waste development involving buildings which would normally be occupied is proposed within 400m of a water recycling centre, the application should be accompanied by an odour assessment report, which considers existing odour emissions of the works at different times of the year and in a range of different weather conditions.
- 6.66 In two-tier planning areas such as Lincolnshire, the safeguarding of waste sites can be achieved only through county and district councils co-operating in the exercise of their respective planning powers. District Councils will be provided with details on the waste sites in the County and it will be the responsibility of the District Councils to ensure that they are used when considering planning applications or future developments within or near to the boundary of a waste site and that the County Council is consulted. The sites and facilities to be safeguarded are listed in Appendix 2 and mapped in Appendix 3.
- 6.67 Clearly, if evidence was put forward that there remained no market need for the waste facility in its current location or the operations could be relocated to another acceptable site then a proposal would be acceptable.

#### **Policy W8: Safeguarding Waste Management Sites**

**The County Council will seek to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless:**

- **alternative provision in the vicinity can be made in accordance with the Development Plan; or**
- **it can be demonstrated that there is no longer a need for a waste facility at that location.**

## **SEWAGE TREATMENT WORKS AND RELATED INFRASTRUCTURE**

- 6.68 Sewage Treatment Works (STWs) are a vital element of the County's infrastructure ensuring waste water is effectively treated to protect human health and water quality. By 2031, there will be a requirement for extra sewerage capacity to serve growth in and around Lincoln, Gainsborough and Grantham. At present, the exact form this will take is unknown but it is anticipated that much will be accommodated by upgrading existing works. However, circumstances may arise where the location of new growth makes sewer access to existing STWs difficult and it may be more cost effective to develop new works.
- 6.69 By their very nature, sewage works need to be in close proximity to a suitable watercourse to accept their discharge and, therefore, may be located upon land subject to flooding. In these cases, the development may be an acceptable land use in a floodplain but this would have to be tested, applying, as applicable, the sequential and exception tests as set out in National Planning Practice Guidance. The development would also need to ensure there would not be an unacceptable increase in the risk of flooding to other areas.
- 6.70 The treatment of waste water can be an odorous process caused by periods of septicity. For this reason, new STWs will need to be located a sufficient distance from existing residential homes and sensitive places of work (such as offices) to ensure that the users of these buildings are not subject to nuisance and a decline in their amenity. Also, an appropriate distance between STWs and sensitive receptors would ensure that additional constraints are not imposed on the operation of the waste water works. STWs are built to such a variety of sizes and technologies that to specify an absolute distance would not be suitable and an appropriate distance has to be judged on a case-by-case basis.
- 6.71 It is important that new sewage treatment works install phosphate removal technology. The removal of phosphate from the effluent of a sewage works comes under the Urban Waste Water Treatment Directive (UWWTD) (91/271/EEC) and the Water Framework Directive (WFD) (2000/60/EC) which require the control of phosphorus input into water bodies by specifying minimum treatment requirements to be achieved. The Local Planning Authority and the Environment Agency have a duty to ensure the WFD requirements are met in new developments. This will be achieved through the assessment of applications during the planning process. The WFD allows in certain circumstances the development to be exempt from the WFD requirements where it is not realistically possible to meet targets which are set out in the Technical Report 2009-027 produced by the European Commission "Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document No.20, Guidance on Exemptions to the Environmental Objectives".

### **Policy W9: Waste Water and Sewage Treatment Works**

**Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted provided that it can be demonstrated that:**

- **there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and**
- **there would be no deterioration in the ecological status of the affected watercourse (to comply with the Water Framework Directive); and**
- **the proposals accord with all relevant Development Management Policies set out in the Plan.**

## **7. DEVELOPMENT MANAGEMENT POLICIES**

7.1 This section sets out the development management policies of the Minerals and Waste Local Plan. The policies within this section aim to establish detailed criteria against which minerals and waste development proposals will be judged.

### **The Development Management Process**

7.2 Development management is the process of determining planning applications for mineral and waste developments. Planning applications should contain the justification for the development, details of how the operations will be managed, and any measures proposed to reduce or remove adverse effects. The County Planning Authority will consider all the community, economic and environmental issues that are relevant to each planning decision.

7.3 Sufficient information must be provided with planning applications so that the likely effects of the development together with proposals for appropriate control or mitigation can be considered. In some cases detailed assessments of particular issues may be required.

7.4 Applicants are encouraged to discuss their proposals with the County Planning Authority before submitting a planning application. Early discussion will help to identify potential impacts from proposals, and possible measures to avoid or minimise them. Applicants will also be advised if their proposals are unlikely to be acceptable. The County Planning Authority may suggest that applicants seek advice from statutory or other bodies about the need to carry out detailed assessment work. Pre-application consultation with such bodies together with the local community and local interest groups will help to establish potential impacts of a proposed development and improve the quality of decisions on planning applications. The Statement of Community Involvement provides information on how consultation on planning applications will be carried out.

7.5 If planning permission is granted, conditions will usually be attached to regulate the operation of the development. These can be used to agree the specific details about parts of the proposal (such as a landscape scheme) or to ensure that the effects on local communities or the environment are reduced (such as control of working hours).

7.6 The County Council will also seek to conclude legal agreements, known as planning obligations, where appropriate to achieve suitable control over and to mitigate and/or compensate for the effects of minerals and waste development where such objectives cannot be achieved by planning conditions. Matters to be covered by such planning obligations may include:

- highways and access improvements;
- traffic management measures including the regulation of lorry traffic;
- long-term site management provision to establish beneficial after-use;

- improvement of the rights of way network;
- financial guarantees to ensure restoration is undertaken;
- measures for environmental, recreational/sport, economic and community gain in mitigation or compensation for the effects of mineral development.

The Community Infrastructure Levy is a new levy that District authorities can choose to charge on new developments to fund local infrastructure. It applies to most new buildings that people normally use, with charges based on the size and type of new development. It cannot be charged on structure and buildings that people only enter for the purpose of inspecting or maintaining fixed plant or machinery.

## **Environmental Impact Assessment**

7.7 Environmental Impact Assessment (EIA) is often required for major developments that are likely to have significant impacts on the environment. Most proposals for large scale mineral extraction and waste developments are likely to fall within this category. An EIA will identify the likelihood of significant impacts occurring as a result of a development, how these could be mitigated, and alternative ways in which the development could be carried out.

7.8 All mineral and waste planning applications that meet the appropriate thresholds and criteria set out in the EIA Regulations (2011) will be screened to determine whether or not they require an EIA. The screening process determines whether the proposal is likely to have significant environmental effects. If requested, the County Council will provide a scoping opinion which sets out the issues which the assessment should address. An Environmental Statement must accompany a planning application for EIA development.

## **Review of Mineral Permissions**

7.9 Mineral planning permissions are subject to review in accordance with the legislative requirements of the Planning and Compensation Act 1991 and the Environment Act 1995. Such reviews provide an opportunity for the County Council to ensure mineral sites continue to work under modern conditions which reflect sustainability aspirations and offer appropriate environmental protection.

7.10 Subject to certain legal provisions, the review determination process is conducted in a similar way to the processing of a planning application, and may be subject to Environmental Impact Assessment in the same way as a planning application. However, review submissions cannot be refused, and compensation liabilities can arise if working rights are unreasonably affected. Applicants submitting review schemes should have regard to the requirements of policies contained in this document, and ensure that all the environmental issues are satisfactorily addressed.

## **Material Considerations**

- 7.11 Every planning application for development is decided on its merits, and should be determined in accordance with the development plan unless material considerations indicate otherwise. When planning applications are determined, all the relevant policies in the Local Plan will be taken into account, and used as the basis for decision-making.
- 7.12 Material considerations include issues such as the impacts on local communities, national planning policy/guidance, and the need for the development. There are no firm rules about the range and type of material considerations, or about the weight that should be attached to them in individual decisions. This is because:
- material considerations are subject to change in the light of government guidance and court judgements;
  - the development plan cannot explain which considerations will be material to a particular planning decision because the circumstances of each application will be different; and
  - the weight given to material considerations when making decisions on planning applications will be affected by individual circumstances.

## **Monitoring and Enforcement**

- 7.13 The effective monitoring of operational sites is very important. Requirements for the monitoring of impacts such as noise and dust may be imposed through planning conditions. However, there is an important role for the County Council as an independent regulator, which can help to increase confidence among local communities. The County Council also works closely with the Environment Agency in monitoring and enforcing waste sites. Efficient and effective monitoring and enforcement can often identify potential problems early, before they are perceptible to local residents, and ensure that they are resolved satisfactorily.

## **Sustainable Development**

- 7.14 The National Planning Policy Framework states that policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.
- 7.15 The Plan is based on the principle of delivering sustainable minerals and waste development in Lincolnshire (see Chapter 4). Any development that accords with the Plan is therefore sustainable and the County Council will aim to progress it without delay. Development management will be the main means by which the Plan will deliver sustainable minerals and waste development in Lincolnshire.

### **Policy DM1: Presumption in favour of sustainable development**

**When considering development proposals, the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the County Council will grant permission unless material considerations indicate otherwise – taking into account whether:**

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- Specific policies in that Framework indicate that development should be restricted.**

### **Climate Change**

7.16 The NPPF states that Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure and habitat connectivity.

7.17 The Minerals and Waste Local Plan is being completed in line with the National Adaptation Programme (NAP) and will cover a number of the sector areas featured within the National Climate Change Risk Assessment (CCRA). The built and natural environment objectives of the NAP are addressed within the Minerals and Waste Local Plan wherever practical and also includes taking account of flood risk in flood prone areas when developing or extending current infrastructure for minerals and waste. The Minerals and Waste Local Plan seeks to build resilience to the impacts of climate change and addresses associated risks through effective consultations with appropriate bodies and the public thus enabling well informed decisions to be made in a timely manner.

- 7.18 Transport is a significant source of carbon emissions by minerals and waste developments due to the distance travelled by HGVs in supplying minerals and transporting waste. The County Council will therefore encourage the use of alternative modes to road based transport (see Policy DM13); seek locations for future minerals developments near to the markets that they serve; encourage proposals for waste developments to locate as near as possible to main centres of population; and promote good practice in transport related matters to reduce vehicle miles.
- 7.19 The extraction of minerals is an energy intensive business. There are many ways in which individual quarry sites can reduce their carbon footprints/energy use. Practices should therefore be adopted to help reduce the energy use of individual quarries, particularly the larger ones, so as to lower their carbon footprint. The County Council will encourage increased energy efficiency measures in plant, buildings and operations. Reductions in carbon emissions can provide significant cost savings.
- 7.20 The prudent, efficient and sustainable use of minerals and recycling of suitable materials will ensure materials are used for the purposes for which they are most suitable and minimise the requirement for new primary extraction. The use of recycled/secondary aggregates over primary won sources helps to reduce the overall carbon footprint of aggregate provision by savings on energy use. The County Council therefore encourages the use of more recycled/secondary aggregates (see Policy M1).
- 7.21 The County Council will also encourage the creation of carbon sinks through habitat creation (e.g. wetland or woodland creation) as part of restoration/landscaping schemes, particularly on mineral sites (see Policy R2). Well-planned restoration schemes, developed as part of larger landscape-scale initiatives and in conjunction with specialist agencies, can assist in establishing ecological networks (particularly new priority habitat) which are more resilient and which enable the movement of wildlife as it adapts to changing climate.
- 7.22 Waste management is significant in tackling greenhouse gas emissions because the treatment and disposal of waste generates carbon dioxide and methane. Methane emissions from biodegradable waste in landfill accounts for around 40% of all UK methane emissions. This equals about 3% of UK greenhouse gas emissions. Methane is more damaging than carbon dioxide as a greenhouse gas. Waste management therefore has an important role in mitigating the levels of greenhouse gases emitted into the atmosphere.

- 7.23 The Waste Hierarchy is a key policy objective in terms of mitigating impacts on climate change by focusing on reducing the amount of waste produced, and increasing the amount of waste that is reused, recycled, composted or has energy recovered. This is important in terms of diverting biodegradable waste from landfill and reducing associated methane emissions. In addition, in terms of maximising the potential for reuse, recycling and recovery of resources, it also helps to minimise the demand for new resources and the greenhouse gases generated in their production.
- 7.24 Maintaining high recycling rates is therefore a key part of the Council's climate change strategy in order to divert as much biodegradable waste away from landfill as possible to lower methane emissions. The Council will also encourage proposals for new waste technologies/processes which bring about reduced levels of biodegradable waste being disposed of to landfill.
- 7.25 The objective of minimising impacts on climate change will be focused on carbon reduction/capture measures, efficient use of resources and renewable energy (where practicable and viable), and on minimising traffic generation. It will be important that proposals demonstrate how these factors have been taken into account in their design.
- 7.26 The objective of reducing greenhouse gas emissions will be achieved by encouraging:
- waste treatment processes that reduce the amount of waste going to landfill (with all waste management facilities being required to provide evidence of how much waste will be diverted from landfill);
  - decentralised, low-carbon/renewable energy generation and carbon reduction measures at new mineral working sites and waste management developments (including landfill gas collection);
  - low carbon energy recovery facilities, such as combined heat and power (CHP), where possible, to be suitably sited in close proximity to suitable potential heat customers to enable the utilisation of the heat produced as an energy source;
  - increased energy efficiency measures in plant, buildings and operations; and
  - good practice in transport related matters to reduce vehicle miles.
- Any planning applications for waste management facilities should incorporate opportunities for sustainable energy recovery wherever practicable.
- 7.27 The Council intends to produce an operational code of practice for minerals and waste developments which will include measures to reduce CO<sub>2</sub> emissions, energy efficiency and sustainable design. The Code will supplement the policies included in this document.

## **Policy DM2: Climate Change**

**Proposals for minerals and waste management developments should address the following matters where applicable:**

### **Minerals and Waste**

- **Identify locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste, unless other environmental/sustainability and, for minerals, geological considerations override this aim.**

### **Waste**

- **Implement the Waste Hierarchy, and in particular reduce waste to landfill;**
- **Identify locations suitable for renewable energy generation;**
- **Encourage carbon reduction/capture measures to be implemented where appropriate.**

### **Minerals**

- **Encourage ways of working which reduce the overall carbon footprint of a mineral site;**
- **Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks and/or better connected ecological networks;**
- **Encourage the most efficient use of primary minerals.**

## **CONTROLLING IMPACTS ON THE LOCAL ENVIRONMENT AND COMMUNITIES**

### **Protection of residential amenity**

7.28 Minerals extraction and waste management facilities by their nature are likely to have some negative effects on local communities. Minerals can only be worked where they exist and this can lead to the development of quarries in close proximity to communities. The Council's waste strategy is to locate most waste sites near to the largest concentrations of population to maximise sustainability potential. It will consequently be necessary to overcome impacts through appropriate mitigation measures to avoid a negative effect on the local communities in question. To ensure such impacts are avoided, it may be necessary to impose suitable planning conditions to secure good working practices, as discussed in more detail in this section. Such conditions could include (but would not be limited to) hours of working, appropriate sheeting of vehicles and wheel cleaning.

- 7.29 The NPPF states that local planning authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on human health. The National Planning Policy for Waste (2014) Paragraph 7 states that, in considering planning applications for waste management facilities, waste planning authorities should consider the likely impact on the local environment and on amenity. The County Council must therefore ensure that an acceptable balance is maintained between meeting identified mineral and waste needs and protecting the local environment and amenity of residents living close to mineral or waste operations.
- 7.30 Proposals, which may give rise to pollution and health issues, should be submitted with details of these issues, and where applicable the relevant health and pollution control authorities will be consulted. Likewise, amenity issues will be addressed in consultation with the local authority environmental health officer and other appropriate advisers.
- 7.31 Pollution control authorities such as the Environment Agency and local Environmental Health authorities are responsible for regulating polluting activities. However, pollution and health issues are a legitimate planning consideration, which can be taken into account when considering applications.
- 7.32 Possible impacts include noise (refer to PPG paragraphs: 019-021 for noise standards) and vibrations from quarry/waste traffic, processing plant and site activity; visual intrusion; dust during dry periods; debris on the roads & litter; odour; run-off from sites to protected waters and the impact of Heavy Goods Vehicles. Such impacts can cause understandable concern from communities living near these types of development. It is important to ensure that these impacts are kept to an absolute minimum.
- 7.33 It is possible for quarry operators and waste facilities to take measures that can make living near a quarry/waste site acceptable to local residents. By landscaping to create bunds and using natural vegetation for screening, taking into account local landscape character, the visual impact and potential noise nuisance caused by the site can be reduced to acceptable levels. It is however acknowledged that some noisy short term activities, which may otherwise be regarded as unacceptable are unavoidable to facilitate minerals extraction (NPPF paragraph 143). There are also various controls that can be used to manage dust, litter and odour problems. Wheel washing and sheeting of lorries can prevent debris from being deposited on the road network.
- 7.34 Other important factors that can influence the acceptability of a site to local residents is the sequence of mineral working, and the choice of route, location and suitability of access arrangements for vehicles entering and leaving the site.
- 7.35 In relation to minerals development, the NPPF states that local planning authorities should ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in

proximity to noise sensitive properties. However, in accordance with Policy DM3, where adverse effects cannot be adequately controlled or prevented, planning permission will be refused.

7.36 National Planning Practice Guidance states that in some circumstances, new or extended permissions for minerals extraction close to residential property may not provide adequate protection. In such cases, the guidance indicates that it may be justified to consider adequate separation distances. Any such distance should be effective but reasonable, taking into account:

- the nature of the mineral extraction activity (including its duration);
- the need to avoid undue sterilisation of mineral resources, location and topography;
- the characteristics of the various environmental effects likely to arise; and
- the various amelioration measures that can be applied.

The Guidance states that working in proximity to residential property may be necessary where there are clear, specific achievable objectives such as the removal of instability and preparing land for subsequent development. Such working should be for a limited and specified period, without scope for extension.

7.37 The National Planning Policy for Waste does not give precise guidance on separation distances, but does give advice on site requirements related to waste sites. In such cases, it advises that waste planning authorities should consider:

- The likely impact on the local environment and on amenity;
- The physical and environmental constraints on development, including existing and proposed neighbouring land uses;
- The cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.

In addition, paragraph 7 of the NPPW sets out the considerations waste planning authorities need to take account of when determining planning applications. This includes consideration of the consistency of the application with the Local Plan, delivery of the waste hierarchy, the impact on the local environment and amenity, the design of the facility in order for it to contribute positively to the character of the area in which it is to be located and the achievement of restoration that offers a beneficial after use whilst delivering high environmental standards.

7.38 Other land uses apart from residential areas may also be affected by mineral and waste operations such as hospitals, schools, farms, and other places of employment. In such cases, it may also be appropriate to consider the use of separation distances depending on the sensitivity of the use or facility affected.

7.39 Government Circular 1/2003 identifies mineral extraction (especially where water areas form part of the restoration proposals) together with facilities for the handling, compaction, treatment and disposal of household or commercial wastes, and sewage disposal and treatment

plant as development which attracts a variety of bird species and can create a bird hazard, including bird flight lines across aircraft flight paths (see Policy R2).

- 7.40 This is a particularly important issue for minerals and waste sites in proximity to RAF and civilian aerodromes located within or close to the County. It may be possible to overcome bird strike issues through the design of the development. In the event however that, following consultation with the appropriate authorities, the nature of the proposal is considered to give rise to new or increased risks to aerodromes and associated uses, planning permission should not be granted (see Policy R2).

### **Policy DM3: Quality of Life and Amenity**

**Planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from:**

- **noise,**
- **dust,**
- **vibration,**
- **odour,**
- **litter,**
- **emissions,**
- **the migration of contamination,**
- **illumination,**
- **visual intrusion,**
- **run off to protected waters,**
- **traffic,**
- **tip- and quarry- slope stability,**
- **differential settlement of quarry backfill, or**
- **mining subsidence**

**to occupants of nearby dwellings and other sensitive receptors.**

**And in respect of waste development is well designed and contributes positively to the character and quality of the area in which it is to be located.**

**Where unacceptable impacts are identified, which cannot be addressed through appropriate mitigation measures, planning permission will be refused.**

## **Natural and Historic Environment**

- 7.41 The NPPF states that, in preparing Local Plans, local planning authorities should set out environmental criteria, in line with the policies in the Framework, against which planning applications will be assessed so as to ensure that permitted operations do not have unacceptable adverse impacts on the natural and historic environment. When determining planning applications, it states that local planning authorities should ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment.
- 7.42 As detailed in the Spatial Portrait of Lincolnshire (Chapter 3), there are many natural and built environmental assets, high-grade agricultural land and areas at risk of flooding within the County. It is important to protect certain areas or features from the negative aspects of minerals and waste development. The plan therefore provides for the protection and enhancement of all Lincolnshire's environmental assets: the historic environment; the natural environment incorporating designated sites and areas, landscape and biodiversity; and water resources. The policies are also aimed at protecting assets that do not already have protection through national policy such as aspects of the historic environment; Lincolnshire's landscape; water resources, including flooding; and matters relating to biodiversity and geodiversity. Each of these is considered in more detail in the following paragraphs.

## **Historic Environment**

- 7.43 The NPPF defines a heritage asset as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. These assets include both designated and non-designated assets. Designated heritage assets have statutory protection and are assessed at the highest significance, they include scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites. Non-designated assets are usually recorded in the County Historic Environment Record (HER) along with designated assets, these are generally of regional and local importance but may have an equal significance to designated assets. The significance of a heritage asset derives not only from its physical presence, but also from its setting.
- 7.44 Lincolnshire's identity and sense of place is closely linked with its rich heritage, it is a unique resource that contributes to the character of the county and can be vulnerable to damage from development. Historic assets can be harmed or lost through alteration or destruction of the asset itself or its setting and weight will be given to its conservation. Conflicts may arise between protecting our heritage and meeting the need for minerals or providing important waste facilities. Proposals for minerals and waste development should therefore include appropriate measures to

minimise the impact of development on Lincolnshire's heritage, historic environment and archaeology.

- 7.45 By addressing heritage considerations before planning applications are submitted, there is greater scope to avoid or minimise any potential adverse impacts. The Council will advise on the need for applicants to discuss their proposals with in-house specialist officers and bodies such as Historic England. Local history groups and societies can also be a source of useful information. The County Historic Environment Record (HER) holds information on known heritage assets, and should help in the prediction of the likelihood of encountering currently unknown heritage assets of historic and archaeological interest.
- 7.46 Where development proposals have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown), they should be accompanied by an assessment of the significance and setting of the assets and the potential impact of the development proposal on those assets. Such an assessment should be proportionate to the significance of the asset and include consultation of the HER, and where appropriate, the results of field evaluation. More detailed evaluation could be required dependent on site specific details.
- 7.47 Details of any proposed mitigation measures should also be provided, along with provision for the recording and archiving of information in relation to any heritage assets to be lost. Where the potential exists for unknown assets to be encountered in the course of the development, provision must be made for monitoring and recording. The Lincolnshire Archaeological Handbook provides more detailed guidance to developers and is freely available from the Lincolnshire County Council website.
- 7.48 The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. It states that substantial harm to or loss of designated heritage assets of the highest significance should be wholly exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

#### **Policy DM4: Historic Environment**

**Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.**

**Planning permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.**

**Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.**

**Where adverse impacts are identified planning permission will only be granted for minerals and waste development provided that:**

- the proposal cannot reasonably be located on an alternative site to avoid harm; and**
- the harmful aspects can be satisfactorily mitigated; or**
- there are exceptional overriding reasons which outweigh the need to safeguard the significance of heritage assets which would be harmed.**

#### **Lincolnshire Wolds Area of Outstanding Natural Beauty**

7.49 The NPPF states that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB), which (together with National Parks and the Broads) have the highest status of protection in relation to landscape and scenic beauty. It states that the conservation of wildlife and cultural heritage are important considerations in all these areas.

7.50 The main purpose of AONB designation is the conservation and enhancement of the natural beauty of the area – landscape, flora and fauna, geographical interests and heritage, including archaeology and settlement character. The attractive landscape and character of the Lincolnshire Wolds has been recognised by Central Government through its designation as an AONB in 1973. The key characteristics of the Wolds include its unique physiography (geology and topography); its scenic, working landscape based upon the area's use for agriculture; major archaeological resources; and its cultural associations. As highlighted in the statutory Lincolnshire Wolds AONB Management Plan (2013-2018), the main challenge is to ensure that the Wolds retains its unique

landscape and undeniable special character, whilst maintaining and supporting its communities. The Council will expect development proposals within, or within the setting of a protected landscape to carry out a Landscape and Visual Impact Assessment (LVIA).

#### **Policy DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty**

**Planning permission will only be granted for minerals and waste development within or affecting the character or setting of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) in exceptional circumstances where it can be demonstrated that:**

- **there is a proven public interest; and**
- **there is a lack of alternative sites not affecting the AONB to serve the market need; and**
- **the impact on the special qualities of the AONB can be satisfactorily mitigated.**

#### **Landscape**

7.51 The NPPF states that planning should recognise the intrinsic character and beauty of the countryside. It states that planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

7.52 Applicants should therefore consider the potential visual impact of their proposals and design accordingly; this may include appropriate design in keeping with the locality or prior landscaping and planting work. Applicants will be expected to show how their proposals will appropriately address impacts on landscape and townscape. This would normally be undertaken through a study and evaluation of local landscape and townscape character and an assessment of how the proposal will impact on it, with reference to any relevant landscape character assessment or design guide. Alternatively, it could be carried out through a local assessment using a suitable methodology, appropriate to the scale of the development proposed. Landscape and visual impact assessment should follow the appropriate industry guidelines, currently Guidelines for Landscape and Visual Impact Assessment, 3rd Edition.

7.53 Provided that the proposal meets the requirements of other policies in this plan, the County Planning Authority will endeavour to agree appropriate design, screening and other mitigation measures to allow the development to go ahead. Maintenance of landscaping will be normally required for a minimum period of 10 years.

### **Policy DM6: Impact on Landscape and Townscape**

**Planning permission will be granted for minerals and waste development provided that due regard has been given to the likely impact of the proposed development on landscape and townscape, including landscape character, valued or distinctive landscape features and elements, and important views. If considered necessary by the County Council, additional design, landscaping, planting and screening will be required. Where planting is required it will be subject to a minimum 10 year maintenance period.**

**Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considerable weight will be given to conservation of that landscape.**

## Biodiversity and Geodiversity

7.54 Sustainable development is the key principal of the NPPF and part of this is to minimise the impacts on biodiversity and provide net gains in biodiversity where possible, as well as protecting and enhancing geodiversity. The Government is committed to halting the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Opportunities to provide net gains in biodiversity through the protection, restoration, creation, and recovery of habitats and species, and enhancement of geodiversity, should be sought where possible as part of proposals for minerals and waste development.

7.55 The NPPF states that local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks. The NPPF goes on to state that consideration should also be given to Nature Improvement Areas and to supporting these areas where they have been identified.

7.56 The County Council is required by law (Regulation 61-62 of the Conservation of Habitats and Species Regulations 2010 (as amended)) to undertake an Appropriate Assessment prior to determining a planning application which is:

- likely to have a significant effect on a European site or European offshore marine site (either alone or in combination with other projects); and
- is not directly connected with or necessary to the management of that site.

If an Appropriate Assessment is required, the presumption in favour of sustainable development, set out in paragraph 14 of the NPPF, does not apply. In Lincolnshire, European sites include Special Areas of Conservation and Special Protection Areas. It is UK policy that the Government also applies the above procedures in respect of Ramsar sites, even though these sites are not European sites as a matter of law, rather they are *international* wetland sites declared under the Ramsar Convention. The following wildlife sites are also given the same protection as European sites: potential Special Protection Areas, possible Special Areas of Conservation, proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on European sites.

7.57 Applicants will be required to supply sufficient information to enable the County Council to undertake an Appropriate Assessment. The HRA Scoping Report related to this document provides guidance as to when the need for project level assessments are likely to be triggered in respect of proposals for minerals and waste developments. The accompanying HRA Scoping Report also provides advice on site specific considerations for

proposals in proximity to European sites and requirements for project level HRA. The site selection exercise as part of the Site Locations document will take into account these recommendations.

7.58 Development will be permitted if an Appropriate Assessment indicates the proposal(s) will not adversely affect the integrity of the site. Where development will adversely affect the integrity of the site, it will only be permitted if:

- there are no alternative solutions;
- it is to be carried out for imperative reasons of overriding public interest as set out in Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (as amended); and that
- appropriate compensatory measures can be secured (in accordance with Regulation 66).

Where the requirements of Regulations 62 and 66 are satisfied, planning permission will be granted subject to planning conditions and/or agreements to protect biodiversity interests of the designated site (including providing necessary mitigation and/or compensation). Otherwise, where the requirements of Regulations 62 and 66 are not met, planning permission will be refused.

#### **Policy DM7: Internationally Designated Sites of Biodiversity Conservation Value**

**Proposals for minerals and waste development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient, current information for the purposes of an appropriate assessment of the implications of the proposal, alone or in combination with other plans and projects, for any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. Where the conclusions of the appropriate assessment, carried out in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010 (as amended), show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site, planning permission will be granted.**

7.59 Sites of Special Scientific Interest provide statutory protection for some of the best examples of the UK's flora, fauna or geological or physiographical features. As such, they are of national importance. The NPPF states that proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest should not normally be permitted. Exceptions should only be made where the benefit of the development in that location clearly outweighs both the impacts on the features of that site and on the wider national network of Sites of Special Scientific Interest.

7.60 The NPPF also states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and geological features, including

fossils unless the need for, and benefits of, the development in that location clearly outweigh the loss.

**Policy DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value**

**Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:**

- **the proposal cannot reasonably be located on an alternative site to avoid harm; and**
- **the benefit of the development would clearly outweigh the impacts that the proposal would have on the key features of the site; and**
- **the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and**
- **in the case of a SSSI, there would be no broader impact on the national network of SSSIs.**

7.61 Local Wildlife Sites are non-statutory areas of importance for nature conservation that complement nationally and internationally designated sites. Proposals for minerals and waste development may lead to loss, degradation or fragmentation of important areas that are rich in biodiversity. The NPPF states that, when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. It states that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Wildlife Sites or sites meeting Local Wildlife Site criteria.

7.62 In the absence of alternatives, the local planning authority will ensure that, before development commences, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity interests which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought. If significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.

7.63 The County Council recognises, however, that there is also the opportunity for such minerals and waste development to impact positively on the natural environment. Opportunities for biodiversity enhancement will be sought in all cases, and particularly through the restoration of sites in line with Policies R2-4.

#### **Policy DM9: Local Sites of Biodiversity Conservation Value**

**Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:**

- **The merits of development outweigh the likely impact; and**
- **Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.**

7.64 The NPPF states that, to minimise impacts on geodiversity, planning policies should aim to prevent harm to geological conservation interests. Proposals for minerals and waste development may lead to loss or degradation of important local areas that are rich in geo-diversity. Minerals and waste development will therefore only be permitted if due regard has been given to the likely effects of the proposed development on Local Geological Sites or sites meeting Local Geological Site criteria.

7.65 In the absence of alternatives, and if significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission will be refused.

7.66 The County Council recognises, however, that there is also the opportunity for such minerals and waste development to impact positively on the natural environment. Opportunities for geodiversity enhancement through the restoration of sites will be sought in all cases in line with Policies R2-4.

### **Policy DM10: Local Sites of Geological Conservation Value**

**Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:**

- **The merits of development outweigh the likely impact; and**
- **Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements.**

### **Agricultural Land and Soils**

7.67 Proposals for minerals and waste development should take into account their impact on soil resources, agricultural land quality and farming, and other established rural land uses. This assessment should be informed by a soil and land quality survey and a soil handling and replacement strategy, where appropriate.

7.68 Soil is a finite resource which takes many years to develop but which can be quickly lost or degraded. Good soil management and conservation are therefore critical to sustainable land management practices in minerals and waste development. The NPPF states that soils should be protected and enhanced.

7.69 Where soil is not required for restoration purposes on the site, other options for the sustainable use of the soil include using it for restoring other nearby sites (subject to planning permission for the areas involved) or storing the soil "permanently" on site in appropriately designed bunds – potentially allowing its use at a later date if the need arises.

7.70 Biodiversity-led restoration also provides an opportunity to protect soils, enabling habitat creation in addition to soil conservation for future agricultural needs.

### **Policy DM11: Soils**

**Proposals for minerals and waste development should protect and, wherever possible, enhance soils.**

- 7.71 The NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality. In addition, it states that local planning authorities should put in place policies to ensure that the reclamation of mineral sites safeguard the long term potential of best and most versatile agricultural land.
- 7.72 The Agricultural Land Classification (ALC) system classifies land into five grades with Grade 3 subdivided into 3a and 3b. Best and most versatile agricultural land is defined as Grades 1, 2 and 3a. Lincolnshire has a high proportion of best and most versatile agricultural land, which is the basis for its prosperous agricultural industry. As a result, it will not always be practicable to locate development on lower quality agricultural land, particularly minerals development that can only take place where the minerals are found. For mineral sites containing "significant" areas of best and most versatile agricultural land, the long term potential of this agricultural land should still be safeguarded. This can be achieved by restoring the land back to agriculture using, if appropriate, the low level restoration techniques outlined in Chapter 8. Alternatively, such techniques could also be used for providing opportunities for nature conservation after-uses, whilst at the same time protecting the potential of the best and most versatile agricultural land. For example, wet grassland could be created by managing the water levels to allow for both livestock grazing and to encourage birds. Such land could then be re-drained for arable use, should the need arise in the future. In considering whether a site contains "significant" areas of best and most versatile agricultural land, the County Council will have regard to the amount of land involved, what proportion of the overall site this constitutes and how this land is distributed within the site.

#### **Policy DM12: Best and Most Versatile Agricultural Land**

**Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that:**

- **no reasonable alternative exists; and**
- **for mineral sites, the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.**

## Transport

- 7.73 The NPPF states that plans and decisions should consider whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site and should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It states that planning strategies should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods.
- 7.74 One of the objectives of the Lincolnshire Local Transport Plan is to remove unnecessary HGVs from affected communities through appropriate traffic management measures, highway improvements and encouraging the use of alternative modes of transport.
- 7.75 The majority of minerals and waste produced in Lincolnshire is transported over relatively short distances. Minerals are a high bulk, low profit commodity which generally restricts their use to locally based markets accessed by road based transport. The transportation of aggregates by rail and water is generally only economic over longer distances and is dependent on network capacity and adequate loading and reception facilities. Whilst waste is managed locally wherever possible, in some cases, for example due to need for specialist treatment or the nature of commercial contracts, some waste can be transported a long way out of the County.
- 7.76 There are currently limited facilities for rail freight in the county and the River Trent is currently the only navigable waterway that is used in any major way to transport freight by water, although none of this is currently loaded or off-loaded in Lincolnshire. The only aggregates terminal in Lincolnshire was at the Port of Boston but this is no longer in operation. Boston and the Humber ports could however be a potential destination for onward shipping for certain waste arisings.
- 7.77 Road haulage will therefore remain the predominant mode of transport for minerals and waste for the foreseeable future. Planning applications for mineral and waste development will nevertheless be expected to show that non road-based options for transporting minerals or waste have been considered.
- 7.78 The location of mineral extraction areas, unlike waste sites, are determined by the existence of the resource and thereby restricted as to achieving more sustainable transport options. However, the Council will:
- consider favourably sites with good access to the county's Strategic Road Network;
  - encourage more use of the rail network in the county;
  - encourage the use of facilities/potential of waterborne transport on the River Trent;
  - encourage the use of conveyors to reduce the impacts of road haulage.

- 7.79 To maximise the opportunities for improving the sustainability of the transport of waste in Lincolnshire, the Plan seeks to:
- locate larger waste facilities within the Areas of Search (in and around the main urban areas set out in Policy W3);
  - encourage smaller facilities (outside of the main urban areas set out in Policy W3) to locate in areas which serve local communities;
  - encourage large waste sites to locate on or close to A Class Roads in the county to reduce impacts on local communities;
  - encourage the co-location of waste facilities to reduce the level of movements of waste on the county's road network.

### **Policy DM13: Sustainable Transport Movements**

**Proposals for minerals and waste development should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.**

- 7.80 The NPPF states that plans and decisions should take account of whether safe and suitable access to a site can be achieved for all people; and improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. It states that development should only be prevented or refused on transport grounds where the residual impacts of development are severe.
- 7.81 The transportation of most waste and minerals by road is a major challenge in Lincolnshire. The Local Transport Plan states that the majority of the Strategic Road Network falls well below current design standards with consequential low speeds and safety problems. The highway network in Lincolnshire is extensive, but there are no motorways and only 66km of dual carriageway. The A1 trunk road runs down the western boundary of the county and the A46, A57, A158, A15, A16, A17 routes link settlements throughout Lincolnshire. Accessibility is an issue throughout Lincolnshire, but more so in the more rural isolated parts of the County. There are particular problems in travelling east/west.
- 7.82 It is important to ensure that the effects of traffic generated by minerals and waste developments are minimised, particularly in relation to effects on local communities, the environment and the local road network. The County Council will seek mitigation measures to control the impact of road haulage by controlling the operation of sites through routing agreements, output limits and hours of operation.

- 7.83 On a site by site basis reducing the impacts of transporting materials by road on local communities can be achieved by:
- The use of conveyor belt systems which provide the inter-site movement of material within or to other nearby sites for further processing. This system reduces the level of HGVs on the local road network;
  - Internal haul roads on sites also reduce the use of local roads by HGVs;
  - The use of voluntary site transport plans in consultation with local communities, relating to issues such as routing, hours of movement and considerate driving can help reduce the worst impacts of road freight.
- 7.84 The NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Unless the number of lorry movements is insignificant, all planning applications should therefore be accompanied by a transport impact assessment (usually as part of the Environmental Statement) and a site transport plan.
- 7.85 The level of traffic which is considered to be significant will depend on the characteristics of the site including the integrity of the local highway network, proximity to sensitive properties and, if applicable, current HGV movements from the site. The County Planning Authority will advise applicants of the need to discuss proposals with the Highways Authority and of any specific access issues to be considered as part of their application.

#### **Policy DM14: Transport by Road**

**Planning permission will be granted for minerals and waste development involving transport by road where:**

- **the highway network is of, or will be made up to, an appropriate standard for use by the traffic generated by the development; and**
- **arrangements for site access and the traffic generated by the development would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment; and**
- **a suitable travel plan is in place.**

#### **Flood Risk**

- 7.86 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It states that Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to

manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards; and that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change. The whole county of Lincolnshire is now covered by the Joint Lincolnshire Flood Risk and Drainage Management Strategy which is a statutory document and deals with all sources of flooding.

- 7.87 Rivers and floodplains are very important features within the overall water environment. To prevent an increase in flood risk, it will be necessary to maintain the capacity of the floodplain and the free flow of floodwater. Mineral working in floodplain areas can however have both beneficial and detrimental effects. For instance, although there may be some flood risk during operations, subsequent restoration and use of the land may help to provide flood alleviation. Therefore both short and long term impacts will be considered in determination of applications.
- 7.88 Proposals should include appropriate measures to minimise any increase in flood risk. Increased risks of flooding associated with mineral workings and waste management developments can be avoided through a number of measures, which include:
- locating all buildings on land at a lower risk of flooding within the site;
  - locating site bunds, ancillary structures and stockpiles of materials so as not to prevent flood water flowing through the site or prevent water flowing on the functional floodplain;
  - ensuring that de-watering and surface water disposal will not increase the risk of flooding;
  - providing additional flood water storage areas, reducing flood risk in the surrounding area;
  - providing Sustainable Drainage Systems (SuDS) features in open spaces such as basins, ponds, wetlands with linking swales and control structures, which also have the potential to link with Biodiversity targets and habitat linkages.
- 7.89 In accordance with the requirements of National Planning Practice Guidance, applications for planning permission, for proposals with an area greater than 1 hectare, or within flood risk zones 2, 3a and 3b, shall be accompanied by a Flood Risk Assessment. Flood Risk Assessments shall be considered as part of determination of the application and where relevant the advice of the Environment Agency will be sought and its views will be given due weight. Failure to submit a Flood Risk Assessment, where one is required, will usually result in the application not being validated.
- 7.90 From 6 April 2015 the Lead Local Flood Authority will take on responsibility for assessing risk of flooding associated with surface water (pluvial) for all Major Planning Applications (including minerals and waste developments). From this date the Environment Agency will continue to assess risk of flooding associated with rivers (fluvial) and the sea (tidal) within flood risk zones 2, 3a and 3b. Flood Risk Assessments will need to

be produced in line with the NPPF and the relevant organisation will need to consider them accordingly.

- 7.91 A sequential risk-based approach to determining the suitability of land for development in flood risk areas should be applied as indicated in the National Planning Practice Guidance with the aim of locating new development in areas with the lowest probability of flooding (flood Zone 1). Where flood risk is identified, proposals will only be approved in exceptional circumstances where the Exception Test in National Planning Practice Guidance is met.
- 7.92 The flood risk vulnerability of mineral and waste management sites as indicated in the National Planning Practice Guidance will be taken into account in allocating land within the Site Locations Document and in determining planning applications for development outside Flood Zone 1. Where it is considered acceptable for development to take place within a flood risk area, any buildings should be designed to be flood resilient in order to reduce the consequences of flooding and facilitate recovery from the effects of flooding.

#### **Policy DM15: Flooding and Flood Risk**

**Proposals for minerals and waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area, taking into account all potential sources of flooding and increased risks from climate change induced flooding.**

**Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.**

- 7.93 Applications for minerals and waste development should address the likely effects of proposed development on surface water and groundwater, in terms of changes to flow (including groundwater flow), water table, water temperature and quality (development should not impact upon the current Water Framework Directive status of adjacent or downstream waterbodies). Although the Environment Agency is responsible for pollution control through its various permitting regimes, it is still important to consider the impact on water resources as far as it might affect land use and planning generally. The extent of this assessment will depend on the nature of the development and its location.
- 7.94 Internal Drainage Boards also have permissive powers to manage water levels within their respective drainage districts. Lincolnshire County Council is now a Lead Local Flood Authority, established by the Flood and

Water Management Act 2010 in order to provide a leadership and co-ordinating role in flood risk and water resource management.

- 7.95 Proposals should include appropriate measures to minimise any detrimental impacts on the availability and quality of water resources. Proposals for mineral extractions are likely to require a Hydrological/Hydrogeological Assessment(s), in order to satisfy the concerns of the Environment Agency.
- 7.96 The NPPF and National Planning Practice Guidance promotes Sustainable Drainage Systems (SuDS) as the principle means for development proposals to address surface water. SuDS are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. The guidance notes that whether SuDS should be considered depends on the proposed development and its location. For major development SuDS should be provided unless demonstrated to be inappropriate, however it is acknowledged that they may not be practicable for some forms of development, for example, mineral extraction. Local Planning Authorities are responsible for approving SuDS designs, in consultation with the Lead Local Flood Authority and other relevant flood risk management bodies, with future maintenance monitored through planning enforcement procedures.
- 7.97 The sustainable management of surface water and land drainage should be considered at an early stage to manage/mitigate associated flood risk from surface water runoff, improve water quality and minimise environmental impact. In the interests of improving sustainability and conserving water resources, applicants will be expected to demonstrate that the need to conserve water resources has been taken to account and that appropriate water efficiency and sustainability measures have been included. Consent will also be needed under the Land Drainage Act 1991 if a development involves the building of a culvert or structure (such as a weir) which is likely to affect flow in an ordinary watercourse.

#### **Policy DM16: Water Resources**

**Planning permission will be granted for minerals and waste developments where they would not have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.**

## Cumulative Impacts

7.98 The NPPF states that, in preparing Local Plans, local planning authorities should take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality; and that, when determining planning applications, local planning authorities should take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality.

7.99 It is important to consider the suitability of granting permission for sites which would be in close proximity to other minerals or waste sites. Proposals for simultaneous and/or successive operations at a number of sites in a wider area of commercially-viable deposits may impact on the amenity of communities and localities over an extended period, depending on the nature, age and size of the site(s). Such cumulative impacts can occur in a number of ways:

- the cumulative impact of a number of separate effects from a single site;
- the cumulative effects from two or more active sites, including sites being restored or used for waste disposal;
- the combined effect on the landscape and ecology from the working, re-working and restoration of a number of sites; or
- the cumulative impact on the quality of life of local communities from a relatively unbroken sequence of working and restoration.

7.100 Adverse cumulative impacts could include increased levels of noise, vibration, dust and artificial lighting. The highway network could also be affected by increased HGV movements with additional hazards related to road safety.

7.101 In Lincolnshire, there are parts of the county where there has been a gradual build-up of sites in close proximity to other mineral sites. For example, sand and gravel extraction has been concentrated in 3 particular areas of the County. The cumulative impacts on amenity to local communities in these areas and on the existing landscape will need careful consideration when considering future developments.

### **Policy DM17: Cumulative Impacts**

**Planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.**

## 8. RESTORATION

### Restoration and Aftercare

- 8.1 The NPPF states that, when determining planning applications, local planning authorities should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary.
- 8.2 It is vital to ensure that the restoration and future use of sites is addressed at the outset of preparing planning applications. It is also important to acknowledge that the way land is restored and its subsequent management offer the means to enhance the character of land taken for mineral working or waste operations, so that a valuable asset can be passed on to future generations. To do this effectively will involve collaboration between key interest groups including mineral operators, land owners, local authorities, local communities, statutory agencies and non-government organisations.
- 8.3 The restoration of mineral workings and landfill operations should be completed at the earliest opportunity to ensure that dereliction of the land does not occur and where appropriate, progressive restoration will be required in order to minimise any blight on the landscape
- 8.4 It is essential that proposals for mineral extraction and landfill establish an appropriate after-use to ensure that resources are secured for the after-use to be successfully implemented once restoration is complete. All after-uses will be considered in the light of realistic assumptions about the availability of restoration materials, particularly inert waste.
- 8.5 Schemes that are designed to develop as an appropriate habitat for the prevailing conditions, and demonstrated to be both technically and economically feasible, will be supported. On large sites, a mix of compatible uses may provide the best balance for the future, for example low intensity agricultural use, tourism, sport and nature conservation.
- 8.6 However, restoration schemes should also contain a degree of flexibility so they can be amended in the future if circumstances change. The aim should be to achieve phased restoration to minimise the area of land disturbed and the total period of mineral working and landfill operations. Phased restoration also helps to gauge the initial success of the restoration scheme by observing which aspects have worked well, as well as identifying which aspects have been less successful.
- 8.7 It is also important that agreed sustainable and beneficial after-uses are managed and maintained following restoration. Where appropriate, aftercare schemes and/or long-term management and maintenance agreements will need to be secured. This may be for a period of 10 years (or longer) depending on the site and could include matters such as maintenance of public rights of way, public access or long term pumping.

## **Policy R1: Restoration and Aftercare**

**Proposals must demonstrate that the restoration of mineral workings and landfill operations will be of high quality, and carried out at the earliest opportunity.**

**Proposals for mineral extraction or landfill should be accompanied by detailed proposals for restoration, including an appropriate after-use of the site. All proposals should demonstrate that:**

- **restoration will be undertaken using best practice to secure a high standard of restoration and aftercare; and**
- **restoration will be completed within a reasonable timescale and is progressive; and**
- **the restoration is appropriate for the natural and historic landscape and geological and wildlife interest of the area and measures to create, protect, restore and enhance geodiversity and biodiversity conservation features, and the historic landscape are practical, of a high quality appropriate to the area and secure their long term safeguarding and maintenance; and**
- **there is an aftercare management programme, appropriate to the objectives of the site, to ensure that the restoration of the site is established successfully.**

## **Afteruse**

8.8 The NPPF states that local planning authorities should put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.

8.9 It is particularly important that temporary development sites such as quarries and landfill sites are properly restored and the types of restoration measures taken are appropriate. Sites should be restored in a way that is sympathetic to the character of the area and that will positively enhance the site and contribute to the landscape in which it is set. In this context, restoration proposals should have regard to the Lincolnshire Historical Landscape Character assessment, which is housed in the County Historic Environment Record, and any relevant local landscape character assessment. Sites should also, where appropriate, be in line with the strategic aim of an area (for example to create a Country Park in the Witham Valley or to restore fenland in South Lincolnshire).

8.10 Restoration can provide opportunities to secure a net-gain in **biodiversity**, facilitate adaptation to climate change and address past losses. The Lincolnshire Biodiversity Action Plan 2011 (BAP) identifies

priority habitats for the county. The BAP indicates that the restoration of mineral sites offers significant opportunities for habitat creation, such as fenland, wetlands, lowland dry acid grassland heathland and wet woodland. Biodiversity Opportunity Mapping (BOM) studies identify specific opportunities for creating and restoring priority habitats and therefore provide important information which can be utilized in the development of restoration schemes. The Council will therefore expect all restoration schemes to contribute to BAP objectives using relevant opportunity mapping studies and priority habitat targets to inform restoration proposals, and where possible deliver a net-gain in biodiversity through the landscape-scale creation of priority habitat, thereby contributing to the establishment of a coherent and resilient ecological network. Where restoration could assist or achieve in the creation of priority habitats, and/or Lincolnshire BAP targets, thereby improving overall biodiversity levels in the county, the relevant biodiversity after use should be incorporated within the restoration scheme.

- 8.11 The BAP considers it important that planning policies seek to enlarge or link together existing habitats, thus helping to offset the effects of habitat fragmentation. The Council will therefore encourage larger blocks of habitat creation, as they deliver greater ecological benefits. Biodiversity Opportunity Mapping studies are based on this principle, including proposals for landscape-scale approaches to habitat creation. Existing landscape-scale initiatives such as the Witham Valley Country Park, Trent Vale / Trent Valley "Futurescape" and South Lincolnshire Fenlands Partnership can also assist in this process.
- 8.12 Restoration can provide opportunities to secure a net gain in accessible **geodiversity** and address past losses. The Lincolnshire Geodiversity Action Plan 2010 (LGAP) indicates that the restoration of extractive sites offers significant opportunities for accessible geodiversity interest, in particular for educational use. The County Council will therefore expect all restoration schemes to contribute to LGAP objectives where possible. Where restoration could assist or achieve in the creation of geodiversity features, and/or LGAP targets the relevant after use should be incorporated within the restoration scheme.
- 8.13 Restoration schemes need to be resilient to future **climate change** impacts. Habitat creation can act as a living carbon sink and well-designed schemes, in appropriate locations, may also offer benefits in terms of provision of climate change mitigation measures such as greater flood storage capacity allied to recreational or biodiversity after-uses. Furthermore, the restoration of mineral sites to BAP habitats can help wildlife adapt to climate change, creating 'stepping stones' and increasing the permeability of the landscape enabling climate change induced range shifts.
- 8.14 Sand and gravel extraction in Lincolnshire causes the greatest loss of land; although generally shallow it often extends below the water table and would therefore normally fill with water. This creates challenges when restoration to **agriculture** is considered, particularly as over 70% of

agricultural land in Lincolnshire is classified as best and most versatile, i.e. Grade 1 or 2 or 3a, and when there is pressure to restore land back to agricultural use in order to safeguard food supplies. Low level restoration techniques have been developed however which involve sealing the floor and sides of the excavation with an impermeable material to prevent the entry of ground water and replacing soils together with a suitable drainage system. The only water then entering the site is rainwater which is regulated by pumping when necessary.

- 8.15 Whilst best and most versatile agricultural land should be safeguarded (in line with Policy DM12), and soils on all sites should be protected (in line with Policy DM11) this will not necessarily require sites to be restored to agriculture. Other uses, some in combination, could be considered in order to provide a net-gain in biodiversity. This could involve restoration of wildlife habitats that may have declined as a consequence of development at the site or within the local area, strengthening regional and functional ecological and green infrastructure networks, and contributing to the national strategy and Lincolnshire Biodiversity Action Plan targets.
- 8.16 Afforestation can make a potentially significant contribution to the achievement of carbon sequestration targets but only 4% of Lincolnshire is covered by **woodland**, making it one of the least wooded counties in Britain. The best suited areas for woodland creation within the county are probably the sand and gravel lowlands closely followed by the clay lowlands. Sand and gravel extraction areas have a specific type of soil and tend to be less fertile and more suitable to tree growth. The Trent and Bain Valley production areas are therefore the most suitable for woodland creation, particularly wet woodland which is a BAP target. The silt fens, however, contain more fertile soils such that a balance between biodiversity and agricultural restoration will have to be met.
- 8.17 The Lincolnshire BAP states that the most significant contribution for restoration/creation of wet woodlands is likely to be through mineral site restoration plans. New wet woodland planting will therefore be encouraged where appropriate, which will make a potential contribution to carbon sequestration and assist in meeting BAP targets. Furthermore, restoration to wet woodland, along with other priority habitats, will safeguard high grade soils from further drainage and wind-blown erosion so that should there be a need in the future for the land to be converted back to agriculture the soils will remain in situ.
- 8.18 The restoration of worked-out sites can also provide opportunities to add to the County's **Green Infrastructure**. A strategic framework and key evidence for guiding the planning and delivery of green infrastructure across Central Lincolnshire is set out in the Green Infrastructure Study for Central Lincolnshire (Dec 2011). Its overall objective is to enhance, develop and provide a multi-functional network of greenspaces, parks, rivers and other corridors, along with outdoor sports provision, within and around settlements that connect them to each other and the wider countryside, improving access, environmental quality and biodiversity. The Study identifies priority locations for action. The Witham Valley

Country Park, located to the south west of Lincoln, is one such location that is constantly evolving as mineral sites are restored. The Central Lincolnshire Biodiversity Opportunity Mapping Study (2013) also identifies potential projects for landscape-scale habitat creation and restoration which can contribute towards such a network, with additional detail provided for the Witham Valley Country Park area.

- 8.19 A significant amount of restoration schemes in the county have resulted in large areas of standing **water**, particularly in the sand and gravel production areas, where there is a high water table. Strategically, this type of restoration may be reaching saturation point whereby the characteristics of parts of the county have been irreversibly changed, often to the detriment of that particular area.
- 8.20 The high amount of RAF activity within the County also provides a potential conflict with extensive and sometimes numerous water bodies owing to increased bird activity and therefore the potential of bird strike on aircraft. Proposals for the creation of large open water bodies will therefore need to be closely scrutinised. A change in restoration to BAP habitats such as reedbed and wet woodland can help alleviate the problem of bird strike, creating less open water while forming a barrier between any open water and potential grazing sources, making it less attractive to geese. The Central Lincolnshire Biodiversity Opportunity Mapping Study takes these constraints into account.

#### **Policy R2: After-use**

**The proposed after-use should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural and historic environment of the area in which the site is located.**

**After-uses should enhance and secure a net gain in biodiversity and geological conservation interests, conserve soil resources, safeguard the potential of the best and most versatile agricultural land, and decrease the risk of adverse climate change effects. Such after-uses could include: agriculture, nature conservation, leisure, recreation/sport, and woodland.**

**Where appropriate, the proposed restoration should provide improvements for public access to the countryside including access links to surrounding green infrastructure.**

**Restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation.**

## **Restoration of sand and gravel operations within proposed Areas of Search.**

- 8.21 Historically, Lincolnshire has produced the vast majority of its sand and gravel from three main areas: the Witham Valley, the Bain Valley and The Deepings/Baston area. The strategy is to concentrate new or extended workings within areas of search based on these production areas (see Policy M2). Restoration proposals for future extraction within the Areas of Search should be designed to best meet the particular characteristics and future aspirations for these areas, provided that these meet the requirements of Policies DM11 and DM12.
- 8.22 Proposals for extraction within the **Trent Valley** Area of Search to the north of Lincoln should be restored sensitively in-line with the broader habitat-scale aspirations for the Trent Valley. Priority habitats for mineral restoration in this area include reedbeds, wet woodland and wet grassland. Further detail on habitat creation opportunities are identified in the Central Lincolnshire Biodiversity Opportunity Mapping Study (2013), and the draft Trent Valley Biodiversity Opportunity Mapping Project (2013).
- 8.23 The development of the **Witham Valley Country Park** is a partnership initiative to provide linked accessible greenspace from the centre of Lincoln City to the surrounding countryside, enriching the natural environment. The Country Park covers around 40 square miles to the south west of Lincoln, the location of which is shown on the Key Diagram. Proposals for sand and gravel extraction within this area should include restoration proposals to create local and national priority habitats as identified within the Central Lincolnshire Biodiversity Opportunity Mapping Study including wet woodland, reedbeds, heathland and acid grassland. Restoration of minerals sites should also be planned as part of a strategy linked to the development of the Country Park as well as providing accessible natural greenspace and contributing to green infrastructure and the enhanced provision of leisure and recreation facilities.
- 8.24 Sand and gravel operations within the **Central Lincolnshire** Area of Search provide opportunities to create priority habitats to compliment habitats existing in the wider Bain Valley area such as heathland, acid grassland and wet woodland. The creation of such habitats would also help meet the aim of the Lincolnshire Wildlife Trust's Living Landscape project in the Kirkby Moor and Bain Valley area, which aims to create an extensive area of new wildlife habitat to expand, buffer and link existing habitats of national importance.
- 8.25 Much of the **South Lincolnshire** Area of Search lies within the South Lincolnshire Fenlands Project area. This project is seeking to re-create sustainable wetland areas between Bourne and Market Deeping adjacent and linked to the internationally important nature reserves in Baston and Thurlby Fens and within the wider fenland locality. Proposed habitat restoration will include areas of wet grasslands, utilised for grazing and hay production, reedbeds, fenland, wet woodlands and open water.

8.26 The Lincolnshire BAP indicates that fens, as part of larger wetland habitats, are of immense conservation value, supporting rare plants and animals. Fens are also important carbon dioxide sinks and banks, because of the way they capture and store organic material (carbon) derived from atmospheric gases. Fen habitat was once extensive in Lincolnshire but is now rare. It is an objective of the BAP to achieve landscape scale fen habitat recreation – especially through the South Lincolnshire Fenlands initiative and wider partnerships. Sand and gravel operations within this area provide opportunities to create wet fenland habitat or enhance existing wetland habitats, which would help meet the project's targets together with targets within the Lincolnshire BAP.

8.27 The Site Locations document, through allocation of sites for future development, and consideration of site specific restoration requirements, will build upon the framework established in this Core Strategy and Development Management Policies document.

### **Policy R3: Restoration of Sand and Gravel Operations within Areas of Search**

**Restoration proposals for sand and gravel operations within the Areas of Search (other than those involving best and most versatile agricultural land that would be restored back to agricultural land of a comparable quality) should have regard to the landscape scale objectives of the area and should reflect the following priorities:**

- **Trent Valley (north of Lincoln): creation of reedbed, wet woodland and lowland wet grassland habitats**
- **Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities**
- **Central Lincolnshire (Tattershall Thorpe): creation of wet woodland and heathland and acid grassland habitats together with reedbed in areas of high water table**
- **South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats.**

## **Restoration of limestone/chalk workings**

- 8.28 Calcareous grasslands in Lincolnshire are found on the lime-rich soils of the chalk Wolds and of the Jurassic limestone uplands. The thin lime-rich soils found here can support a very high biodiversity if limestone grassland can be conserved. It has been estimated that more than 55% of chalk grassland and more than 35% of limestone grassland was lost from Lincolnshire between 1940 and 1995. Limestone grassland now only occupies a tiny proportion (0.05%) of this area where it was once a characteristic part of the landscape. The little that remains of this habitat is among the most fragmented of its kind in the country.
- 8.29 It is an objective of the Lincolnshire BAP to re-create extensive areas of well-managed flower-rich calcareous grassland in appropriate areas, linking and buffering existing fragmented sites. Limestone and chalk operations provide opportunities to create limestone grassland habitat and to expose features of geological interest. This would help meet the targets for calcareous grassland within the Lincolnshire BAP as well as providing accessible natural greenspace and contributing to green infrastructure. Any restoration proposals would however need to address the requirements of Policies DM11 and DM12.

### **Policy R4: Restoration of limestone and chalk workings**

**Restoration proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except on best and most versatile agricultural land that would be restored back to agricultural land of a comparable quality. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.**

## 9 MONITORING AND IMPLEMENTATION

### Monitoring

- 9.1 Developing a monitoring system is a key means of assessing the effectiveness of this plan and whether the spatial vision, and objectives are being delivered. It will determine:
- whether policies and related targets or milestones have been met or progress is being made towards meeting them or, where they are not being met or on track to being achieved, the reasons why;
  - what impact the policies are having in respect of national and local policy targets and any other targets identified in the plan;
  - whether the policies need adjusting or replacing because they are not working as intended;
  - if policies or proposals need changing, the actions needed to achieve this.
- 9.2 In order to monitor the effectiveness of the plan, it is necessary to compile performance targets linked to output indicators, which provide a benchmark for measuring policy implementation. These are set out in Table 11 below. The monitoring framework also includes provision to monitor the Sustainability Appraisal (SA) Objectives and these are also included in Table 11. The Council's Annual Monitoring Report (AMR) will report on the effectiveness of the policies and identify any changes needed if a policy is not working or the targets are not being met. Therefore, the monitoring will assist the Council in ascertaining if there is any need to review the Plan.
- 9.3 The provisions in Table 11 are directed at measuring the success of the various policies in the Plan. In addition, and to assist in this task, in relation to waste the County Council will routinely monitor matters such as take-up in allocated sites and areas; existing stock and changes in stock and capacities; waste arisings; and the amounts of waste recycled, recovered or going for disposal. In relation to minerals, the County Council will monitor the number and nature of applications that involve the extraction of mineral types which are not covered by specific policies in this Plan. The information from this monitoring will help to inform the decisions on when to review the Plan, and the matters that need to be covered.

## Implementation

- 9.4 Lincolnshire County Council as mineral and waste planning authority will take the lead role in the implementation of the objectives and the policies of this plan in a variety of ways, including:
- determine planning applications in accordance with the Development Plan, government policy and guidance and other material considerations;
  - attach conditions to planning permissions;
  - seek legal agreements with developers where appropriate;
  - enforce breaches of planning control as necessary;
  - maintain a dialogue with the minerals and waste management industry and local communities through participation in local liaison committees and other means;
  - liaise and co-operate with other departments within the Council and bodies such as District Councils, Parish Councils, adjoining mineral and waste planning authorities, the Environment Agency, Natural England, Historic England, Health and Safety Executive (HSE), Department for Environment Food and Rural Affairs (DEFRA), Highways England, and interest groups;
  - work with the minerals and waste management industry and others to identify and develop suitable initiatives and sites.

**Table 11: Policy Related Indicators and Targets**

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
g.	10	M1: Recycled and Secondary Aggregates	Percentage of relevant planning applications determined in accordance with Policy M1.	100%
b.	12	M2: Providing for an Adequate Supply of Sand and Gravel	<ol style="list-style-type: none"> <li>1. Delivery of the identified annual provision by Production Area.</li> <li>2. Type of sites: extensions/new.</li> <li>3. Location of new quarries by Production Area.</li> <li>4. Allocation of sites meeting the required annual and plan-period provision.</li> <li>5. Permissions for non-allocated sites.</li> </ol>	<ol style="list-style-type: none"> <li>1. 100% accordance with policy M2.</li> <li>2. Priority to extensions.</li> <li>3. 100% location within Areas of Search.</li> <li>4. Through adopted Sites Location Plan.</li> <li>5. Zero.</li> </ol>
b.	11, 12	M3: Landbank of Sand and Gravel	Level of landbank for sand and gravel aggregate within each Production Area.	Minimum landbank of 7 years within each Production Area calculated in accordance with the latest LAA.
a., c.	7, 8	M4: Proposals for Sand and Gravel Extraction	Percentage of relevant planning applications determined in accordance with policy M4.	100%

<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a., c.	7, 8	M5: Limestone	<ol style="list-style-type: none"> <li>Percentage of relevant planning applications determined in accordance with policy M5.</li> <li>The delivery of the identified annual provision.</li> </ol>	<ol style="list-style-type: none"> <li>100%</li> <li>100%</li> </ol>
a., c.	7, 8	M6: Chalk	Percentage of relevant planning applications determined in accordance with Policy M6.	100%
a., b., c., k.	7, 8	M7: Historic Building Stone	Percentage of relevant planning applications determined in accordance with Policy M7.	100%
a., b., c.	7, 8	M8: Silica Sand	Percentage of relevant planning applications determined in accordance with policy M8.	100%
a., c.	7, 8	M9: Energy Minerals	Percentage of relevant planning applications determined in accordance with policy M9.	100%
a., c.	7, 8	M10: Underground Gas Storage	Percentage of relevant planning applications determined in accordance with policy M10.	100%
f., k.	10	M11: Safeguarding of Mineral Resources	Number of planning applications that are granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy M11.	Zero.

<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a., f., k.	7, 8	M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	Number of planning applications that are granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy M12.	Zero.
a.	7, 8	M13: Associated Industrial Development	Percentage of relevant planning applications determined in accordance with policy M13.	100%
a.	7, 8	M14: Irrigation Reservoirs	Percentage of relevant planning applications determined in accordance with policy M14.	100%
a., c.	7, 8	M15: Borrow Pits	Percentage of relevant planning applications determined in accordance with policy M15.	100%
a., d., e.	5, 7, 8, 12	W1: Future requirements for new waste facilities	<ol style="list-style-type: none"> <li>1. Allocation of sites to meet the capacity gaps identified in Table 9, except for inert landfill and hazardous landfill.</li> <li>2. Review of capacity gaps.</li> </ol>	<ol style="list-style-type: none"> <li>1. Through adopted Site Locations Document.</li> <li>2. Accordance with Annual Monitoring Report.</li> </ol>
a., e.	7, 8	W2: Low Level Non-Nuclear Radioactive Waste	Percentage of relevant planning applications determined in accordance with Policy W2.	100%
a., e.	7, 8, 11	W3: Spatial Strategy for New Waste Facilities	Percentage of relevant planning applications determined in accordance with Policy W3.	100%

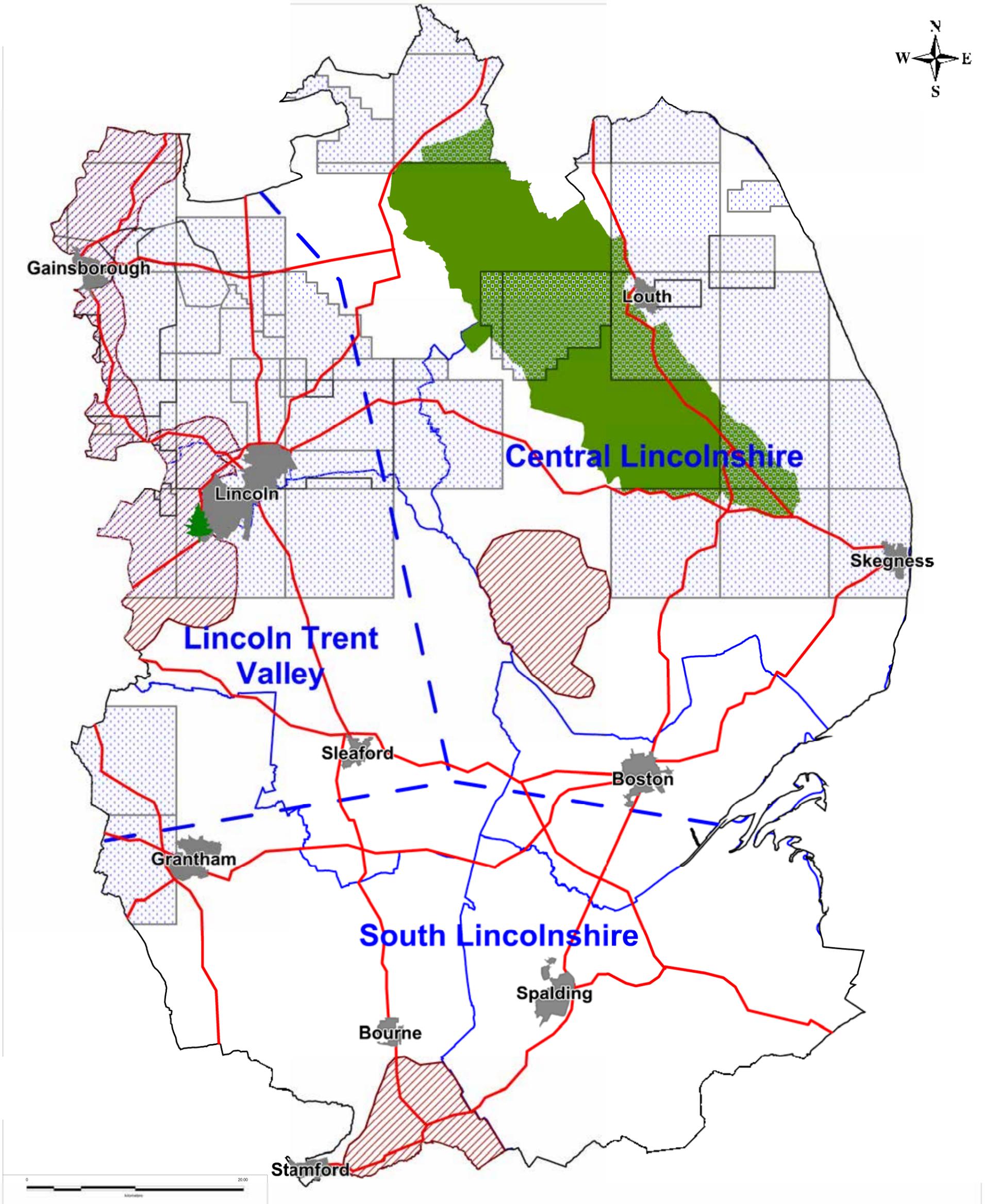
<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a., e.	7, 8	W4: Locational Criteria for New Waste Facilities in and around main urban areas	Percentage of relevant planning applications determined in accordance with Policy W4.	100%
a., e.	7, 8	W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	Percentage of relevant planning applications determined in accordance with Policy W5.	100%
a., e.	7, 8	W6: Landfill	Percentage of relevant planning applications determined in accordance with Policy W6.	100%
a., e.	7, 8	W7: Small Scale Waste Facilities	Percentage of relevant planning applications determined in accordance with Policy W7.	100%
a.	7, 8	W8: Safeguarding Waste Management Sites	Number of planning applications granted planning permission where the County Council has expressed the view that the proposals would be contrary to Policy W8.	Zero.
a., e.	7, 8	W9: Waste Water and Sewage Treatment Works	Percentage of relevant planning applications determined in accordance with Policy W9.	100%
a.	5, 7, 8	DM1: Presumption in favour of sustainable development	Percentage of relevant planning applications determined in accordance with Policy DM1.	100%
d.	4, 5	DM2: Climate Change	Percentage of relevant planning applications determined in accordance with Policy DM2.	100%

<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a.	7, 8	DM3: Quality of life and amenity	Percentage of relevant planning applications determined in accordance with Policy DM3.	100%
a., j.	2, 7, 8	DM4: Historic Environment	Percentage of relevant planning applications determined in accordance with Policy DM4.	100%
a., j., m.	2, 7, 8	DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	Percentage of relevant planning applications determined in accordance with Policy DM5.	100%
a., j.	2, 7, 8	DM6: Impact on Landscape and Townscape	Percentage of relevant planning applications determined in accordance with Policy DM6.	100%
a., m.	1, 7, 8	DM7: Internationally Designated Sites of Biodiversity Conservation Value	Percentage of relevant planning applications determined in accordance with Policy DM7.	100%
a., m.	1, 7, 8	DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	Percentage of relevant planning applications determined in accordance with Policy DM8.	100%
a., m.	1, 7, 8	DM9: Local Sites of Biodiversity Conservation Value	Percentage of relevant planning applications determined in accordance with Policy DM9.	100%
a.	7, 8	DM10: Local Sites of Geological Conservation Value	Percentage of relevant planning applications determined in accordance with Policy DM10.	100%

<b>Plan Objective (Para.4.5)</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
a., h.	7, 8, 9	DM11: Soils	Percentage of relevant planning applications determined in accordance with Policy DM11.	100%
a., h.	7, 8, 9	DM12: Best and Most Versatile Agricultural Land	Percentage of relevant planning applications determined in accordance with Policy DM12.	100%
a., n.	5, 7, 8	DM13: Sustainable Transport Movements	Percentage of relevant planning applications determined in accordance with policy DM13.	100%
a.	7, 8	DM14: Transport by road	Percentage of relevant planning applications determined in accordance with Policy DM14.	100%
a., l.	6, 7, 8	DM15: Flooding and Flood Risk	Percentage of relevant planning applications determined in accordance with Policy DM15.	100%
a.	3, 7, 8	DM16: Water Resources	Percentage of relevant planning applications determined in accordance with Policy DM16.	100%
a., h., j., l., m.	7, 8	DM17: Cumulative Impacts	Percentage of relevant planning applications determined in accordance with Policy DM17.	100%
i.	9	R1: Restoration and Aftercare	Percentage of relevant planning applications determined in accordance with Policy R1.	100%
h., i.	9	R2: After-use	Percentage of relevant planning applications determined in accordance with Policy R2.	100%

Plan Objective (Para.4.5)	SA Objective	Policy	Indicator	Target
h., i.	9	R3: Restoration of Sand and Gravel Operations within Areas of Search	Percentage of relevant planning applications determined in accordance with Policy R3.	100%
i.	9	R4: Restoration of limestone and chalk workings	Percentage of relevant planning applications determined in accordance with Policy R4.	100%

Figure 4 Key Diagram



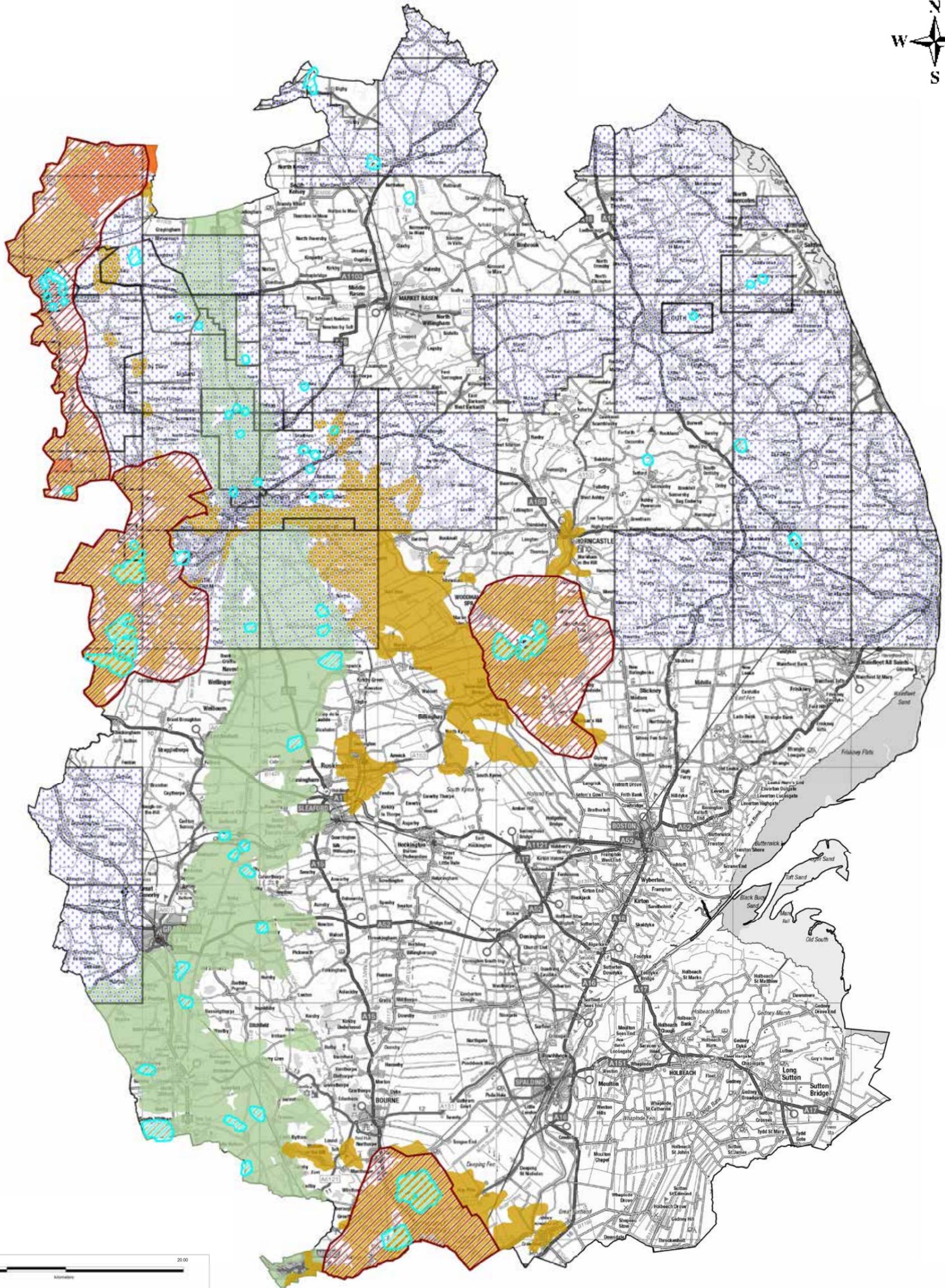
**Lincolnshire County Council**  
 Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licensed under the Open Government Licence v3.0.  
**OS Licence 100025370**

Key	
	Witham Valley Country Park
	Minerals Production Area
	Main Urban Areas
	Main Roads
	Area of Outstanding Natural Beauty
	Petroleum Exploration Development Licence (PEDL) Blocks*
	Sand & Gravel Areas of Search
	County Boundary
	District Boundary

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



Figure 5 Policies Map



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.

OS Licence 100025370

**Key**

- Limestone Minerals Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area
- Site Specific Minerals Safeguarding Area
- Sand & Gravel Areas of Search
- Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



## Appendix 1: Relationship between Policies

The following table shows the relationship between the policies in this document and saved policies in the Lincolnshire Minerals Local Plan (1991) and the Lincolnshire Waste Local Plan (2006).

<b>Core Strategy and Development Management Policies</b>	<b>Minerals Local Plan and Waste Local Plan Policies</b>
M1: Recycled and Secondary Aggregates	New Policy
M2: Providing for an Adequate Supply of Sand and Gravel	New Policy
M3: Landbank of Sand and Gravel	New Policy
M4: Proposals for Sand and Gravel Extraction	Replacing M3
M5: Limestone	Replacing M3
M6: Chalk	New Policy
M7: Building Stone	New Policy
M8: Silica Sand	New Policy
M9: Energy Minerals	Replacing M21, M24 and M26
M10: Underground Gas Storage	New Policy
M11: Safeguarding of Mineral Resources	Replacing M16 and M30
M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	New Policy
M13: Associated Industrial Development	Replacing M18
M14: Irrigation Reservoirs	New Policy
M15: Borrow Pits	Replacing M17
W1: Future requirements for new waste facilities	New Policy
W2: Low Level Non-Nuclear Radioactive Waste	New Policy
W3: Spatial Strategy for New Waste Facilities	Replacing WLP3, WLP 4 WLP5 WLP8
W4: Locational Criteria for New Waste Facilities in and around main urban areas.	Replacing WLP3, WLP 4 WLP5 WLP8
W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	Replacing WLP9, WLP10 and WLP11
W6: Landfill	Replacing WLP13
W7: Small Scale Waste Facilities	Replacing WLP7
W8: Safeguarding Waste Management Sites	Replacing WLP20
W9: Waste Water and Sewage Treatment Works	Replacing WLP18

DM1: Presumption in favour of sustainable development	New Policy
DM2: Climate Change	New Policy
DM3: Quality of life and amenity	Replacing WLP21
DM4: Historic Environment	Replacing M8 and WLP21
DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	Replacing M6
DM6: Impact on Landscape and Townscape	Replacing M7, M13 and WLP21
DM7: Internationally Designated Sites of Biodiversity Conservation Value	Replacing M8 and WLP21
DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	Replacing M5, M8 and WLP21
DM9: Local Sites of Biodiversity Conservation Value	Replacing M5, M8 WLP21
DM10: Local Sites of Geological Conservation Value	Replacing M8 and WLP21
DM11: Soils	Replacing M4 and WLP21
DM12: Best and Most Versatile Agricultural Land	Replacing M4 and WLP21
DM13: Sustainable Transport Movements	New Policy
DM14: Transport by road	Replacing M12 and WLP21
DM15: Flooding and Flood Risk	Replacing WLP 21
DM16: Water Resources	Replacing WLP 21
DM17: Cumulative Impacts	
R1: Restoration and Aftercare	Replacing M10 and M15
R2: After-use	Replacing M14
R3: Restoration of Sand and Gravel Operations within Areas of Search	New Policy
R4: Restoration of limestone and chalk workings	New Policy

The following policies in the Minerals Local Plan and Waste Local Plan are not directly replaced, but are not proposed to be saved once the current document has been adopted:

M9 Planning Permission for Surface Mineral Working – Supporting Information  
M19 Marine Dredged Aggregates and Development of Wharf Facilities  
M22 Planning Applications for Oil and Gas – Supporting Information  
M23 Requirement to Submit an Overall Development Scheme for the Exploration of a Commercial Field  
M25 Oil and Gas Field, provision for Central Gathering Facility  
M27 Underground Pipelines  
M29 Deep Mined Coal  
WLP1: Objective of the Plan  
WLP14: Mining of Waste  
WLP15: Extraction and Utilisation of Landfill Gas  
WLP16: Agricultural Improvement

WLP17: Landspreading  
WLP19: Hazardous Waste

The following policies in the **Waste Local Plan** are proposed to be saved until the Site Locations document has been adopted:

WLP2: Household Waste Recycling Centres

WLP6: Materials Recovery Facilities

WLP12: Energy from Waste

## Appendix 2: Waste and Mineral Sites in Lincolnshire

### Lincolnshire Mineral Sites (Excluding Dormant Sites)

Ref	Site	Status	Commodity	Easting	Northing
1	Ancaster Quarry, Heydour	Active	Limestone	499200	341000
2	Baston No 1 Quarry	Active	Sand & Gravel	513800	314800
3	Baston No 2 Quarry	Active	Sand & Gravel	514300	313600
5	Brauncewell Quarry	Active	Limestone	502958	351800
6	Castle Quarry	Active	Limestone	498680	343350
7	Cathedral Quarry	Active	Limestone	497735	373300
8	Cold Hanworth Oilwell	Active	Oil	503786	382185
9	Colsterworth	Inactive	Limestone	490546	324384
10	Colsterworth triangle	Inactive	Limestone	490016	324351
11	Copper Hill Quarry	Active	Limestone	497860	342670
12	Corringham Oilfield	Active	Oil	489368	392929
13	Creeton Quarry	Active	Limestone	499900	320688
14	Dunston Quarry	Active	Limestone	505300	363200
15	Glentworth J	Active	Oil	494762	387340
16	Fiskerton Airfield Oilwell	Active	Oil	505250	372600
17	Gainsborough Oilfield	Active	Oil	482000	390000
18	Glebe Quarry	Active	Limestone	498960	341070
19	Glentworth K	Active	Oil	494500	389000
20	Great Ponton	Active	Limestone	493520	330110
21	Harmston Heath	Inactive	Limestone	499100	361800
22	Holywell Quarry	Active	Limestone	498820	315900
23	Keddington Oilwell	Active	Oil	536655	388180
25	Kettleby	Active in North Lincs	Sand & Gravel	504190	408190
26	King Street	Inactive	Sand & Gravel	511171	310014
27	Little Ponton	Inactive	Limestone	493364	332933
28	Longwood Quarry	Active	Limestone	506185	358810
29	Metheringham	Active	Limestone	505380	361555
30	Nettleham Oilfield	Active	Oil	499849	374130
31	Nettleton Bottom	Inactive	Chalk	512500	398200
32	Newton on trent oil	Active	Oil	483747	373447
33	North Kelsey Road Quarry	Active	Sand	509600	401000
34	Kirkby on Bain Quarry	Active	Sand & Gravel	522600	360300
35	Norton Bottoms Quarry	Active	Sand & Gravel	486700	358900
36	Norton Disney Quarry	Active	Sand & Gravel	488100	360200
37	Red Barn Pit	Active	Sand & Gravel	498244	319638
38	Reepham Oil	Active	Oil	504541	372873
39	Ropsley	Inactive	Limestone	500145	336355
40	Saltfleetby A Gaswell	Active	Natural Gas	541455	390880
41	Saltfleetby B Gaswell	Active	Natural Gas	542460	391350
42	Scampton A B and C	Active	Oil	497294	379845
43	Scampton South Oil Site	Active	Oil	498335	378178
44	South Thoresby Quarry	Active	Chalk	540650	377300
45	South Witham (East)	Active	Limestone	491700	319000

<b>Ref</b>	<b>Site</b>	<b>Status</b>	<b>Commodity</b>	<b>Easting</b>	<b>Northing</b>
46	Stainton Oil	Active	Oil	506276	378509
47	Swinderby	Inactive	Sand & Gravel	488130	361612
48	Tattershall (Park Farm) Quarry	Active	Sand & Gravel	520416	360033
49	Tetford Hill	Inactive	Chalk	532875	375975
50	Welton A Oil	Active	Oil	503658	376809
51	Welton B Oil	Active	Oil	504679	376429
52	Welton C oil	Active	Oil	504225	375152
53	West Deeping Quarry	Active	Sand & Gravel	510700	309800
54	West Firsby Oil	Active	Oil	498831	384440
55	Whisby A	Active	Oil	489278	368770
56	Whisby Quarry	Active	Sand & Gravel	489650	366700
82	Baston Manor Pit	Active	Sand & Gravel	512146	313500
83	Welton le Marsh Quarry	Active	Chalk	545200	369000
86	North Hykeham Quarry	Inactive	Sand & Gravel	493104	367860
87	South Witham (West)	Active	Limestone	491500	318900

### **Lincolnshire Dormant Mineral Sites**

<b>Ref</b>	<b>Site</b>	<b>Status</b>	<b>Commodity</b>	<b>Easting</b>	<b>Northing</b>
57	Belchford	Dormant	Chalk	530580	376660
58	Biscathorpe	Dormant	Sand & Gravel	522818	385576
59	Buckminster	Dormant	Ironstone	490500	322500
60	Burton Coggles	Dormant	Ironstone	496000	325700
61	Burton	Dormant	Sand & Gravel	494754	373698
62	Colsterworth	Dormant	Ironstone	490500	324000
63	Colsterworth/North	Dormant	Ironstone	491800	325000
64	Colsterworth/Gunby/ Stainby	Dormant	Ironstone	491500	323500
65	Colsterworth/Skillington	Dormant	Ironstone	489900	325000
66	Denton Harlaxton	Dormant	Ironstone	488500	331000
67	Fir Hill	Dormant	Chalk	536040	382890
68	Fiskerton Clay pit	Dormant	Clay	508294	371850
69	Grange Farm (Little Bytham)	Dormant	Limestone/ Clay	501200	317600
70	Kirkstead	Dormant	Sand & Gravel	519400	360200
71	Muckton Bottom	Dormant	Chalk	536535	382395
72	Nettleton Mine (Opencast)	Dormant	Ironstone	512000	398000
73	Nettleton Mine (Underground)	Dormant	Ironstone	512000	398000
74	North Kelsey silica sand pit	Dormant	Silica Sand	504300	401400
75	Saturday Pits	Dormant	Chalk	533970	385150
76	Scopwick	Dormant	Limestone	505300	357005
77	Skegness	Dormant	Clay	554955	364881
78	Sudbrook	Dormant	Sand & Gravel	497000	344300
79	Thunderbolt & Willow	Dormant	Sand & Gravel & Limestone	499801	318201

80	Thistleton/South Witham	Dormant	Ironstone	492500	318900
81	Welton le Wold	Dormant	Sand & Gravel	527875	388260
84	North Ormsby Quarry	Dormant	Chalk	528767	393572

### Lincolnshire Waste Sites

Ref	Site Name	Postcode	Easting	Northing
1	Gainsborough Landfill	DN21 1AF	481500	388000
2	North Hykeham Landfill Site	LN6 3QZ	493050	367630
3	Whisby Quarry	LN6 9BT	489841	366898
3	Whisby Quarry	LN6 9BT	489841	366898
4	Leadenham Landfill Site	LN5 0QF	496190	352300
4	Leadenham Household Waste Site	LN5 0QF	496400	352400
5	Colsterworth Landfill Site	NG33 5QT	490500	324400
6	Kirkby on Bain Landfill site	LN10 6YN	523340	361400
7	Boston Landfill Site	PE21 7AA	534500	341500
8	Middlemarsh Landfill	PE24 5AD	553690	363550
10	Nettleton Bottom Quarry	LN7 6SR	512730	397880
11	South Witham (East)	NG33 5QL	491700	319000
13	Inert Treatment Facility	LN4 2JA	499500	361800
13	Harmston Quarry	LN4 2JA	499183	361926
14	Brauncewell Quarry Transfer Station	NG34 8RL	502735	351711
14	Brauncewell Quarry	NG34 8RL	502730	351710
16	2 Recycling Ltd	NG31 7XF	489610	334935
17	East Kirkby AD Plant	PE23 4BU	534153	362298
18	The Scrapyard	LN9 5AA	526000	370200
19	RRR (Horncastle) Ltd	LN9 6SB	526779	368484
20	Agri-Cycle Ltd	PE23 4AY	538202	360940
21	Alchemy Farms Ltd	PE21 7PJ	533898	342597
22	Andigestion Ltd	NG33 4SW	496892	319468
23	Bardney Tyre Recycling Facility	LN3 5UF	511312	369150
24	Nocton Fen Farm	LN4 2AY	509026	365734
25	Bio Convertors In-Vessel Composting Facility	NG32 3EW	494740	348550
26	Blue Sky Plastic & Electrical Recycling	PE10 0DN	514268	318775
27	B W T O R Ltd	PE24 4TB	555020	367563
28	Norton Bottoms Quarry	LN6 9JN	486154	359086
29	Bourne Waste Transfer Station	PE10 0DL	510700	319600
30	Bulldog Remoulds Ltd	PE10 9LA	510659	319536
31	Bourne Household Waste Recycling Centre	PE10 9HT	510550	320500
31	Bourne Waste Transfer Station & Civic Amenity Site	PE10 9HT	510500	320500
32	H C I Transfer Station	LN3 5AG	509650	384060
33	Lissinglea House Farm	LN3 5AG	509400	384000
34	Carousel Recycling Ltd	PE25 3TB	555508	362798
35	Manor Pit Quarry	PE6 9PT	512388	314679
36	Park Farm Quarry	LN4 4JT	521400	361400
37	Norton Disney Quarry	LN6 9JT	488027	359922

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
38	Clarkeson Organic Recycling	DN37 8NQ	518574	408539
39	Central Depot Transfer Station (Stamp End Depot)	LN5 7JD	498170	371070
40	Composting Facility	PE22 8LA	541500	358400
41	Day Lee Auto Breakers	NG31 9SE	493841	337205
42	Department Of Trucking Vehicle Depollution	PE22 7HR	529986	352835
43	Glebe Farm	LN11 0UT	532012	390981
44	Spittlegate Level	NG31 7UH	491900	333400
45	Reed Point	PE20 2EP	527530	335193
46	European Metal Recycling Ltd - A T F & Scrap Yard	LN6 7AD	496200	371120
47	Caenby Hall Waste Transfer Station	LN8 2BU	496930	388430
47	Fox Plant (Caenby Hall)	LN8 2BU	496874	388466
48	Boardsides Recycling	PE11 4DS	527488	330498
49	G W Lords (Gainsborough)Y	DN21 3DB		
50	G B M Waste Management	LN11 0WN	532706	388929
51	G B M Waste Management	LN6 9NQ	492920	364808
51	Building 3, Roe House	LN6 9NQ	492897	364816
52	Winchester Marine (Brookenby) Ltd	LN8 6HF	519627	395298
53	G B M Waste Management	LN11 8UZ	538592	386613
54	Greentech Waste Managment Ltd	LN2 3QF	499128	378360
55	Greenworld Composting Site	NG33 5LY	494003	321589
56	Mushroom Farm	LN6 9NQ	492834	364823
57	Heron Renewable Energy A D	LN9 6QU	532148	372015
58	Autby House Materials Recycling Facility	DN36 5SB	528118	397107
59	J P Skips	LN8 3HA	510405	389488
60	B W Riddle A T F And Scrap Yard	PE10 0DN	514470	318760
61	West Deeping Quarry	PE6 9JB	510624	310184
62	Sturgate Airfield	DN21 5DT	488236	387895
63	Dunston Quarry	LN4 2EX	505320	363200
64	Grantham Waste Transfer Station	NG32 2BP	489045	339219
65	Sleaford Waste Transfer Station	NG34 8GL	507311	346846
65	Sleaford Waste Transfer Station	NG34 8GL	507221	346827
66	Boston Waste Transfer Station	PE21 7AA	534065	341584
66	Boston Hwrc/transfer Station/mrf	PE21 7AA	534148	341536
67	Gainsborough Household Waste Recycling Centre	DN21 1AF	481812	388375
68	Skegness Household Waste Recycling Centre	PE25 2JS	555200	364300
69	Gainsborough Waste Transfer Station	DN21 1GD	483185	389519
70	Whisby Landfill Site	LN6 9BT	489880	368130
71	Lindum Group Ltd	LN1 2LR	491150	374580
72	Longwood Quarry	LN4 3BN	506300	358870
73	Belvoir Way	LN11 0LQ	532800	388900
74	Ansons Farm	LN6 9HS	488126	363478
75	Four Acre Farm	PE10 0DN	511082	319300

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
76	A A V Exports	PE12 6BW	526733	320849
77	The Ring Way Depot	NG34 7EW	507484	346518
78	Thompson Metals Ltd	DN21 1AH	481883	388392
79	Riverside Auto Breakers	PE21 7TN	533713	342533
80	Materials Recycling Facility	NG32 3EW	494702	348562
81	The Recycling Centre	PE6 8AR	514071	311311
82	Midland Skip Hire	LN4 3HX	507963	361576
83	Monksview Demolition Ltd	PE12 ONT	534081	312393
84	Anaerobic Digestion Plant	DN21 5TU	494756	390481
85	Bourne Skip Hire & Recycling	PE10 9LA	510600	319700
86	Lincs Rubbish Clearance Services	LN6 3QY	494018	367754
87	Greenaway Green Waste Services	LN13 0LW	545600	381575
88	Copper Hill Quarry	NG32 3PY	498451	342667
89	Tunnel Bank	PE10 0DJ	510620	319279
90	The Recycling Centre	LN9 5PN	526077	370279
91	Willow Tree Farm Recycling Centre	LN1 2NX	487816	376669
92	Decoy Farm	PE6 0LX	526200	312800
92	Decoy Farm	PE6 0LX	525821	312856
93	Baston Fen Mrf	PE6 9PU	512468	314658
93	Baston Fen Mrf	PE6 9PU	512620	314880
94	Barff Farm	LN8 2AG	501162	390059
95	Prince's Skip Hire	NG31 7AP	491000	335400
96	Grange Farm	PE23 5DD	540129	361734
97	Skirbeck Bulk Store WEEE ATF & Non-hazardous W T S	PE21 6BN	533200	343200
98	Track Recycling Ltd	PE23 4BU	533955	362390
99	Home Farm	LN9 6JB	526408	366109
100	Sid Dennis & Sons Ltd	PE24 4RE	553700	362400
101	The Warehouse, Riverside Ind Est, Boston	PE21 7TN	533605	342563
102	Spalding Pallets Ltd	PE11 3HA	523041	316796
103	Hanbeck Farm	NG32 3PB	500544	343173
104	Station Farm Anaerobic Digestion Facility	PE22 0SE	536529	350539
105	Tessmill - Woodland Drive	NG31 9SR	494200	337500
106	The Boundary	NG31 7UE	490400	333300
107	U K Tyre Technicians Ltd	NG31 7UH	491800	333200
108	Waste Away Solutions Ltd Transfer Station	NG34 7EW	507528	346647
109	Highfield Quarry	PE23 5SX	545200	369000
110	The Pig Farm	NG33 5LZ	494182	322254
111	Wildmore Renewables Ltd	PE22 7AN	526057	349346
112	N K R Motors Ltd	PE12 0SS	530851	315079
113	Balcan Engineering Ltd	LN9 6JR	526687	368494
114	Plot 7 ( Also Known As 6a) Dale Street	LN5 8LL	498889	370659
115	County Waste	LN6 3QY	493640	367660
116	Eco Plastics Ltd	DN21 5TU	494773	390417
117	Lincolnshire EfW Facility	LN6 3QZ	493950	367850

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
118	Westville Farm Transfer Station	PE22 7HR	529900	352900
119	Boardsides Recycling	PE21 7PB	529715	343879
120	Hambleton Brothers	LN7 6RX	511188	402371
121	Manor Farm A D Plant	PE12 8LR	540431	328455
122	I Mole Autospares	LN6 5UA	491000	372200
123	South Elkington Estate	LN11 0RY	529741	389319
124	Len Kirk Plant Hire Ltd	LN6 3QZ	493400	367900
125	Barrowby Waste Transfer Station	NG32 1BX	488900	336300
126	Louth Non-hazardous & Hazardous Household Waste Amenity Site	LN11 0WA	532897	389110
127	Louth Waste Transfer Station	LN11 0WA	532988	389264
128	Great Northern Terrace Household Waste Recycling Centre	LN5 8HJ	498650	370771
129	Market Rasen Household Waste Recycling Centre	LN8 3HA	509943	389638
130	Grantham Household Waste Recycling Centre	NG31 7AS	490800	335300
131	Sleaford Household Waste Recycling Centre	NG34 8SU	507300	344700
132	Spalding Household Waste Recycling Centre	PE11 2BB	526104	324962
133	Whisby Civic Amenity Site	LN6 9DD	489800	368300
134	Kirkby On Bain Civic Amenity Site	LN10 6YN	523400	361500
135	Lincoln Road Transfer Station	LN1 2NF	490799	375120
136	East Road Salvage A T F	NG34 7EH	507551	346369
137	The Salvage Yard	LN11 7NU	542752	397921
138	Brown's Autobreakers	LN5 9NT	497868	364504
139	Lincolnshire Processed Scrap Metal	NG31 6HN	491800	335100
140	South Witham Quarry - West	NG33 5QL	491100	318800
141	Barkstone Heath Warehousing Facility	NG32 3PY	497646	341758
142	Part Of O S Field No 0023	LN9 5AA	526000	370200
143	Gainsborough Skip Hire	DN21 3ET	480566	392859
144	Gainsborough Skip Hire	DN21 3ET	480681	392761
145	3 F Pallets	LN1 2RG	496700	375300
146	The Grey House	PE21 7JD	529482	343033
147	Alford Road TS	LN13 9RB	550800	376500
148	The Orange Skip Company	LN6 3QY	493948	367746
149	Camp Farm	PE6 9QF	515500	313200
150	Nationwide Metal Recycling Ltd	PE12 8QA	536100	324300
151	Caythorpe Biomass Energy Recovery Plant	NG32 3EQ	494700	348400
152	T Shooter (boston) Ltd	PE21 7AA	532200	343400
153	Primetake Storage Facility	d	504576	372517
154	Skirbeck Road, Port Of Boston	PE21 6BN	533290	343430
155	Rilmac Holding Skip	LN3 4NJ	499941	371789
156	Sky Lane	LN5 9FE	491108	363936
157	The Ranch Scrapyard (transfer)	PE12 6BL	525200	320800
158	The Breakers Yard	PE10 0TU	514800	328900

Ref	Site Name	Postcode	Easting	Northing
159	Dale Street Transfer Station	LN5 8LL	498930	370700
160	A T F & Fridge Storage Site	LN5 8LG	498760	370710
161	Alexander Road Depot	NG31 7AP	490880	335440
162	Wrangle A D Plant	PE22 9HE	544660	350590
163	Gorse Lane, Grantham	NG31 7UF	491900	333900
164	Vacu Lug Traction Tyres Limited	NG31 8HE	490400	337500
165	North Warren Road Depot	DN21 2TH	480578	390822
166	Windley's Salvage Ltd	LN4 4JS	519800	360100
167	Pimlico Farm A D Plant	DN37 8LL	511374	407858
168	Global Auto Salvage	LN3 5TP	514306	370458
169	Fiddlers Elbow Dredging Tip	LN1 2BE	493700	373100
170	Kettleby Quarry	DN20 9HL	504190	408190
171	Kirkby on Bain Quarry	PE22 7TA	523290	360355
172	Mansgate: Riddel	LN7 6FW	512450	400250
173	South Thoresby Quarry	LN13 0AN	540650	377300
174	Swinderby Quarry	LN6 9UD	488217	361720
175	Colsterworth Triangle		490024	324397
176	Creeton Quarry		499729	320676

### Sewage Treatment Works

Ref	Site Name	Postcode	Easting	Northing
<b>Anglican Water</b>				
AW01	NORTH KELSEY STW	LN7 6JU	504783	402458
AW02	NORTH THORESBY STW	DN36 5QG	529021	398943
AW03	LEGBOURNE STW	LN11 8LW	537034	384216
AW04	ALFORD STW	LN13 9BN	546082	375900
AW05	OLD BOLINGBROKE STW	PE23 4HB	535189	364486
AW06	TOYNTON STW	PE23 5AX	540291	362808
AW07	MAREHAM LE FEN STW	PE22 7SF	528073	360371
AW08	EAST KIRKBY STW	PE23 4DB	533296	361559
AW09	NEW LEAKE STW	PE22 8JT	540049	357278
AW10	SPILSBY STW	PE23 5PF	541684	364497
AW11	STICKNEY STW	PE22 8DG	534861	356741
AW12	SWATON STW	NG34 0JQ	513092	337044
AW13	HELPRINGHAM STW	NG34 0RP	514071	341005
AW14	SWINESHEAD STW (LINCS)	PE20 3NB	522698	341902
AW15	SOUTH KYME STW	LN4 4AB	516156	350227
AW16	AMBER HILL STW	PE20 3RQ	523149	347361
AW17	SUTTON BRIDGE STW	PE12 9QF	546405	322991
AW18	GEDNEY DROVE END HOLBOURN STW	PE12 9PF	546075	329338
AW19	MANTHORPE STW	PE10 0JE	506793	316263
AW20	WADDINGHAM STW	DN21 4ST	498953	396273
AW21	FALDINGWORTH MOD STW	LN8 3NQ	504032	387220
AW22	MARKET RASEN STW	LN8 3TT	507461	388992
AW23	CLAXBY STW	LN8 3YS	511183	394281
AW24	KIRKBY CUM OSGODBY STW	LN8 3PE	506306	392963
AW25	OWMBY STW	LN8 2HP	500517	387313

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW26	FALDINGWORTH STW	LN8 3SF	507058	384182
AW27	GLENTHAM STW	LN8 2ER	500343	390757
AW28	WELTON-LE-WOLD STW	LN11 0QT	528124	387801
AW29	LOUTH STW	LN11 7DX	535938	390238
AW30	COVENHAM PACKAGED STW	LN11 0PA	534618	396174
AW31	STOKE ROCHFORD STW	NG33 5EJ	491803	328268
AW32	HARLAXTON STW	NG32 1AG	489134	333066
AW33	GREAT PONTON STW	NG33 5DY	493071	330604
AW34	LITTLE PONTON STW	NG33 5BS	492620	332470
AW35	MARSTON STW (LINCS)	NG32 2HX	490629	342581
AW36	LONDONTHORPE STW	NG31 9RX	495228	338348
AW37	SWINDERBY STW	LN6 9OD	489878	361882
AW38	SOUTH HYKEHAM STW	LN6 9TU	494209	364803
AW39	NORTH HYKEHAM STW	LN5 9AJ	495795	366079
AW40	SAXILBY STW	LN1 2PB	488615	375042
AW41	SKELLINGTHORPE STW	LN6 5TY	493659	372608
AW42	DEEPING STW	PE6 8RQ	517393	308548
AW43	SUTTERTON-ROPER LA STW	PE20 2HZ	528651	336985
AW44	FRAMPTON STW	PE20 1BW	531566	339893
AW45	FRITHVILLE STW	PE22 7EX	531634	350571
AW46	GIPSEY BRIDGE STW	PE22 7BN	529383	348483
AW47	INGOLDMELLS STW	PE25 1JH	555968	367615
AW48	CANWICK STW	LN4 1EF	499679	370408
AW49	SPRIDLINGTON STW	LN8 2DF	501281	384462
AW50	NETTLEHAM STW	LN2 2OQ	501915	375699
AW51	KEELBY STW	DN41 8SL	516886	409806
AW52	HOLTON LE CLAY STW	DN36 5AS	529698	403083
AW53	NORTH COTES STW	DN36 5UT	535440	400280
AW54	CAISTOR STW	LN7 6NH	510755	401080
AW55	BIGBY STW	DN38 6EE	505722	407111
AW56	GRASBY STW	DN38 6AP	508669	404254
AW57	BURTON COGGLES STW	NG33 4JP	498169	325859
AW58	IRNHAM STW	NG33 4JD	502817	326918
AW59	CORBY GLEN STW	NG33 4LA	499315	324682
AW60	BOOTHBY PAGNELL STW	NG33 4DG	497335	330726
AW61	ROPSLEY STW	NG33 4HW	500100	333661
AW62	INGOLDSBY STW	NG33 4HA	502147	330184
AW63	OLD SOMERBY STW	NG33 4AE	496962	333686
AW64	EDENHAM STW	PE10 0LS	506622	321577
AW65	BOURNE STW	PE10 0AT	510896	320121
AW66	DUNSBY STW	PE10 0ST	510524	327510
AW67	PICKWORTH STW (GRANTHAM)	NG34 0TQ	504241	333535
AW68	CRANWELL STW	NG34 8HU	501641	350221
AW69	SOUTH RAUCEBY STW	NG34 8QF	503157	344880
AW70	ANCASTER STW	NG32 3OQ	498990	344192
AW71	AUNSBY VILLAGE STW	NG34 8SA	504842	338897
AW72	SILK WILLOUGHBY STW	NG34 8PE	505930	342934
AW73	KIRKBY LA THORPE STW	NG34 9NS	510078	344895
AW74	SLEAFORD DROVE LANE (WP)STW	NG34 8JQ	505554	346228

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW75	SLEAFORD STW	NG34 9PA	508378	347304
AW76	MANBY STW	LN11 8HL	540507	386280
AW77	NORTH SOMERCOTES STW	LN11 7PD	541832	398318
AW78	WELTON LE MARSH (WTW) STW	PE23 5TA	547313	368522
AW79	STRUBBY STW	LN13 0DZ	544704	379089
AW80	MABLETHORPE STW	LN12 2QN	548984	382527
AW81	ANDERBY-SEA ROAD STW	PE24 5XY	553929	375976
AW82	LEASINGHAM STW	NG34 8LJ	506270	349078
AW83	HORBLING STW	NG34 0PW	512334	334622
AW84	DONINGTON STW	PE11 4XE	519644	334839
AW85	GOSBERTON STW	PE11 4PN	522649	332227
AW86	SUTTERTON-WIGTOFT STW	PE20 2EN	527175	335586
AW87	SURFLEET STW	PE11 4BH	525728	329448
AW88	MARTIN STW	LN4 3QU	512383	359469
AW89	BILLINGHAY STW	LN4 4AZ	516069	355470
AW90	WOODHALL SPA STW	LN10 6QY	518434	363287
AW91	CONINGSBY STW	LN4 4TE	521658	356842
AW92	HORNCastle STW	LN9 5LB	526045	367488
AW93	MOULTON STW	PE12 6PY	529844	324385
AW94	FOSDYKE BELL LANE STW	PE20 2BS	531801	333614
AW95	GEDNEY DYKE ANVIL CLOSE STW	PE12 0BG	541449	326173
AW96	SKILLINGTON STW	NG33 5HF	490363	325646
AW97	STAINBY STW	NG33 5QT	490804	322970
AW98	SCAMPTON RAF STW	LN1 2SE	496545	378844
AW99	NORTH CARLTON STW	LN1 2RU	494261	377603
AW100	AISTHORPE STW	LN1 2SG	494227	380190
AW101	STURTON BY STOW STW	LN1 2YX	489378	380837
AW102	NORTH COTES (RAF) STW	DN36 5XE	536551	402848
AW103	BECKINGHAM STW	LN5 0RN	487609	354074
AW104	SWALLOW STW	LN7 6DN	517757	403202
AW105	DORRINGTON STW	LN4 3QA	508856	352924
AW106	ROWSTON STW	LN4 3LU	508494	356940
AW107	ASHBY DE LA LAUNDE STW	LN4 3JG	504984	355011
AW108	LITTLE BYTHAM STW	NG33 4RX	500783	318077
AW109	BRANSTON BOOTHS STW	LN4 1AJ	506308	369225
AW110	WASHINGBOROUGH STW	LN4 1AE	504232	370684
AW111	REEPHAM STW (LINCS)	LN2 2QX	504260	374762
AW112	FISKERTON STW	LN3 4HN	505351	371893
AW113	UPTON (LINCS) STW	DN21 5NR	487678	386792
AW114	WILLINGHAM STW	DN21 5LH	487996	384559
AW115	TATHWELL STW	LN11 9SR	532120	382987
AW116	TETFORD STW	LN9 6QF	533849	374191
AW117	SKENDLEBY STW	PE23 4OE	543279	369816
AW118	FISHTOFT STW	PE21 0RD	536537	344465
AW119	SIBSEY STW	PE22 0SG	536138	351055
AW120	OLD LEAKE-SKIPMARSH LANE STW	PE22 9LT	538955	350171
AW121	FULBECK STW	NG32 3JG	494206	350684
AW122	CARLTON SCROOP STW	NG32 3AR	495121	345411

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW123	CAYTHORPE STW	NG32 3BG	494359	347169
AW124	HOUGH ON THE HILL STW	NG32 2BB	492324	346853
AW125	CANDLESBY STW	PE23 5RR	545333	367041
AW126	CROFT STW	PE24 4RR	551005	361561
AW127	ALLINGTON STW	NG32 2FS	486105	339916
AW128	NAVENBY STW	LN5 0EX	498116	357684
AW129	HOLTON CUM BECKERING STW	LN8 5NG	511794	380997
AW130	SUTTON ST JAMES-NEEDHAM DR ST	PE12 0EG	539536	318154
AW131	COWBIT STW	PE12 6DN	528723	319122
AW132	GLENTWORTH STW	DN21 5ED	494351	387863
AW133	HEMSWELL R A F STW	DN21 5XP	495625	389955
AW134	SALTFLEET STW	LN11 7SA	545773	393557
AW135	LAND OFF STOWE ROAD STW		509213	311876
AW136	FRISKNEY STW	PE22 8NU	546563	356460
AW137	WAINFLEET STW	PE24 4QY	549213	359677
AW138	SKELLINGTHORPE #2 STW	LN6 5TY	493597	372571
AW139	BROCKLESBY STW	DN41 8PP	514155	411725
AW140	TETNEY-NEWTON MARSH STW	DN36 5LA	533247	403284
AW141	BOSTON STW	PE21 0SH	535483	341088
AW142	ROTHWELL STW (LINCS)	LN7 6DT	515890	399754
AW143	LUDFORD STW	LN8 6AS	520821	389307
AW144	BINBROOK STW	LN8 6HU	520664	394819
AW145	TEALBY STW	LN8 3XL	515086	390472
AW146	CLAYPOLE STW	NG23 5AJ	483869	349682
AW147	LONG BENNINGTON STW	NG23 5DW	483993	345169
AW148	STUBTON STW	NG23 5DD	487463	349127
AW149	CROWLAND STW	PE6 0BZ	524551	309146
AW150	METHERINGHAM STW	LN4 3HX	507982	361449
AW151	WELTON (WTW) STW	LN2 3PB	501485	381467
AW152	DUNHOLME STW	LN2 3QZ	503435	379687
AW153	BASSINGHAM STW	LN5 9HA	490484	359895
AW154	BRANT BROUGHTON STW	LN5 0SP	492358	354218
AW155	LEADENHAM STW	LN5 0PG	495374	353163
AW156	SPALDING STW	PE11 2BB	526185	325111
AW157	BARDNEY STW	LN3 5SU	512655	368218
AW158	HEMINGBY-MAIN RD STW	LN9 5QF	523500	374337
AW159	MINTING STW	LN9 5SB	518589	373285
AW160	DONINGTON ON BAIN STW	LN11 9TN	523287	382708
AW161	BUCKNALL STW	LN10 5DT	517158	368729
AW162	MARKET STAINTON STW	LN8 5LJ	523108	380119
AW163	WILSFORD STW	NG32 3PD	501100	342689
AW164	OSBOURNBY STW	NG34 0DL	507542	338243
AW165	ANWICK STW	NG34 9SP	511404	349997
AW166	TATTERSHALL BRIDGE STW	LN4 4JJ	519103	356161
AW167	CHAPEL HILL STW	LN4 4ZL	520038	354641
AW168	HOLBEACH STW	PE12 8AD	535673	325826
AW169	DEEPING ST NICH - WREN CL STW	PE11 3DX	520889	315225
AW170	CORRINGHAM STW	DN21 5QP	487316	390557

<b>Ref</b>	<b>Site Name</b>	<b>Postcode</b>	<b>Easting</b>	<b>Northing</b>
AW171	COLSTERWORTH STW	NG33 5NT	492683	324697
AW172	INGHAM STW	LN1 2YP	494338	383077
AW173	NOCTON (RAF) STW	LN4 2DB	506577	364692
AW174	HECKINGTON STW	NG34 9PT	515048	345529
AW175	WILSTHORPE STW	PE9 4PD	508102	314867
AW176	WRAGBY STW	LN8 5QZ	512617	377961
AW177	SOUTH WITHAM STW	NG33 5PN	492818	319720
AW178	SUTTON ST JAMES SUTTON GATE STW	PE12 0HP	540398	317900
AW179	SALTFLEETBY ST PETER STW	LN11 7SZ	542908	390341
AW180	THEDDLETHORPE SILVER ST STW	LN12 1PA	547299	386886
AW181	OASBY MILL LANE STW	NG32 3NA	500309	338768
AW182	PICKWORTH CHURCH LANE STW	NG34 0TE	504613	333870
AW183	FENTON PUMP LANE STW	NG23 5DF	488441	350908
AW184	DEEPING ST NICHOLAS NEW RD STW	PE11 3DU	521582	314804
AW185	LAND OFF WILSTHORPE LANE STW		509317	313467
AW186	WOODCOTE LANE STW		495623	374649
<b>Seven Trent Water</b>				
ST01	Land Opposite Park Farm Cottage STW	-	485579	374183
ST02	Blyton STW	DN21 3LA	485650	395033
ST03	Gainsborough STW	-	481782	387469
ST04	Scotter Riverside STW	DN21 3UG	488639	401057
ST05	Heapham Road STW	DN21 1PT	483056	389287
ST06	East Stockworth STW	DN21 3DH	478616	394472
ST07	Pilham STW	DN21 3NU	486092	393966
ST08	Willoughton STW	DN21 5RT	492541	393738
ST09	Laughterton STW	LN1 2BD	484023	376143
ST10	Northorpe STW	DN21 4AQ	489579	396887
ST11	Marton STW	DN21 1AF	481885	388546

### **Appendix 3: Minerals and Waste Site Mapping by District**

Figure 6 Existing Minerals and Waste Sites West Lindsey District

Figure 7 Existing Minerals and Waste Sites East Lindsey District

Figure 8 Existing Minerals and Waste Sites Lincoln District

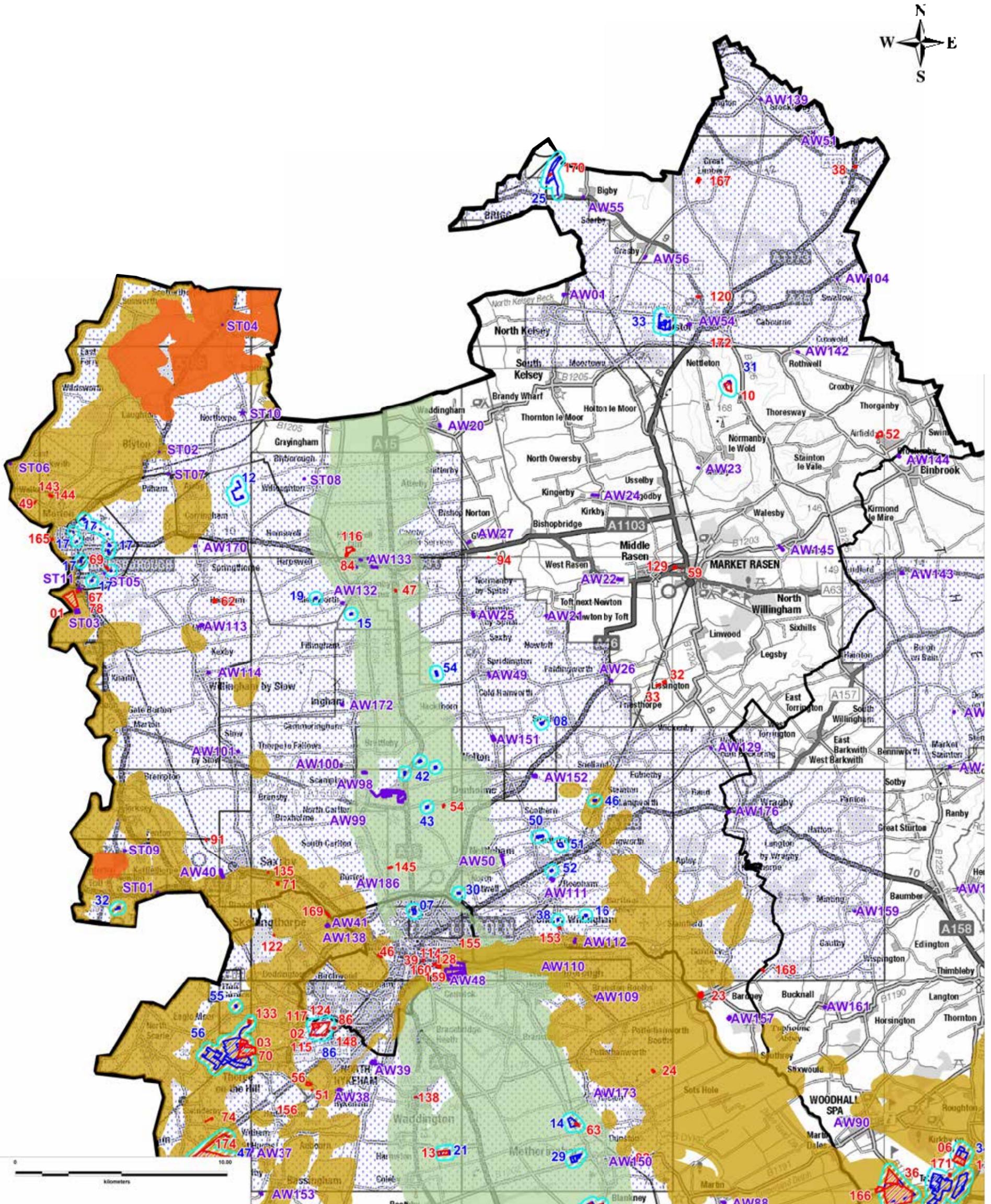
Figure 9 Existing Minerals and Waste Sites North Kesteven District

Figure 10 Existing Minerals and Waste Sites Boston District

Figure 11 Existing Minerals and Waste Sites South Kesteven District

Figure 12 Existing Minerals and Waste Sites South Holland District

**Figure 6 Existing Minerals and Waste Sites  
West Lindsey District**



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.

OS Licence 100025370

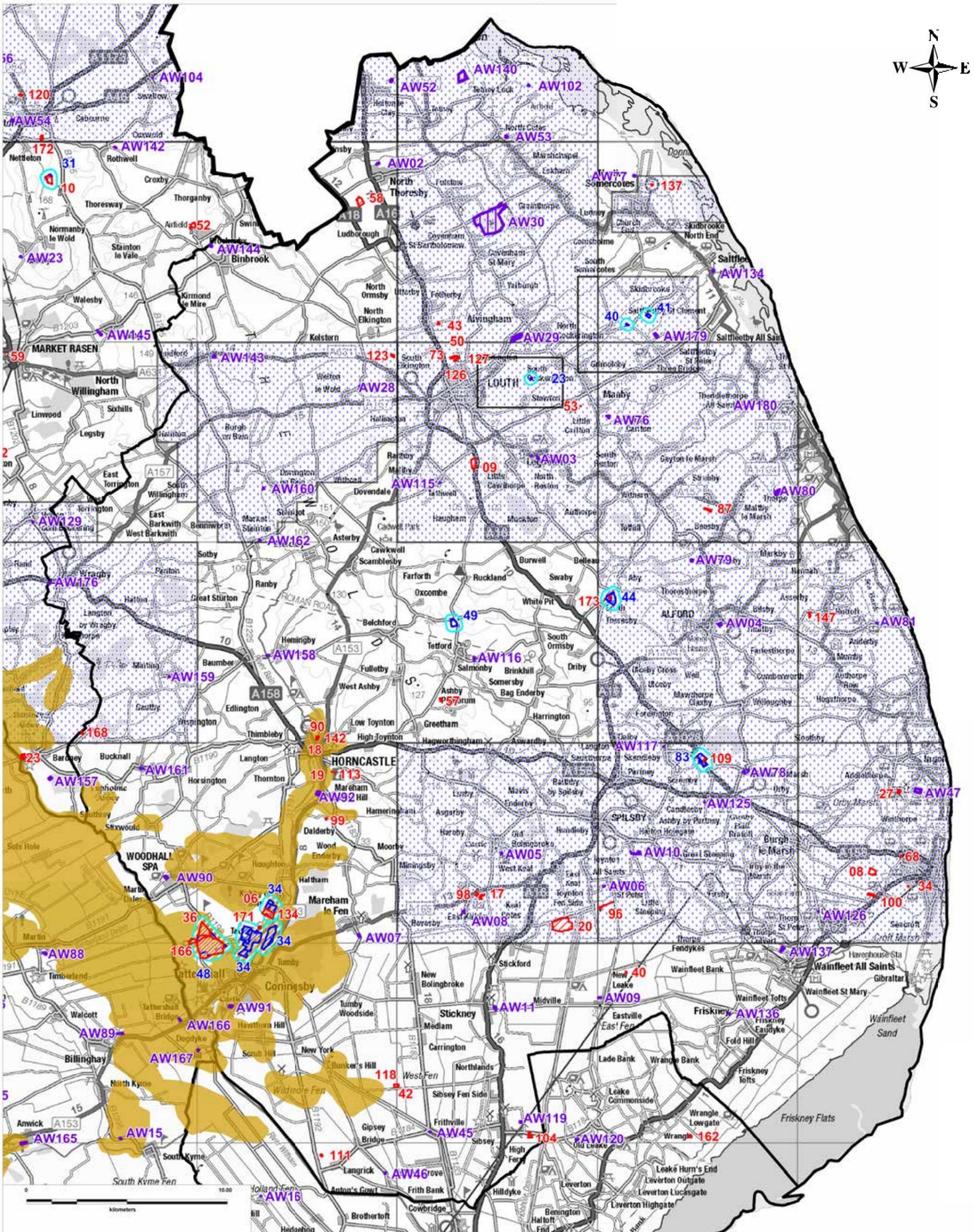
**Key**

- Limestone Minerals Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area
- Site Specific Minerals Safeguarding Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



**Figure 7 Existing Minerals and Waste Sites  
East Lindsey District**



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.

OS Licence 100025370

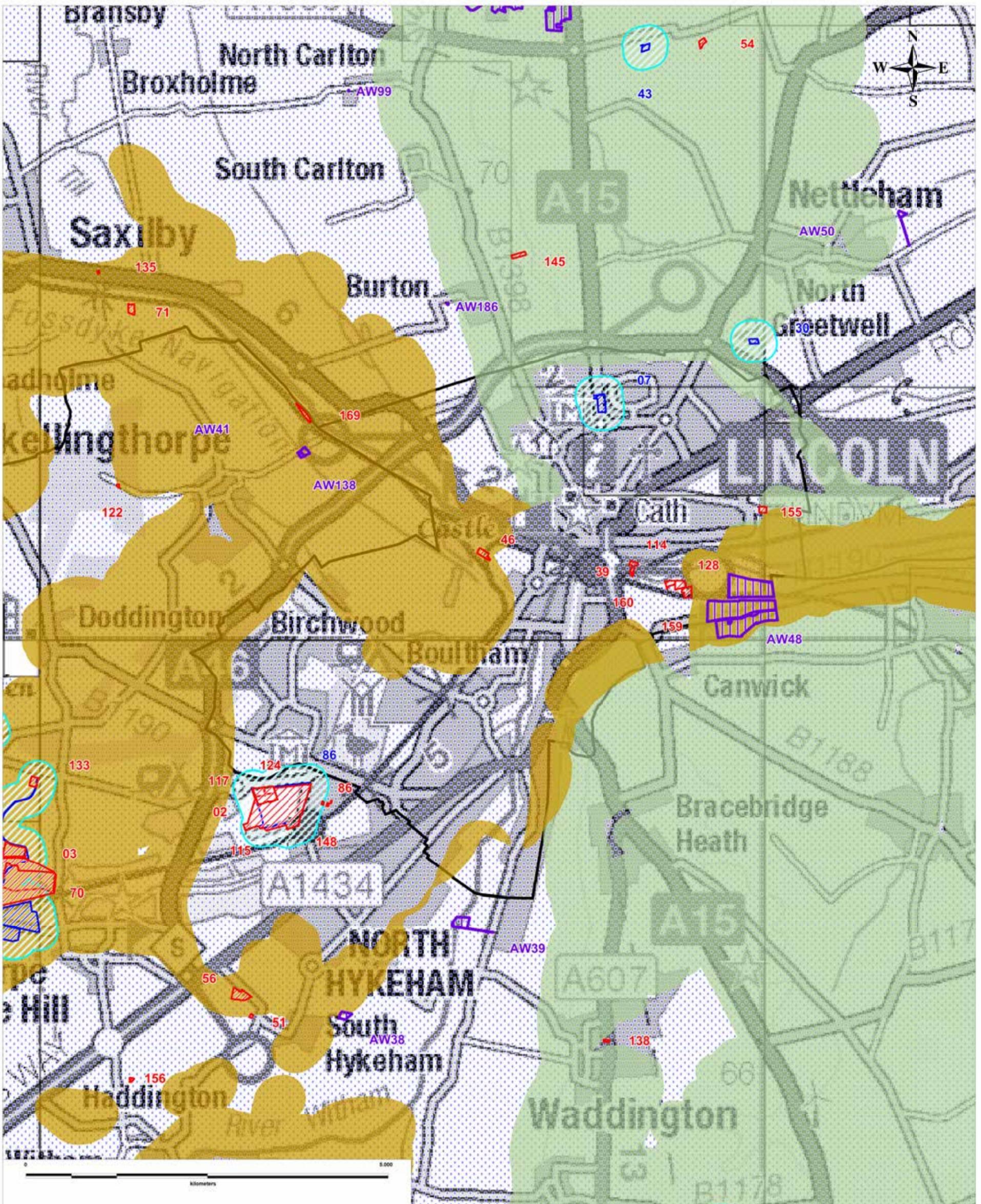
**Key**

-  Limestone Minerals Safeguarding Area
-  Sand & Gravel Minerals Safeguarding Area
-  Wind Blown Sand Minerals Safeguarding Area
-  Site Specific Minerals Safeguarding Area
-  Existing Waste Site
-  Existing Minerals Site
-  Sewage Treatment Works
-  Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



**Figure 8 Existing Minerals and Waste Sites  
Lincoln District**



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licensed under the Open Government Licence v3.0.

OS Licence 100025370

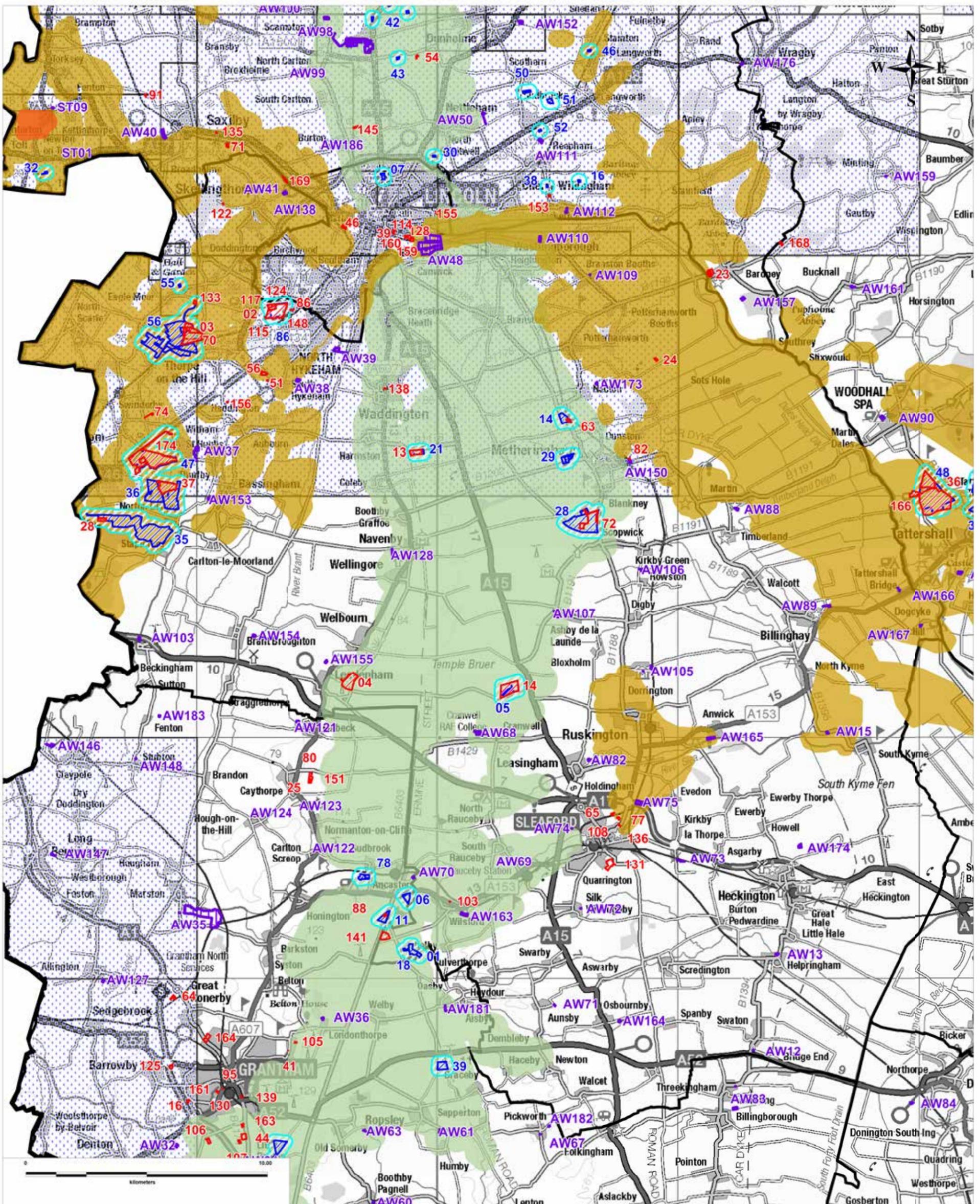
**Key**

- Limestone Minerals Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area
- Site Specific Minerals Safeguarding Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



**Figure 9 Existing Minerals and Waste Sites  
North Kesteven District**



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.

OS Licence 100025370

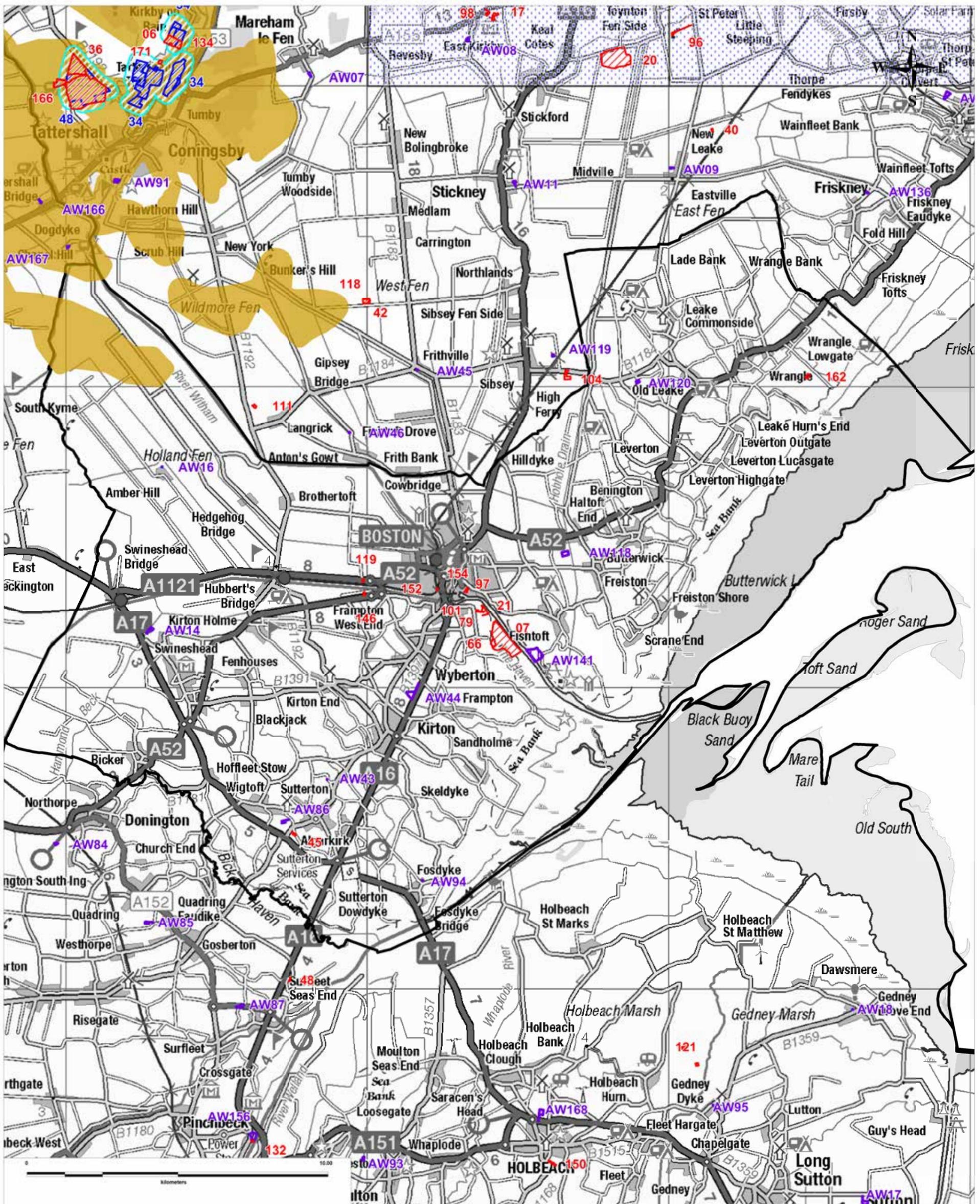
**Key**

- Limestone Minerals Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area
- Site Specific Minerals Safeguarding Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



**Figure 10 Existing Minerals and Waste Sites  
Boston District**



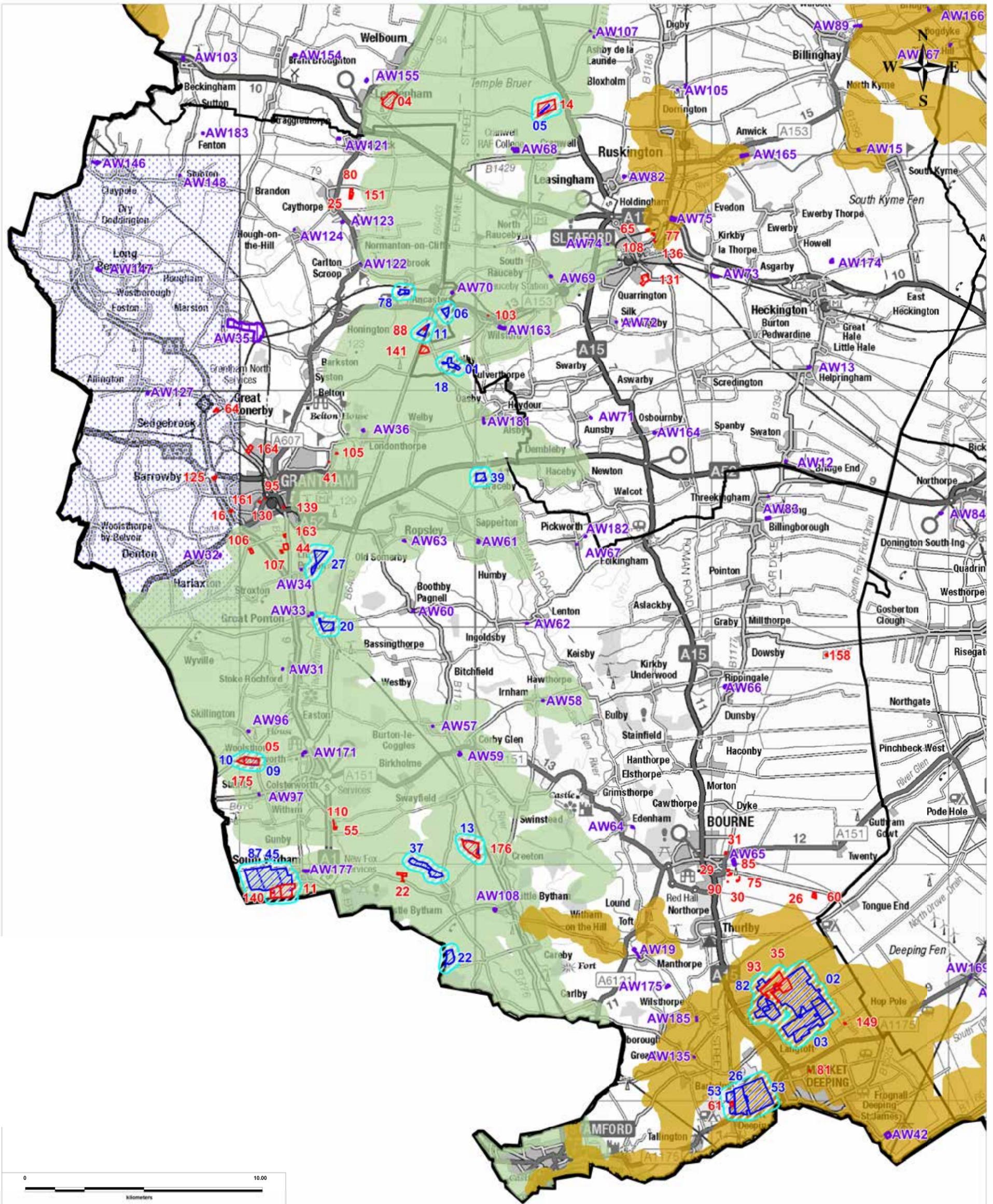
**Lincolnshire County Council**  
 Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.  
**OS Licence 100025370**

<b>Key</b>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> Limestone Minerals Safeguarding Area</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FFD700; border: 1px solid black; margin-right: 5px;"></span> Sand &amp; Gravel Minerals Safeguarding Area</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #FF8C00; border: 1px solid black; margin-right: 5px;"></span> Wind Blown Sand Minerals Safeguarding Area</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 2px solid cyan; margin-right: 5px;"></span> Site Specific Minerals Safeguarding Area</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, red 2px, red 4px); border: 1px solid black; margin-right: 5px;"></span> Existing Waste Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, blue 2px, blue 4px); border: 1px solid black; margin-right: 5px;"></span> Existing Minerals Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, purple 2px, purple 4px); border: 1px solid black; margin-right: 5px;"></span> Sewage Treatment Works</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 4px 4px; border: 1px solid black; margin-right: 5px;"></span> Petroleum Exploration Development Licence Blocks*</li> </ul>
------------	--	---

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)

**Lincolnshire**  
 COUNTY COUNCIL  
*Working for a better future*

**Figure 11 Existing Minerals and Waste Sites  
South Kesteven District**



**Lincolnshire County Council**

Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.

OS Licence 100025370

**Key**

- Limestone Minerals Safeguarding Area
- Sand & Gravel Minerals Safeguarding Area
- Wind Blown Sand Minerals Safeguarding Area
- Site Specific Minerals Safeguarding Area
- Existing Waste Site
- Existing Minerals Site
- Sewage Treatment Works
- Petroleum Exploration Development Licence Blocks\*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)



**Figure 12 Existing Minerals and Waste Sites  
South Holland District**



**Lincolnshire County Council**  
 Reproduced from the 2016 OS Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings. Contains public sector information licenced under the Open Government Licence v3.0.  
**OS Licence 100025370**

**Key**

	Limestone Minerals Safeguarding Area		Existing Waste Site
	Sand & Gravel Minerals Safeguarding Area		Existing Minerals Site
	Wind Blown Sand Minerals Safeguarding Area		Sewage Treatment Works
	Site Specific Minerals Safeguarding Area		Petroleum Exploration Development Licence Blocks*

\*Includes blocks offered for award under the 14th licensing round. The latest PEDL mapping can be accessed via [www.gov.uk/oga](http://www.gov.uk/oga)

**Lincolnshire**  
 COUNTY COUNCIL  
*Working for a better future*

## Appendix 4: Glossary of Terms

**Active Mining Site:** Mineral workings that are classified as active under the Planning and Compensation Act 1991 or the Environment Act 1995.

**Aftercare:** An agreed programme of work designed to bring a restored mineral or waste site to a satisfactory standard for agriculture, amenity or nature conservation use. Normally imposed in the form of a planning condition once a site has been granted permission to operate.

**After-use:** The use to which a mineral or waste site is put to on completion of restoration and any aftercare provisions e.g. agriculture, forestry, amenity (including nature conservation). Planning permission will be required to develop more formal uses of land (e.g. change of use of land to create a leisure facility).

**Aggregates:** Materials used in construction work or as fill consisting of rock crushed by nature (sands and gravels) or crushed by man (quarried rock, such as limestone which is then crushed on site).

**Alternative (Secondary) Aggregates:** The re-use of construction materials e.g. from demolition or road maintenance or the use or reprocessing of waste materials from other industries such as power station ash or colliery spoil, to replace primary aggregates.

**Ancient Woodland:** An area of woodland which has had a continuous history of tree cover since at least 1600.

**Apportionment:** The County's share of Regional aggregate provision.

**Appropriate Assessment:** A process required by the Habitats Directive 92/43/EEC- the Conservation of Natural Habitats and Wild Flora and Fauna to avoid adverse effects of plans, programmes and projects on Natura 2000 sites and thereby maintain the integrity of the Natura 2000 network and its features. To comply with the Directive, Lincolnshire County Council has carried out an Appropriate Assessment screening exercise.

**Area of Outstanding Natural Beauty (AONB):** AONB is a statutory designation in recognition of their national importance and to ensure that their character and qualities are protected for all to enjoy. The legal framework for Areas of Outstanding Natural Beauty is provided by the Countryside and Rights of Way Act 2000.

**Area of Search:** An extensive area of land believed to contain significant, but generally unproven mineral resources within which the Mineral Planning Authority would have no objection in principle to mineral working, on at least part of the site subject to satisfactory proposals to protect the range of interests of acknowledged importance within and adjoining the area (see also "Preferred Areas").

**Biodiversity:** Summarises the phrase biological diversity – the variety of life on earth around us (mammals, birds, reptiles, amphibians, fish, invertebrates, plants, fungi and microorganisms) and the systems that support that variety.

**Biodiversity Action Plan (BAP):** A strategy for conserving species and enhancing, restoring, and creating habitats of importance.

**Biodiversity Opportunity Mapping (BOM):** Collation and assessment of existing data to provide guidance on the most suitable areas for landscape-scale biodiversity enhancement.

**Biodiversity 2020:** The national (England) strategy for the conservation of biodiversity 2011-2020.

**Borrow pit:** A temporary mineral working to supply material for a specific construction project.

**Coal Bed Methane:** Clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground coal seams.

**C&I Waste (*Commercial and Industrial Waste*):** Definition provided at beginning of Chapter 6 – Waste.

**C&D Waste (*Construction and Demolition Waste*):** Definition provided at beginning of Chapter 6 – Waste.

**Core Strategy:** Sets out the key elements of the planning framework for the area, including a long term spatial vision, the spatial objectives, and the strategic policies to deliver that vision. All other Development Plan Documents in the Local Development Framework (LDF) must be in conformity with the Core Strategy.

**Development Plan:** Sets out policies and proposals for the development and use of land within the area of the application.

**Development Management Policies:** A suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

**Dormant Mineral Sites:** Mineral Sites and Old Mining Permissions that are classified as dormant under the Environment Act 1995 or the Planning and Compensation Act 1991 respectively.

**Geodiversity:** Summarises the phrase geological diversity - the variety of rocks, minerals, fossils, soils and landscapes, together with the natural processes which form them. It is the link between geology, landscape, biodiversity and people.

**Geodiversity Action Plan (GAP):** A strategy for promoting and managing the sustainable use of geodiversity resources.

**Green infrastructure:** a strategically planned and delivered network of high quality green spaces and other environmental features. It should be a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.

**Groundwater:** Water associated with soils or rocks below the ground surface, usually taken to mean water in the saturated zone, below the water table.

**Hydraulic Fracturing ('Fracking'):** Hydraulic fracturing - or, as it is commonly known, fracking - is a process used to extract natural gas from rock (including shale). In simple terms, the technique involves pumping water into the ground at high pressure to make narrow fractures in the rock. The water contains sand and chemicals to help stimulate the gas. The process of fracking allows the gas or oil that's trapped inside the rock to be released so it can be recovered on the surface. The Department of Energy and Climate Change (DECC) and numerous independent organisations have published papers which provide guidance about shale oil and gas and 'fracking'.

**Inert Waste:** waste that is biologically, chemically and physically unreactive with the environment.

**Landbank:** A stock of planning permissions (permitted reserves) for the winning and working of minerals generally expressed in 'years worth of supply'.

**Lincolnshire Geodiversity Action Plan (LGAP):** The local GAP that covers the historic county of Lincolnshire, i.e. the areas administered by Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council.

**Local Aggregate Assessment:** A Local Aggregate Assessment is an annual assessment of the demand for and supply of aggregates in a mineral planning authority's area.

**LACW (*Local Authority Collected Waste*):** Definition provided at beginning of Chapter 6 – Waste.

**Local Development Document:** Local Development Documents are statutory documents prepared under the Planning and Compulsory Purchase Act 2004, which set out the spatial planning strategy and policies for an area. They have the weight of development plan and are subject to community involvement, public consultation and independent examination.

**Local Development Scheme (LDS):** Describes the Local Plan documents which the authority intends to prepare and the timetable for their preparation.

**Local Geological Sites:** Geological or geomorphological sites that are considered worthy of protection for their educational, research, historical or aesthetic importance. One of a number of designations under the umbrella term Local Sites.

**Local Nature Reserves (LNR):** Sites for people and wildlife offering special opportunities to study or learn about nature or simply to enjoy it. They are declared by principal authorities under Section 21 of the National Parks and Access to the Countryside Act 1949, and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006.

**Local Plan:** A Local Development Document which provides a written statement of the policies for delivering the spatial strategy and vision for an authority area, supported by a reasoned justification.

**Local Wildlife Sites (LWS):** Local Wildlife Sites are usually selected within a local authority area and support both locally and nationally threatened wildlife. Many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).

**Localism Act 2011:** Is an Act of Parliament that changes the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.

**Marine Protected Area (MPA):** zones of the seas and coasts where wildlife is protected from damage and disturbance. The Government is committed to establishing a well-managed ecologically coherent network of MPAs in our seas.

**Mineral Planning Authority (MPA):** The Local Planning Authority responsible for overseeing all aspects of mineral operations. In the case of the County of Lincolnshire, these powers rest with the County Council.

**Municipal Waste:** See definition of Local Authority Collected Waste (LACW) provided at beginning of Chapter 6 – Waste.

**National Character Area (NCA):** subdivide England into 159 areas of similar landscape character. Each NCA has a unique identity resulting from the interaction of wildlife, landforms, geology, land use and human impact.

**National Nature Reserve (NNR):** NNRs are the finest sites in England for wildlife and / or geology. They are a selection of the very best parts of England's Sites of Special Scientific Interest and many also have European nature conservation designations.

**National Planning Policy Framework (NPPF):** The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

**The Natural Environment White Paper:** Sets out how the value of nature can be mainstreamed across society by facilitating local action; strengthening the connections between people and nature; creating a green economy and showing leadership in the EU and internationally. It sets out 92 specific commitments for action.

**Non-Inert Waste:** waste not classified as inert and thus in some manner will react with the environment. Also known as 'Active Waste'.

**Permitted Reserves:** Mineral reserves for which planning permission has been granted (usually expressed in million tonnes). The MPA will not release details of reserves for individual quarries or quarry operators to ensure 'commercial confidentiality'.

**Planning and Compulsory Purchase Act 2004:** The legislation that introduced the new development planning system, which at the local level is based on Local Development Frameworks. The Act commenced in September 2004.

**Preferred Areas:** An area of known mineral resource, proven by survey information, where planning permission might reasonably be anticipated, subject to all other considerations being met.

**Priority habitat/species:** Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 details the list of habitats and species which are of principal importance for the conservation of biodiversity in England.

**Ramsar sites:** wetlands of international importance, designated under the Ramsar Convention.

**Recycled Aggregates:** Aggregates produced from recycled construction and demolition wastes such as crushed concrete, road planings etc.

**Regionally Important Geological and Geomorphological Site (RIGS/RIGGS):** Established in 1990 by the Nature Conservancy Council (NCC), RIGSs were the predecessor to Local Geological Sites. One of a number of designations under the umbrella term Local Sites.

**Reserves:** Mineral deposits which have been tested to establish the quality and quantity of material present which could be economically and technically exploited. Permitted reserves are those with benefit of planning permission for extraction.

**Restoration:** Process of returning a site to its former or a new use following mineral extraction. Involves reinstatement of land by contouring and the spreading of soils or soil making materials.

**Secondary (Alternative) Aggregates:** Aggregates derived from by-products of the extractive industry, e.g. china/ball clay waste, colliery spoil, blast furnace slag, pulverised fuel ash, etc.

**Sensitive Receptors:** Land uses that are sensitive to the impacts of Minerals and Waste development. These include, but are not limited to, residential and commercial properties, places of employment, schools, and leisure activities (whether passive or active).

**Site of Nature Conservation Importance (SNCI):** Sites referred to in a Local Plan, selected as being of importance for nature conservation on the basis of local knowledge and were the predecessor of Local Wildlife Sites. One of a number of designations under the umbrella term Local Sites.

**Sites of Special Scientific Interest (SSSIs):** the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. These sites are also used to underpin other national and international nature conservation designations. Currently designated under the Wildlife and Countryside Act 1981.

**Special Area of Conservation (SAC):** An area which has been given special protection under the European Union's Habitat's Directive. SACs provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

**Special Protection Area (SPA):** A Special Protection Area (SPA) is an area of land, water or sea which has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within the European Union. SPAs are European designated sites, classified under the European Wild Birds Directive which affords them enhanced protection.

**Statement of Community Involvement (SCI):** Statement of the local authority's proposed standards and approach to involving the local community and stakeholders in the preparation, alteration and review of all Local Development Documents and development control decisions.

**Sterilisation:** Where minerals cannot be extracted because of surface level development.

**Strategic Environmental Assessment (SEA):** The European SEA Directive requires a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment, including those in the field of planning and land use. Local authorities are advised to take an integrated approach towards Sustainability Appraisal and Strategic Environmental Assessment to avoid unnecessary duplication and confusion. Together they will play an important part in testing the soundness of Local Development Documents, ensuring that they contribute towards sustainable development.

**Sustainability Appraisal (SA):** Local Planning Authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of Sustainability Appraisal is similar to Strategic Environmental Assessment but is broader in context, examining the effects of plans and policies on a range of social, economic and environmental factors. To comply with Government policy, Lincolnshire County Council is producing a Sustainability Appraisal that incorporates a Strategic Environmental Assessment of all its LDDs.

**Sustainable Development:** Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

**Waste Planning Authority (WPA):** The Local Planning Authority responsible for land-use planning control for waste management. In the case of the County of Lincolnshire, these powers rest with the County Council.



Lincolnshire County Council  
01522 782070

This information can be provided in another language  
or format.

For all enquiries please contact the above number.



County Council

**Report on behalf of Kevin Kendall, Chief Property Officer**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Future Use of Bourne Town Hall</b>

**Summary:**

This report outlines progress made over the last 15 months in relation to the future use of Bourne Town Hall and asks the 77 members of Lincolnshire County Council (“the Council”), **in their capacity as trustees of Bourne Town Hall**, to agree on next steps.

This report seeks the Council's agreement as trustee to pursue a preferred option of transferring ownership of Bourne Town Hall to a new or existing charity or charitable trust in order for the Town Hall to be used for the benefit of the people of Bourne. Should this not prove to be a viable option then approval is sought for the disposal of the Town Hall and for all sale proceeds to be used for the benefit of the residents of Bourne.

In progressing one or other of the options outlined above the Council is requested to approve the amendments to the Terms of Reference for the Bourne Town Hall Trust Management Committee outlined in Appendix A in order to delegate responsibility to the Committee to finalise one or other of the options on behalf of the County Council as trustees.

It is important to note that the Council as charity trustee is responsible for the control and management of the administration of Bourne Town Hall, which is an independent charitable trust, with a charitable purpose that is wholly separate from the activities of the Council. This means that decisions about the administration and operation of Bourne Town Hall must be taken solely in the interests of furthering its charitable purposes, and not in furtherance of the Council's own interests as a local authority.

**Recommendation(s):**

The Council, in its role as trustee of Bourne Town Hall, is requested to approve that;

- A preferred option is pursued of transferring ownership of Bourne Town Hall to a new or existing charity to be held on charitable trusts consistent with the spirit of the original gift, in order for the Town Hall to be used for

the benefit of the people of Bourne, as intended by the original donor.

- Should the preferred option not prove to be viable then Bourne Town Hall should be disposed of with sale proceeds used for the benefit of the residents of Bourne.
- The Terms of Reference of the Bourne Town Hall Trust Management Committee be revised as set out in Appendix A and authority is delegated to the Committee to exercise the Delegated Activities as defined in the revised Terms of Reference.

## 1. Background

The Bourne Town Hall is a Grade II Listed building, situated within a Conservation Area in the centre of Bourne town. The Town Hall was gifted by way of a Deed of Gift ("the Deed") from the Marquis of Exeter dated 11th October 1821 to be held on trust for the benefit of the people of Bourne. This means that the Town Hall is a charitable trust with the original Deed of Gift as its governing document. The Deed sets out the purposes for which the Town Hall can be used.

The purposes as set out in the Deed are to provide a town hall and market for Bourne, for the benefit of the public and to contribute towards the town's general prosperity and welfare. A lot has changed since 1821; some of the purposes are outdated and no longer relevant in today's society. However, the spirit of the original gift of benefitting the residents of Bourne is clear.

In 1974, on local government reorganisation, the Council acquired Bourne Town Hall to be held on trust for the benefit of the people of Bourne. The Council is therefore the sole corporate trustee of Bourne Town Hall. The Town Hall has been used for a variety of purposes since that time but has been unoccupied since South Kesteven District Council vacated the property in 2013.

Bourne Town Hall is an independent charitable trust, with a charitable purpose that is wholly separate from the activities of the Council. The Council, as charity trustee, is responsible for the control and management of Bourne Town Hall and in doing so has a legal duty to act at all times in a manner that furthers the charitable purposes of Bourne Town Hall. The Council must also comply with charity law and the terms of the Deed. Other applicable legislation includes health and safety law and equality law.

It is recognised that Bourne Town Hall is not currently being used in a way that furthers its charitable purposes for the benefit of the people of Bourne. In this regard the following factors are noted:

- The charitable purposes for which Bourne Town Hall is to be used are either outdated or provided elsewhere in the town and/or by other means.
- The structure of Bourne Town Hall will continue to deteriorate if left unoccupied, causing risks to health and safety.

- In the absence of any income being generated by Bourne Town Hall or any other available funds, the Council (as the local authority) is meeting the costs of maintaining the Town Hall using public funds.

### Establishment of Bourne Town Hall Trust Management Committee

The Council's dual role of charity trustee of an independent charitable trust and local authority creates a conflict of interest.

At the meeting of the County Council on 20<sup>th</sup> February 2015 it was agreed that a Bourne Town Hall Trust Management Committee (the 'Committee') made up of five county councillors should be established. Original Terms of Reference, agreed at the 20<sup>th</sup> February 2015 meeting, sought to achieve an appropriate balance between enabling suitably efficient decision-making in the management of the Council's obligations as charity trustee with the proper reservation of major decision-making to the full Council.

Section 1.1 of these original Terms of Reference also highlighted the three key aims of the Committee;

- 1.1 *The Committee shall carry out the following tasks ("the Tasks") on behalf of the Council as trustee of the Charity:*
- (a) *undertake an appraisal of the Options;*
  - (b) *undertake public consultation with the residents of Bourne town in respect of the Options and future use of the Hall;*
  - (c) *deliver a comprehensive report to the Council setting out the Committee's recommendations as to the future use of the Hall, such recommendations to have regard to the outcome of the Committee's public consultation with the residents of Bourne ("the Report"), in accordance with paragraph 8.3 below.*

### Work of the Committee

The Committee has met throughout 2015 and the early part of 2016. As set out in the Terms of Reference, the Committee has had responsibility for undertaking an options appraisal in relation to the Town Hall, overseeing a consultation process with people local to Bourne and delivering this report to today's meeting of the County Council making recommendations in relation to the future of the building.

### Options Appraisal

In conjunction with legal advisors, Geldards LLP, who have advised the Council in respect of its role as charity trustee, the Committee produced a shortlist of possible options for the future use of the Town Hall. These were as follows;

- a) Retain the building and use it for the Charitable Purposes as set out in the original Deed of Gift**

Effectively no change to the current arrangements.

**b) Retain the building and amend the original Charitable Purposes**

The Trustee would retain the building and apply to the Charity Commission for consent to adopt amended purposes. These must be charitable and as close as possible to the spirit of the original gift. This would essentially amount to a modernisation of the existing Charitable Purposes.

**c) Appoint a new trustee(s) to take on the building**

A close alternative to the previous option would involve retaining Bourne Town Hall and apply to the Charity Commission for amended purposes but appoint a new corporate trustee or a body of individual trustees to take on the charitable trust (instead of the Council continuing as sole trustee).

**d) Create a new charity to take on the building**

This would involve the Council forming a new incorporated charity, perhaps in collaboration with another organisation or group of individuals, to which the building would be transferred. It is still likely that the charitable purposes would need amending but this would allow for Bourne Town Hall to be managed by a new independent entity that is furthering purposes close to the spirit of the original purposes.

**e) Transfer the building to another charity**

This would involve the Trustee transferring the building to another local charity or charitable trust that carries on projects or delivers services that are similar to the original purposes of the gift. Again, an application to the Charity Commission to amend the charitable purposes will likely be required.

**f) Sell the building and use the proceeds of the sale as intended by the original gift**

This would involve the Trustee selling the building and using the proceeds of sale for the benefit of the residents of Bourne (as intended by the original gift).

Consultation

With the Options agreed the Committee commissioned officers from the Council's Community Engagement Team to carry out a consultation exercise.

A full public consultation process took place between Thursday 1st October 2015 and Thursday 31st December 2015. The consultation included a wide range of communications, events and meetings, including an on-line consultation (paper copies were made available).

There were twelve public drop-in sessions held, where members of the public were able to ask questions and complete questionnaires. These events were advertised on the Council's website and in the local press. The events were arranged to be as inclusive as possible and were held at different times of the day and week with a variety of local venues used.

A questionnaire was produced to give people the opportunity to express their views on the proposals. This was on the Council's website and was made available at the public drop in sessions.

- A total of 654 questionnaires distributed:
  - 40 to the local Army Cadets
  - 200 to Councillor H N J Powell (to be passed to local residents)
  - 414 to local people / participants

The full consultation document, online questionnaire and any other documents were published on the Council's website and questionnaires were made available in the South Kesteven District Council Offices in Bourne.

Summary of Consultation Results

The consultation survey received a total of 169 responses of which 30 were submitted electronically and 139 via paper returns.

Consultation Survey Options	Number	%
Retain the building and use it for the Charitable Purposes as set out in the original Deed	38	22%
Retaining the building and amending the original Charitable Purposes	37	22%
Appointing a new trustee(s) to take on the building	5	3%
Creating a new charity to take on the building	23	14%
Transferring the building to another charity	30	18%
Selling the building (use the proceeds of sale for the benefit of the residents of Bourne)	36	21%
	<b>169</b>	

The consultation document also provided the opportunity for respondents to suggest how the building could be used in the future. The majority of respondents favoured some type of community activity that benefitted local people although

there were a wide range of purposes suggested. Some commercial uses were also proposed including the building being used as a public house or cinema.

### Next Steps

The Committee received a consultation summary report from the Community Engagement Team, considered it in detail and continued to reference it as it agreed on next steps.

Although the consultation did not highlight a consensus on a preferred option it did show that only 22% of the respondents wanted to retain the current arrangements, whilst cumulatively:

- 78% of respondents wanted to see the charitable purposes used differently
- 79% of respondents wanted to see the building retained for charitable purposes.

During the Consultation period the Committee had been approached by a number of interested parties based in Bourne who expressed an interest in beginning a dialogue with the Council regarding the future use of the Town Hall. Based on conclusions drawn from the Consultation, the Committee agreed that contact should be made with the interested parties and two initial meetings took place in Bourne during February and March 2016 between members of the Committee and representatives from the interested parties. These discussions culminated in the interested parties agreeing to form a steering group and nominating representatives to sit on this group.

An initial meeting took place between members of the Committee and the Steering Group in Bourne on 12<sup>th</sup> April 2016. Significant progress was made at this meeting and the steering group expressed a wish to commence a feasibility study to explore suitable uses for the Town Hall and potential sources of funding for initial set-up and on-going costs. The Committee was encouraging of this approach and made a provisional offer of a limited amount of architect support to assist with the feasibility study and officer support from the Council's Conservation Officer. The meeting closed with confirmation by the Chairman of the Committee of the content of the discussion and the intention for the Committee to formally report back to the meeting of the County Council on 20<sup>th</sup> May.

### Bourne Town Hall Trust Management Committee – Amendments to the Terms of Reference

The original Terms of Reference for the Committee were agreed by the County Council at its meeting on 20<sup>th</sup> February 2015. These Terms of Reference contained the three key activities outlined earlier in this report to develop options, to consult and then to recommend to this Council meeting. At its last meeting the Committee recognised the need to continue to meet periodically to monitor progress with the steering group's feasibility study. Additionally, should the Council be in agreement, the Terms of Reference would also need to set out delegated authority to allow the Committee to oversee the transfer of Bourne Town Hall should this be required, to determine if proposals to transfer the building are no longer viable and, if required,

to oversee the disposal of the building and to work with the Charity Commission on the development of a Charity Commission Scheme to allow for the proceeds of any sale of Bourne Town Hall to be distributed for the benefit of the residents of Bourne.

Revised Terms of Reference for the Committee are attached at Appendix A to this report and the Council is invited to agree to these revised Terms of Reference. The changes to paragraph 3 delegate to the Committee authority to take decisions on the two options referred to in the recommendations. Consequential amendments are made to the arrangements for the Committee, reflecting the extent of delegation and the fact that the Committee has now completed its original tasks.

## **2. Conclusion**

The Council has obligations as sole corporate trustee of Bourne Town Hall. Considerable progress has been made over the last 15 months to secure the long-term future of the Town Hall and this report invites the County Council to approve further actions to achieve this end.

### **3. Legal Comments:**

As set out in the Report the Council is considering the report in its capacity as charity trustee is responsible for the control and management of the administration of Bourne Town Hall, which is an independent charitable trust, with a charitable purpose that is wholly separate from the activities of the Council.

This means that decisions about the administration and operation of Bourne Town Hall must be taken solely in the interests of furthering its charitable purposes, and not in furtherance of the Council's own interests as a local authority.

The Report has been prepared with the assistance of specialist charity law advice.

The decision is within the remit of the Council.

### **4. Resource Comments:**

The acceptance of the recommendations in this report places no additional financial burden on the County Council. The potential exists, dependent upon the eventual transfer of ownership of the Hall, for the existing financial obligations on the Council to maintain the building to be reduced or eliminated.

## 5. Consultation

a) Has Local Member Been Consulted?

b) Has Executive Councillor Been Consulted?

c) Scrutiny Comments

n/a

d) Policy Proofing Actions Required

n/a

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Draft Revised Terms of Reference

## 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

**Lincolnshire County Council**

**Trusteeship of Bourne Town Hall**

**Terms of reference for the trust committee**

**1. Overview**

- 1.1 Lincolnshire County Council (“the Council”) is trustee of Bourne Town Hall (“the Hall”). The Council has a number of duties in respect of its trusteeship of the Hall and has established a trust committee to whom certain of its responsibilities for managing the trusteeship of Bourne Town Hall (“the Charity”) is delegated.
- 1.2 This document sets out the terms to which the trust committee (“the Committee”) should refer.
- 1.3 In addition, by way of background information it should be noted that the Council has instructed Geldards LLP (“Geldards”) to provide legal advice in respect of its duties as a trustee and the options available to it, which are set out in the options paper dated 27 October 2014 (“the Options”).

**2. Duties as a trustee**

- 2.1 The Council as the corporate charity trustee is responsible for the control and management of the administration of the Charity independently of its duties as a local authority. In exercising its duties, the Council must act in the best interests of the Charity whilst ensuring that it complies with charity law and other relevant legislation (including health and safety legislation and the Equality Act 2010), and also the governing documents of the Charity.
- 2.2 The terms of the trusts of the Charity are contained in an indenture dated 11 October 1821 (“the Governing Document”).
- 2.3 The Council must at all times seek to deliver the charitable purposes of the Charity for the benefit of the public and must act in the best interests of the Charity.
- 2.4 This duty to the Charity may conflict with its duty as a local authority. For this reason, in order to minimise such conflict and to demonstrate a degree of independence, the Council has agreed this delegation of charity functions to the Committee.
- 2.5 Generally, a charity trustee owes a duty of care, prudence and compliance to the Charity and this will be the responsibility of the Committee to the extent of the matters delegated to it.
- 2.6 Charity trustees also have a duty to avoid conflicts of interest and of confidentiality. The individuals who serve on the Committee must bear this in mind.

### 3. Delegated functions of the Committee

3.1 The Committee shall ~~have the authority carry out to undertake~~ the following ~~activities~~ (“~~Delegated Activities~~”) ~~should they be required~~the following ~~tasks~~ (“~~the Tasks~~”) on behalf of the Council as trustee of the Charity:

- (a) ~~Undertake an appraisal of the Options;~~Monitor the progress of the steering group established to explore options for the future use of the buildingHall.
- (b) ~~Undertake public consultation with the residents of Bourne town in respect of the Options and future use of the Hall;~~Determine the ultimate viability of any proposals presented by the steering group or any other body in relation to the future use of the Town-Hall and any potential transfer of ownership of the building.
- (c) ~~Deliver a comprehensive report to the Council setting out the Committee’s recommendations as to the future use of the Hall, such recommendations to have regard to the outcome of the Committee’s public consultation with the residents of Bourne (“the Report”), in accordance with paragraph 8.3 below~~Oversee the transfer of the Hall to another organisation or entity.
- (d) ~~Determine whether or not the options for the transfer of the Hall to another charity or charitable trust are viable.~~
- (e) ~~After all options for the transfer of the Hall to another charity or charitable trust have been reasonably considered and exhausted, to determine whether or not selling the Hall is the only viable option remaining.~~
- (f) ~~Oversee the sale of the Hall and make any necessary arrangements for the sale proceeds to be used for the benefit of the residents of Bourne, including corresponding with the Charity Commission.~~
- (g) ~~Continue to take specialist legal advice as may reasonably be required.~~

3.2 In carrying out the ~~Tasks~~Delegated Activities the Committee shall consider the following documents annexed to this document:

- (a) the Governing Document;
- (b) report on the Council’s duties as corporate trustee provided by Geldards dated 27 October 2014;
- (c) options paper provided by Geldards dated 27 October 2014; and
- (d) correspondence with the Charity Commission relating to the Hall.

3.3 The Council may determine any other functions to be carried out by the Committee from time to time and shall notify the Committee accordingly.

#### **4. Retained responsibilities of the Council**

- 4.1 The Council shall retain the following trustee responsibilities in respect of the Charity and the Hall:
- (a) all general trustee duties, and especially the duty of compliance with regulatory requirements;
  - (b) day to day management of the Charity and the Hall;
  - (c) carrying out any repairs to the Hall as may be required;
  - (d) maintaining appropriate insurance policies;
  - (e) management of the Charity bank accounts and maintenance of financial records;
  - (f) overall supervision and authority over the Committee.

#### **5. Committee membership**

- 5.1 The Committee shall consist of:
- (a) a minimum of 5 Councillors (“the Voting Members”) as selected by the Council, so long as the Voting Members have not been elected by the residents of Bourne town; and
  - (b) such members of staff and supporting officers as selected and considered reasonable and appropriate by the Council from time to time, having regard to all relevant circumstances (“the Supporting Members”).
- 5.2 The Voting Members and Supporting Members shall collectively be referred to as “the Members”.
- 5.3 The Supporting Members shall not have voting rights and as such, shall not be able to vote on any decision of the Committee.
- 5.4 The Council shall be entitled to review the Committee membership from time to time and to remove and appoint members as it sees fit.

#### **6. Committee meetings**

- 6.1 The Committee shall hold such meetings as required from time to time. ~~monthly meetings.~~ Notice of such meetings must be given at least 14 days in advance and must specify the date, time and place of the meeting.
- 6.2 Notice may be given electronically but the Members may agree to accept a lesser period of notice by way of simple majority.
- 6.3 A quorum at a Committee meeting shall be 3 Voting Members present in person or by proxy.
- 6.4 Committee meetings shall also be attended by such Supporting Members as may be required (but no less than two to include a note taker), having regard to the matters to be considered at such meetings from time to time.

6.5 A chairperson (“Chairperson”) and (“Vice Chairperson”) shall be selected by the Voting Members at the beginning of the first meeting of the Committee by way of simple majority.

## 7. Decision-making

7.1 Any decisions required shall be put to a vote of the Voting Members. Decisions shall be made by way of simple majority on a show of hands and each Voting Member shall have one vote.

7.2 Where there are equal votes for and against a decision the Chairperson (or in the Chairperson’s absence the Vice Chairperson) shall have a casting vote.

## 8. Reporting obligations

8.1 The Committee shall ensure that accurate minutes of Committee meetings are circulated to all Members

8.2 The Committee ~~may refer to~~ shall update the Council any matter falling within the Delegated Activities for recommendation or decision as it sees fit, on a regular monthly basis as to its progress of completing the Tasks and delivering the Report, to include advising on the timescales involved and key dates.

~~8.3 The Report should include:~~

~~(a) significant issues considered by the Committee in respect of each of the Options;~~

~~(b) an explanation of how the Committee has reached its recommendation;~~

~~(c) any issues that may have arisen during the public consultation;~~

~~8.4 The Report should be delivered within a timescale agreed with the Council of the date on which the Committee is established.~~

~~8.5 The Council shall consider the Report and decide on the course of action to be taken in respect of the Hall; however, following its consideration of the Report the Council may raise further queries or instruct the Committee to undertake additional tasks before reaching its decision.~~

~~8.6~~8.3 The Council shall provide appropriate and reasonable officer support to the Committee as may be required to enable the Committee to carry out the Delegated Activities~~Tasks~~.

## 9. General duties of the Members

9.1 The Members have the following general duties that they must comply with when carrying out the Delegated Activities~~Tasks~~:

(a) duty to disclose and manage any conflicts of interests that may arise during the course of a Committee meeting (in this regard Voting Members shall not be entitled to vote on any matter in which they

have an interest unless the other Voting Members agree that the conflict may be disregarded for the purposes of the meeting);

- (b) duty to comply with the Governing Document;
- (c) duty to carry out the Delegated Activities~~Task~~ with due skill and care;
- (d) duty to maintain accurate minutes of all Committee meetings and records of decisions taken by the Committee;
- (e) duty of confidentiality;

Signed: .....

Name: .....

Position: .....

Date: .....

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Executive Director responsible for Democratic Services**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Electoral Review of Lincolnshire - Update</b>

**Summary:**

This report updates councillors on the review being carried out in Lincolnshire by the Local Government Boundary Commission for England, following a decision by the Commission to undertake a further period of limited consultation in four of the seven district areas.

**Recommendation(s):**

- 1) That the Council notes the launch of a further period of limited consultation in North Kesteven, South Holland, South Kesteven and West Lindsey.
- 2) That the Council delegates to the Chief Executive, in consultation with Group Leaders, any council response to the further period of limited consultation in those four district areas.

**1. Background**

In May 2015 the Local Government Boundary Commission for England (LGBCE) launched a public consultation on a review of electoral boundaries in Lincolnshire based on a Council size of 70 councillors, a reduction of seven.

1.1 The LGBCE's review sought to improve electoral equality, with each councillor representing, as closely as possible, the same number of voters.

1.2 In December 2015 the LGBCE published its draft recommendations for new electoral arrangements throughout Lincolnshire and launched a public consultation on those draft recommendations. The consultation closed on 8 February 2016.

1.3 Following a meeting to consider responses to the consultation, the LGBCE has written to the Council's Chief Executive, informing him that the Commission has decided to undertake a further period of limited consultation prior to publication of its final recommendations. This will involve their proposals for North Kesteven, South Holland, South Kesteven and West Lindsey.

1.4 The LGBCE informed the Chief Executive that it had received alternative division patterns covering those districts, which they felt had merit, in that they would ensure clear boundaries while reflecting communities and achieving electoral equality.

1.5 Because these new pattern of divisions is markedly different from what has been proposed in the Commission's draft recommendations, the LGBCE has decided that the views of local councils, residents and organisations should be sought before it makes its final recommendations.

1.6 The second recommendation proposes that authority be given to the Chief Executive in consultation with the Group Leaders to determine any response to the consultation on behalf of Lincolnshire County Council. This would not prevent individual Group or indeed individual Councillor responses.

1.7 This latest round of consultation closes on 6 June 2016.

1.8 The final recommendations from the LGBCE will be published on 16 August 2016.

## **2. Conclusion**

The Local Government Boundary Commission for England is consulting on proposed boundary changes in four of the seven district areas. The Council needs to consider how it wishes to respond to that consultation.

## **3. Legal Comments:**

The Report sets out the latest position in relation to the Boundary Commission review of electoral areas in Lincolnshire and recommends a process for determining any Lincolnshire County Council response to the Boundary Commission's further consultation.

The matter is within the remit of the Council.

## **4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendations in this report

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

**6. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

This page is intentionally left blank

**Open Report on behalf of Richard Wills, Monitoring Officer**

Report to:	<b>County Council</b>
Date:	<b>20 May 2016</b>
Subject:	<b>Changes to the Constitution</b>

**Summary:**

This Report seeks approval for changes to the delegated authority granted under Part 3 of the Constitution (pages 3/25 and 3/26) to the Head of Safer Communities to initiate and progress enforcement action in the exercise of the functions conferred on the County Council principally as trading standards and weights and measures authority.

**Recommendation(s):**

That the Council approve the changes to the Constitution attached to this Report at Appendix A

## **1. Background**

The Council's Constitution contains a number of delegations to the Head of Safer Communities to initiate and progress enforcement action in the areas of trading standards and weights and measures. These are in Part 3 of the Constitution (Responsibility for Functions) at pages 3/25 and 3/26

These delegations have been reviewed in the light of new responsibilities and powers given to the County Council under the new Psychoactive Substances Act 2016 to deal with so-called "legal highs".

In reviewing the delegations it was considered necessary to make changes beyond those simply required to make provision for the new Act. In particular, the existing delegations do not make sufficiently clear provision for increasingly important activity relating to civil enforcement and the pursuit of various applications including in relation to proceeds of crime.

Furthermore the wording of the delegations was too specific in places making insufficient provision for changes in the law. The proposed changes are attached to this Report at Appendix A and marked in red. The aim of the changes is to provide sufficient flexibility to accommodate change whilst remaining within the bounds of the specific responsibilities of the Head of Safer Communities – i.e

trading standards, weights and measures, animal health and welfare, community safety generally and certain licensing functions.

The wording of delegations for the bringing of legal proceedings is important as any defect in the authority given for the proceedings can be a ground for defending the proceedings.

**2. Conclusion**

The Report recommends changes to the way in which delegations are worded for initiating proceedings in the areas of responsibility of the Head of Safer Communities to ensure that the wording is sufficient to cover the wide range of proceedings and statutory provisions under which the Council's enforcement work is carried out.

**3. Legal Comments:**

Approval to changes to the Constitution is reserved to the full Council.

**4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendation in this report.

**5. Consultation**

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

No

**c) Scrutiny Comments**

The recommendation has not been subject to Scrutiny

**d) Policy Proofing Actions Required**

n/a

**6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Changes to the Constitution

## 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Lincolnshire County Council Constitution	Democratic Services

This report was written by David Coleman, Chief Legal Officer, who can be contacted on 01522 552134 or [david.coleman@lincolnshire.gov.uk](mailto:david.coleman@lincolnshire.gov.uk).

## APPENDIX A CHANGES TO THE CONSTITUTION

### Safer Communities Service – Trading Standards

1. Without prejudice to General Powers, to exercise the functions and duties of the Council as local weights and measures authority, food authority, in connection with legislation relating to standards of trade in the county and for the purposes of the enforcement of animal health and welfare legislation, **community safety legislation and licencing functions** as part of which, for the correct discharge of these functions, the following direct delegations are made:

#### Head of Safer Communities

1. To institute/and or appear on behalf of the County Council in any legal proceedings including any preliminary or ancillary applications in the relevant Court or tribunal for the prosecution of offences or institution of civil action and the criminal or civil enforcement and administration of legislation relevant to standards of trade, community safety, food and animal health and welfare, **licencing or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation** and which the Council has either a statutory duty or power to enforce or considers it expedient to enforce for the promotion or protection of the inhabitants of the county by virtue of Section 222 of the Local Government Act 1972.
2. To initiate restraint and/or confiscation proceedings under the Proceeds of Crime Act 2002 or any subsequent related or replacement legislation before the Criminal Courts and to enter into memoranda of understanding with Police Authority Financial Investigation Units for the purpose of taking such proceedings.
3. Responsibility to ensure that the duties associated with Section 72(1) (a) of the Weights and Measures Act 1985 is discharged within the service.
4. To issue notices with the effect of requiring the marking of, requiring warnings to be issued in respect of, suspending the supply of, requiring the withdrawal from the market of and requiring the recall from the market of products as provided for under legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food or animal health and welfare, **or licencing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation.**
5. To act as Inspector/authorised officer or other enforcing officer role

as provided in, and to inspect enter and investigate for the purposes of enforcement of, legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food or animal health and welfare, or licencing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation and authorise in writing officers to act in these capacities.

6. To appoint public analysts and agricultural analysts for the County Council for the purposes of the Food Act 1984, the Food Safety Act 1990 and the Agriculture Act 1970 or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation.
7. To nominate in writing Officers for the purposes of enforcing the Food and Environment Protection Act 1985.
8. To enter into appropriate arrangements with other enforcement authorities for the purpose of the enforcement of any legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food, animal health and welfare and licencing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation
9. To appoint suitable persons under the Health and Safety at Work etc Act 1974 for the purposes of enforcing the Explosives Acts 1875 to 1976 and subsequent legislation made under the Health and Safety at Work etc Act 1974 and otherwise in respect of the regulation of explosives including the Explosives Regulations 2014 and subsequent amendments.
10. To initiate appeals against the decisions of the relevant Court where, in the Head of Safer Communities professional opinion, it is proper so to do.
11. To initiate and co-ordinate all activities necessary for the Council to discharge its responsibilities under the Animal Health Act 1981 in order to prevent, control or deal with an outbreak of rabies or other animal disease in the county.
12. To conduct hearings and to give assent or otherwise under the Explosives Act 1875 1976 and subsequent legislation made under the Health and Safety at Work etc Act 1974 and otherwise in respect

of the regulation of explosives including the Explosives Regulations 2014 and subsequent amendments in relation to applications for the establishment of new factories or magazines.

13. To discharge the functions of the County Council as a responsible authority under the licensing Act 2003 or any subsequent related or replacement legislation and to appoint other officers of the authority to do so.

#### Service Manager – Safer Communities

1. In the absence of the Head of Safer Communities, the Service Managers Safer Communities are authorised to exercise the powers delegated to the Head of Safer Communities under 1, 2, 4, 7, 8, 9, 11, 12 and 13 above.

#### Duly Appointed Officers

1. At all times the duly appointed Officers of the service are, for the purpose of enforcing the relevant legislation, authorised to exercise the powers delegated to the Head of Safer Communities under 1, 2 and 4 above after having, in each case, obtained the permission of the Head of Safer Communities, or, in his absence, a Service Manager – Safer Communities.