

County Offices
Newland
Lincoln
LN1 1YL

25 January 2021

In accordance with the powers granted by the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 this will be a virtual meeting.

Executive

A meeting of the Executive will be held on **Tuesday, 2 February 2021 at 10.30 am as a Virtual - Online Meeting via Microsoft Teams** for the transaction of the business set out on the attached Agenda.

Access to the meeting is as follows:

Members of the Executive and officers of the County Council supporting the meeting will access the meeting via Microsoft Teams.

Members of the public and the press may access the meeting via the following link: <https://lincolnshire.moderngov.co.uk/ie/ListDocuments.aspx?CId=121&MId=5751&Ver=4> where a live feed will be made available on the day of the meeting.

Yours sincerely



Debbie Barnes OBE
Chief Executive

Membership of the Executive
(8 Members of the Council)

Councillor M J Hill OBE, Executive Councillor for Resources and Communications (Leader of the Council)

Councillor Mrs P A Bradwell OBE, Executive Councillor for Adult Care, Health and Children's Services (Deputy Leader)

Councillor C J Davie, Executive Councillor for Economy and Place

Councillor R G Davies, Executive Councillor for Highways, Transport and IT

Councillor E J Poll, Executive Councillor for Commercial and Environmental Management

Councillor Mrs S Woolley, Executive Councillor for NHS Liaison and Community Engagement

Councillor C N Worth, Executive Councillor for Culture and Emergency Services

Councillor B Young, Executive Councillor for Community Safety and People Management

**EXECUTIVE AGENDA
TUESDAY, 2 FEBRUARY 2021**

Item	Title	Forward Plan Decision Reference	Pages
1	Apologies for Absence		
2	Declarations of Councillors' Interests		
3	Announcements by the Leader, Executive Councillors and Executive Directors		
4	Minutes of the Meeting of the Executive held on 5 January 2021		7 - 10
KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE			
5	Council Budget 2021/22 <i>(To receive a report from the Executive Director – Resources which invites the Executive to make proposals to the full County Council on the Council's budget and council tax in light of the provisional local government settlement and consultation comments on its initial proposals)</i>	I020523	11 - 108
6	Extra Care Housing Scheme and Community Supported Living Units for Working Aged Adults at The Hoplands Sleaford with North Kesteven District Council <i>(To receive a report from the Executive Director of Adult Care and Community Wellbeing and the Executive Director - Commercial, which seeks approval for capital funding to provide Extra Care Housing and community supported living units for working aged adults with learning disabilities, mental health and/or physical disabilities, for the anticipated demand in the North Kesteven District)</i>	I021124	109 - 202
7	Lincolnshire County Council's Green Masterplan <i>(To receive a report from the Executive Director – Place which seeks approval of the Draft Green Masterplan)</i>	I021368	203 - 224

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|-----------|--|----------------|-----------|
| 8 | Review of the Lincolnshire Minerals and Waste Local Plan
<i>(To receive a report from the Executive Director – Place which invites the Executive to endorse the Review of the Lincolnshire Minerals and Waste Local Plan and to recommend it to the full County Council for adoption)</i> | I021361 | 225 - 382 |
| 9 | Development Fund - Drainage Investigations and Flood Repairs
<i>(To receive a report from the Executive Director – Place which seeks approval of the proposed Governance Structure and Programme of Works)</i> | I021581 | 383 - 398 |
| 10 | Introducing a Charging Policy for Pre-application Planning Advice
<i>(To receive a report from the Executive Director – Place which seeks approval for the adoption of a formal charging regime for giving pre-application planning advice for minerals, waste and the County Council's own applications in the form of the Charging Schedule and exemptions as set out in Appendix A to the report, to take effect from 1 April 2021)</i> | I021125 | 399 - 422 |

NON KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE

- | | | | |
|-----------|--|----------------|-----------|
| 11 | Performance Reporting Against the Corporate Plan Performance Framework 2020-2021 - Quarter 2
<i>(To receive a report from the Executive Director – Commercial which presents an overview of performance for Quarter 2 (June to September 2020) against the Corporate Plan)</i> | I020630 | 423 - 440 |
|-----------|--|----------------|-----------|

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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.

All papers for council meetings are available on:

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**EXECUTIVE
5 JANUARY 2021**

PRESENT: COUNCILLOR M J HILL OBE (LEADER OF THE COUNCIL)

Councillors Mrs P A Bradwell OBE (Executive Councillor for Adult Care, Health and Children's Services) (Deputy Leader), C J Davie (Executive Councillor for Economy and Place), R G Davies (Executive Councillor for Highways, Transport and IT), Mrs S Woolley (Executive Councillor for NHS Liaison and Community Engagement), C N Worth (Executive Councillor for Culture and Emergency Services) and B Young (Executive Councillor for Community Safety and People Management).

Councillors R B Parker (Chairman of Overview and Scrutiny Management Board) and L Wootten (Chairman of Scrutiny Panel A) were also in attendance.

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Roz Cordy (Interim Assistant Director of Safeguarding), Andrew Crookham (Executive Director Resources), James Drury (Executive Director Commercial), Cheryl Evans (Democratic Services Officer), Michelle Grady (Assistant Director for Strategic Finance), Andy Gutherson (Executive Director Place), Tracy Johnson (Senior Scrutiny Officer), Warren Peppard (Head of Development Management), Heather Sandy (Executive Director of Children's Services) and Nigel West (Head of Democratic Services and Statutory Scrutiny Officer).

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor E J Poll (Executive Councillor for Commercial and Environmental Management).

It was noted that Roz Cordy, Interim Assistant Director of Adult Frailty and Long Term Conditions, was attending the meeting on behalf of Glen Garrod, Executive Director – Adult Care and Community Wellbeing.

36 DECLARATIONS OF COUNCILLORS' INTERESTS

There were no declarations made.

37 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

Impact on Council Services of National Covid-19 Restrictions

Following the announcement by the UK Government on 4 January 2021 of further national restrictions in response to the Covid-19 pandemic, Councillor M J Hill, OBE,

2
EXECUTIVE
5 JANUARY 2021

the Leader of the Council, reported that an initial assessment had indicated that this would have minimal impact on the services provided by the County Council. However, a full assessment would be made once the Government had issued detailed guidance.

38 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON
1 DECEMBER 2020

RESOLVED

That the minutes of the meeting of the Executive held on 1 December 2020 be confirmed as a correct record and signed by the Leader.

39 COUNCIL BUDGET 2021/22

A report on the Council's Budget for 2021/22 was presented by Andrew Crookham, Executive Director – Resources, and Michelle Grady, Assistant Director for Strategic Finance. The proposals, which would be subject to consultation, had been based on the provisional local government finance settlement for 2021/22, which had been issued on 17 December 2020. The announcement of the final settlement was expected in February 2021, and this was anticipated to be in line with the provisional settlement.

Further budgetary information was awaited from the Lincolnshire district councils on likely council tax and business rate income for 2021/22. There were also other risks arising from the impact of the Covid-19 pandemic. As a result of these uncertainties, it was likely that the budget proposals presented to the Executive on 2 February 2021 and to the County Council on 19 February 2021 would differ from those presented at this meeting.

The key elements of the provisional local government finance settlement had been: a deferral of the review of relative needs and resources (fair funding); a limit of a 2% increase in general council tax; an increase in the National Living Wage; and a social care grant of £5.3 million for the County Council. There were also provisions relating to arrangements for irrecoverable council tax and the council tax support scheme.

The report also detailed the anticipated cost pressures for the County Council, in particular, adult social care, children's services and waste disposal; and proposed efficiency savings (without any service reductions) and additional income of £14.6 million. Overall, the budget proposals at this stage would lead to a surplus of £1.921 million for 2021/22, with deficits in the following years.

The capital programme had been refreshed with projected expenditure for 2021/22 of £204.3 million, which would be in line with the affordability provisions in the Council's capital strategy.

Following questions, the following points were confirmed:

- In relation to the efficiency savings and additional income, it was emphasised that no service reductions had been planned.
- To date £44 million of general Covid-19 support had been received from the Government, with a further £15 million expected. There had also been a series of specific grants and allocations. These Covid-19 related funds were being monitored and managed separately from the ordinary budgets of the Council.

On the Lincolnshire economy, which was more resilient than other areas, the Government had been supportive of the business community, but there had been some businesses, usually small businesses operating in the retail and hospitality sectors, who had received no support. The County Council would be developing its own proposals for providing support for businesses. The budget consultation meeting with the business community would be reported as part of the budget process to the Executive on 2 February 2021.

As a local authority providing adult social care, it was noted that the Council could increase its council tax requirement by as much as 5%. The Executive indicated that it was not inclined to make use of the full 5% additional increase available, on the basis that this would adversely impact people throughout the county, many of whom were experiencing financial difficulties as a result of Covid-19.

RESOLVED

That the budget proposals, as described in the report, be approved as its preferred option for the purposes of further consultation.

40 FINAL REPORT FROM THE DEVELOPER CONTRIBUTIONS SCRUTINY REVIEW

Councillor L Wootten, as Chairman of Scrutiny Panel A, presented the report on its scrutiny review of Developer Contributions, which had been approved by the Overview and Scrutiny Management Board on 17 December 2020. The scrutiny review had been undertaken during October and November 2020 and had focused on how to maximise developer contributions to mitigate the impact of developments on local communities; the involvement of councillors in the contributions process; and the Government's Planning for the Future White Paper.

Close collaboration with district councils was considered essential and the report made six recommendations, covering the themes of leadership, decision-making and management.

Councillor R B Parker, the Chairman of the Overview and Scrutiny Management Board, presented additional comments, which praised the scrutiny report and also included reference to the importance of local democracy and collaboration across Lincolnshire.

4
EXECUTIVE
5 JANUARY 2021

The following points were made by the Executive:

- The completion of the report was important and timely, given the 100,000 extra houses which had been anticipated in Greater Lincolnshire, with further demands for housing expected.
- The role of district councils, as local planning authorities, and the County Council, as the main infrastructure provider required a degree of collaboration.
- The Planning for the Future White Paper had caused several concerns, for example the expectation that local authorities would 'forward-fund' infrastructure, with the developer only paying its contributions to local authorities once the development was complete.

The Executive welcomed the report and its recommendations; and concluded that the report had provided the basis for a series of activities on developer contributions; and an action plan would be compiled to address the issues raised.

RESOLVED

- (1) That the Developer Contributions Scrutiny Review final report be received.
- (2) That arrangements be made to respond to the report within two months:
 - (a) to indicate in the response which recommendations have been accepted; and
 - (b) where recommendations are accepted, to bring forward an action plan for their implementation.

The meeting closed at 11.30 am.

**Open Report on behalf of Andrew Crookham, Executive Director -
Resources**

Report to:	Executive
Date:	02 February 2021
Subject:	Council Budget 2021/22
Decision Reference:	I020523
Key decision?	Yes

Summary:

This report asks the Executive to propose to the full Council the Council's budget and council tax in light of the provisional local government settlement and consultation comments on its initial proposals.

The Executive is also asked to consider prudential targets in relation to capital financing and other treasury management matters.

Recommendation(s):

That the Executive:

- (1) Consider the effect of the funding available and revenue expenditure position as noted in paragraphs 1.24, 1.25 and Table A of the report, supported by additional information in Appendix A;
- (2) Consider the Equality Impact Analysis at Appendix B and the consultation comments as shown in Appendix G and presented at the meeting;
- (3) Subject to recommendation 4 below approves for recommendation to full Council:
 - a) the revenue budget for 2021/22 proposed in Table A of the report;
 - b) the capital programme for 2021/22 proposed in Table B and Appendix C of the report;
 - c) the levels of council tax proposed in Table C and shown in Appendix D of the report including the increasing of council tax in 2021/22 by 1.99%;
 - d) the prudential indicators for 2021/22 shown in Appendix E of the report;
 - e) the Flexible Use of Capital Receipts Strategy for 2021/22 shown in Appendix F of the report;
 - f) the Medium Term Financial Strategy attached at Appendix H to this report; and

g) the Capital Strategy 2021/22 attached at Appendix I to this report.

(4) Requests the Leader of the Council to review and amend the Executive's budget recommendations to the County Council, as appropriate, in light of the final Local Government Finance Settlement if received between the Executive meeting and the County Council on 19 February 2021.

(5) Requests the Leader of the Council to review and amend the figures within the Medium Term Financial Strategy to be recommended to the County Council as appropriate, to ensure consistency with final budget recommendations made to the County Council meeting on 19 February 2021.

Alternatives Considered:

- | | |
|----|--|
| 1. | The proposals for the Revenue Budget, Capital Programme and Council Tax as described in this report. |
| 2. | Higher levels of spending and consequently a higher level of Council Tax next year. |
| 3. | Lower levels of spending and consequently a lower level of Council Tax next year. |

Reasons for Recommendation:

- The recommended option is proposed because it results in a balanced budget for 2021/22:
 - the proposed increase in Council Tax of 1.99% will allow the Council to manage the cost pressures outlined in the Council Budget 2021/22 report at Appendix A;
 - efficiency savings on service expenditure are proposed to rebalance future spending with the funding which will be available to the Council; and
 - the relatively modest budget surplus referred to in paragraphs 1.24 and 1.25 is proposed to be transferred to the Financial Volatility earmarked reserve.

1. Background

- 1.1 The Executive, at its meeting on 5 January 2021, proposed the Council's budget for 2021/22 for consultation. This budget included the implications of the Local Government Provisional Finance Settlement announcement on 17 December 2020 and this budget report and appendices are attached for information at Appendix A.

- 1.2 Outstanding information from the Lincolnshire District Councils relating to Council Tax and Business Rates was not available at the time of writing this report. The potential implications of the outstanding budgetary items are described below. If the relevant information is received before the date of the Executive meeting it will be presented at the meeting as an update to this report.

Council Tax

Council Tax Base

- 1.3 District Councils have until 31 January 2021 to confirm their Council Tax Base and surplus/deficit position on the Council Tax element of the Collection Fund. The report to the Executive on 5 January 2021 assumed an increase of 0.5% in the council tax base and a neutral collection fund position i.e. neither a surplus nor a deficit.
- 1.4 At the time of preparing this report the County Council has not yet received confirmed figures from each of the seven District Councils.
- 1.5 An update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils.

Council Tax Collection Fund

- 1.6 At the time of preparing this report, none of the District Councils had submitted their confirmed positions on the council tax elements of their Collection Funds.
- 1.7 An update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils.
- 1.8 The Local Government Provisional Finance Settlement confirmed that a deficit on the Council Tax Collection Fund for 2021/22 must be spread equally over 2021/22, 2022/23 and 2023/24 and new regulations to allow this to happen came into force in December 2020. This means that the impact of the deficit in 2021/22 is one third of this total, which will be repeated in each of the following two years in addition to any surpluses or deficits arising in those following two years.
- 1.9 The government announced a new Local Tax Guarantee Scheme in November 2020 as part of the Spending Review, to provide councils with a grant to compensate for 75% of irrecoverable 2020/21 council tax losses that have been incurred. The government has set out how this grant is to be assessed and the District Councils will apply this methodology to calculate the amount of this grant which is attributable to the County Council and inform us of this amount at the end of January. This will be paid as a Section 31 grant in 2021/22.

- 1.10 An update on all of the council tax elements of the District Councils' Council Tax Collection Fund positions will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed.

Council Tax Increase

- 1.11 The Executive on 5 January 2021 proposed a general council tax increase for 2021/22 of 1.99%. This is within the referendum limit of 2.00% for general council tax announced in the Local Government Provisional Finance Settlement. The Provisional Local Government Finance Settlement also confirmed that councils with adult social care responsibilities would be able to charge an Adult Social Care precept of up to 3.00% for 2021/22, or defer all or part of this precept charge to 2022/23. The ability to charge an Adult Social Care precept is a continuation of the power to charge such a precept which came into force in 2016/17. The Executive on 5 January 2021 proposed not to charge an Adult Social Care precept in 2021/22.
- 1.12 An Impact Analysis has been completed for this increase and is attached at Appendix B. The equality impacts are addressed further below in part 2 of the report 'Legal Issues'.

Business Rates

- 1.13 The District Councils have until 31 January 2021 to provide business rates returns showing:
- The position on the business rates element of the collection funds; and
 - The value of the section 31 compensation grant due to the County Council.
- 1.14 The report to the Executive on 5 January 2021 assumed a neutral collection fund position, i.e. neither a surplus nor a deficit.

Business Rates Collection Fund

- 1.15 At the time of preparing this report, none of the seven District Councils had notified the Council of their confirmed Business Rates Collection Fund positions.
- 1.16 An update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils.
- 1.17 The Local Government Provisional Finance Settlement confirmed that a deficit on the Business Rates Collection Fund for 2021/22 must be spread equally over 2021/22, 2022/23 and 2023/24 and new regulations to allow this to happen came into force in December 2020. This means that the impact of the deficit in 2021/22 is one third of this total, which will be repeated in each of the following two years in addition to any surpluses or deficits arising in those following two years.

- 1.18 The government announced a new Local Tax Guarantee Scheme in November 2020 to provide councils with a grant to compensate for irrecoverable 2020/21 Business Rates losses that have been incurred. The government has set out how this grant is to be assessed and the District Councils will apply this methodology to calculate the amount of this grant which is attributable to the County Council and inform us of this amount at the end of January. This will be paid as a Section 31 grant in 2021/22.
- 1.19 An update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils.

Business Rates Section 31 Grant

- 1.20 The Government confirmed that it will continue to compensate councils in full for the continuation of the business rates cap, small business rates relief and rural rate relief by way of a section 31 grant, as in previous years. In addition, there will be a new section 31 grant to compensate councils for the impact of the government's decision to freeze the business rates multiplier in 2021/22.
- 1.21 At the time of preparing this report the Council had not received notifications from each of the District Councils in respect of section 31 grants.
- 1.22 An update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils.

Business Rates Pooling

- 1.23 The Council has confirmed that it wishes to remain in a business rates pool with six of the seven Lincolnshire District Councils (one council is withdrawing from the pool). Given the impact of Covid-19 on business rates in 2020/21, a prudent assumption has been made that there will be no pooling gain in 2021/22.

Implications of the Latest Information on Council Tax and Business Rates

- 1.24 The report on the budget considered by the Executive at its meeting on 5 January 2021 set out a budget surplus of £1.921m prior to receiving Council Tax and Business Rates information from the District Councils. A minor amendment has been made to this position and the budget surplus is now £1.912m. The update on these figures will be tabled at the Executive meeting on 2 February 2021, once all information has been confirmed by all of the Lincolnshire District Councils, and this will include the implications of the latest information on the Council's overall budgetary position.

Revenue Budget

1.25 Since the report to the Executive on 5 January 2021, a minor amendment has been made to the budget and this has resulted in a Budget Requirement of £504.895m and a resulting budget surplus of £1.912m. Table A shows the current proposed revenue budget.

TABLE A – Revenue Budget 2020/21 and 2021/22

REVENUE EXPENDITURE			
2020/21 BUDGET	REVENUE BUDGETS	2021/22 BUDGET CHANGES	2021/22 PROPOSED BUDGET
£		£	£
COMMITTEE AREA			
40,123,628	Children's Education	5,265,385	45,389,013
73,869,447	Children's Social Care	2,926,044	76,795,491
118,876,574	Adult Frailty & Long Term Conditions	1,148,971	120,025,545
81,006,840	Adult Specialities	5,328,051	86,334,891
28,468,066	Public Health & Community Wellbeing	153,565	28,621,631
46,174,210	Communities	1,707,655	47,881,865
340,689	Lincolnshire Local Enterprise Partnership	3,416	344,105
2,164,951	Growth	27,801	2,192,752
24,072,119	Highways	191,931	24,264,050
21,821,169	Fire and Rescue & Emergency Planning	490,811	22,311,980
	Public Protection		4,488,720
26,394,613	Finance	1,506,253	7,289,995
	Org Support		14,050,335
	Governance		2,071,816
	Property		10,404,607
37,382,605	Commercial Transformation	1,214,712	8,748,920
	IMT		4,730,021
			14,713,769
2,865,384	Corporate Services	90,603	2,955,987
-32,340,600	Public Health Grant Income	-1,205,537	-33,546,137
-47,022,878	Better Care Funding	-5,210,463	-52,233,341
424,196,817	Total Delivery Hierarchy	13,639,198	437,836,015
SCHOOLS BUDGETS			
454,763,789	Schools Block	41,741,056	496,504,845
91,982,435	High Needs Block	9,637,214	101,619,649
3,728,205	Central School Services Block	17,196	3,745,401
42,131,646	Early Years Block	222,003	42,353,649
-595,281,990	Dedicated Schools Grant	-51,617,470	-646,899,460
-2,675,915	TOTAL SCHOOLS BUDGETS	-1	-2,675,916
OTHER BUDGETS			
3,000,000	Contingency	0	3,000,000
45,694,177	Capital Financing Charges	-4,032,231	41,661,946
19,679,208	Other	3,282,324	22,961,532
68,373,385	TOTAL OTHER BUDGETS	-749,907	67,623,478
489,894,287	TOTAL NET EXPENDITURE	12,889,290	502,783,577
2,572,245	Transfer to/from Earmarked Reserves	-660,733	1,911,512
150,000	Transfer to/from General Reserves	50,000	200,000
492,616,532	BUDGET REQUIREMENT	12,278,557	504,895,089
INCOME:			
123,271,058	Business Rates Local Retention	-2,917,323	120,353,735
20,466,718	Revenue Support Grant	113,180	20,579,898
34,016,803	Other Non Specific Grants	10,399,314	44,416,117
314,861,953	County Precept	4,683,387	319,545,340
492,616,532	TOTAL INCOME	12,278,558	504,895,090

Capital Programme

1.26 The proposed capital programme is summarised in Table B below. It has not changed since the report to the Executive on 5 January 2021, but the table has been updated to show how the programme will be funded. Details of the Council's capital programme are set out at Appendix C.

TABLE B – Gross Capital Programme 2020/21 to 2021/22 (plus future years)

Capital Programme (2020/21 plus Future Years)	Revised Gross Programme 2020/21 £m	Gross Programme 2021/22 £m	Gross Programme Future Years £m
<u>ADULT CARE AND COMMUNITY WELLBEING</u>			
Adult Frailty & Long Term Conditions	3.390	0.000	0.000
<u>CHILDREN'S EDUCATION</u>			
<u>SCHOOLS</u>			
Schools	21.777	36.111	94.959
Children's Services	1.271	1.893	0.625
<u>COMMERCIAL</u>			
Property	6.136	7.943	26.262
ICT	4.745	6.436	17.251
<u>RESOURCES</u>			
Fire and Rescue & Emergency Planning	4.489	4.203	6.540
Public Protection	0.107	0.000	0.000
<u>PLACE</u>			
Communities	7.353	9.779	8.668
Growth	18.505	2.500	0.000
Highways	130.071	117.939	115.292
<u>OTHER BUDGETS</u>			
Other Budgets	5.659	17.500	52.500
Total Budget	203.502	204.302	322.097
Gross Capital Programme	203.502	204.302	322.097
<u>Funded by:</u>			
Grants and Contribution	101.105	93.019	39.289
Revenue Funding	1.316	0.071	1.035
Use of Reseve	20.172	0.000	0.000
Borrowing	80.909	111.213	281.773
TOTAL FUNDING	203.502	204.302	322.097

Council Tax Rates

- 1.27 The impact on a Band D property of the proposed increase in council tax of 1.99% for 2021/22, as set out in paragraph 1.11 above, is shown in Table C.

TABLE C – County Council Element of the Council Tax for Band D

County Council element of the council tax	2020/21	2021/22
Band D council tax	£1,337.58	£1,364.16
Increase over previous year	3.50%	1.99%

- 1.28 The effect of this increase on all Council Tax property bands can be found at Appendix D.
- 1.29 Under section 52ZB of the Local Government Finance Act 1992 the Council, as a major precepting authority, must in setting its precept, determine whether its relevant basic amount of council tax for the financial year under consideration is excessive. That question must be determined by the Council in accordance with any principles determined by the Secretary of State and approved by a resolution of the House of Commons. Whilst those principles have not been approved at the date of preparing this report, notification has been given that for 2021/22 the principles will provide for a 3.00% increase in council tax for expenditure on adult social care and a 2.00% increase in council tax for other expenditure. Applying those principles the Executive can determine that the recommended general council tax increase of 1.99% is not excessive.

Prudential Indicators

- 1.30 The Council is required to agree targets for specified prudential indicators in relation to capital financing and other treasury management matters. The Council also sets its own targets in addition to the statutory ones. The main purpose of these targets is to ensure that the Council's capital financing, in particular its long term borrowing, is prudent, affordable and sustainable. The proposed targets are set out in Appendix E.
- 1.31 One of the Council's voluntary Prudential Indicators, is that the repayment of external debt including interest will be less than 10% of annual income from general government grants, Dedicated Schools Grant and council tax. This is projected to increase to 6.3% by 2023/24 from 5.1% in 2020/21.

Final Local Government Finance Settlement

- 1.32 The government grant allocations assumed in the budget proposals are those announced in the Provisional Local Government Finance Settlement. These allocations may be altered in the Final Settlement, although major changes are not expected. At the time of preparing this report, the date of the Final Settlement is not known but expected to be in early to

mid-February. An update will be tabled at the Executive meeting on 2 February, if there are any amendments required arising from the final Local Government Finance Settlement. The recommendations in this report allow for the Leader of the Council to review and amend the Executive's budget recommendations to the County Council, as appropriate, in light of the final Local Government Finance Settlement if this is received after the meeting on 2 February 2021.

Flexible Use of Capital Receipts

- 1.33 The Council has approved the strategy of using Capital Receipts flexibly to fund revenue transformation projects between 2016/17 and 2019/20, in line with the Government's amended policy. This flexibility is due to end in March 2022. It is proposed that in 2021/22 the strategy of using Capital Receipts only to repay loans or fund new capital expenditure will continue on from 2020/21. Transformation projects will instead be funded by using existing revenue budgets or earmarked reserves.
- 1.34 The statutory guidance relating to the flexible use of capital receipts requires councils to approve annually a Flexible Use of Capital Receipts Strategy. The proposed strategy for 2021/22 is set out in Appendix F and confirms that the Council has not identified any transformation projects in 2021/22 to be funded using this flexibility.

Budget Consultation

- 1.35 Consultation comments made so far on the budget proposals and the ways in which these are reflected in the final proposals, are detailed in Appendix G. The Executive must consider these comments in arriving at its recommendations in relation to the final budget.
- 1.36 At the time of writing this report, a number of consultation events were still to be held. Therefore, an expanded Appendix G to this report will be tabled and presented to the Executive at the meeting on 2 February to allow any comments from these events, and any other comments received, to be considered with those already made.

Financial Risk Relating to Coronavirus Pandemic

- 1.37 Although budgetary figures will soon be finalised, there remains the risk that the pandemic, which at the time of writing this report is still causing significant issues, will impact on the budget in 2021/22.
- 1.38 We expect that some cost pressures related to Covid-19 will continue into 2021/22 and our assumption is that these will be fully covered by government grant (a further tranche of non-ringfenced Covid-19 grant was announced in the Local Government Provisional Settlement). At this point in time we can only estimate what these costs might be, but an indication of this is provided below.

Adult Care and Community Wellbeing

1.39 Adult Care and Community Wellbeing is currently forecasting additional costs relating to Covid-19 in 2021/22. This comprises both costs which can be offset against the general Covid-19 grant and costs for the NHS Recharge Schemes 1 & 2.

1.40 The reasons for this include:

- A delay in transferring all service users in receipt of non-residential care across to the minimum income guarantee. This will result in a delay in receipt of income in 2021/22.
- The forecast assumes that adult social care providers will continue to need support for the first quarter of 2021/22, based on the current claims from providers to support additional staffing costs.
- It had been planned to refine the sexual health service specification during 2020/21 however the continued Covid-19 environment has meant this has not been possible. The contract contains the option to run for a further 2 years and it is planned to extend for at least a further year.
- A number of service users are in receipt of one to one care as a result of the closure / reduced capacity within their usual social care provider, especially day care providers, and this is more costly. It is likely, especially given the current national lock down, that this will continue for the remainder of the 2020/21 financial year. It is currently assumed that this will gradually unwind over the first few months of 2021/22.

Children's Services

1.41 Children's Services is forecasting additional spending for Children in Care in 2021/22. This area in particular has seen a material increase in costs caused by the pandemic, which in the current year is being met by the temporary Covid-19 grant. Lincolnshire has experienced an increase in looked after children numbers (predominately in the 10 -15 year age group) due to escalating needs during this pandemic and less children are exiting care due to the available options of more suitable placements. More children are being placed in specialist placements (external residential placements, independent fostering agencies) due to the availability of internal foster carers accepting new placements, reasons include self-isolating due to vulnerability, and concerns with increased exposure to the virus. It is important to acknowledge that the average age of a Lincolnshire foster carer is 53 years old. In-house residential homes have remained fully operational throughout the pandemic and delivering services at full capacity, despite all of the homes experiencing Covid-19 outbreaks. This has enabled vulnerable young people to remain and be cared for in Lincolnshire. Children's Services continue to review this position and its impact for 2021/22, but a continuation of additional costs is expected in 2021/22.

- 1.42 It is anticipated that the impact of the pandemic on vulnerable children and families will continue to be felt for some time ahead. School closures, social distancing and lockdown measures have all impacted on services when supporting children and families at the very time when they are facing even greater challenges. There is a continuing trend of self-referrals for help and support, and the impact of national measures on children's mental health, levels of family conflict, academic progress and the effects of social isolation are inevitably going to result in an increase in families requiring support from our early help teams. Ensuring that we have sufficient service capacity to enable proactive action to be taken to meet these anticipated increases in demand for both social care and early help services will be a crucial as we move towards the recovery phase. Our ability to continue to be able to respond to demand and provide the right support by the right service at the right time will ensure that needs are supported before they escalate. This approach will also be considered for the special educational needs services in supporting young people in schools to reach their potential.
- 1.43 Other areas impacted by the pandemic and likely to continue into 2021/22 include home to schools transport (through reductions in post 16 transport income, increase in contract re-tendering costs during this period of uncertainty, grants to providers for extra cleaning and PPE costs), and the music service (reduction in instrumental income). Although the music service has resumed with a blend of virtual and face to face music sessions, there is still a moderate level of financial uncertainty. Social distancing measures and the availability and price of materials are expected to continue to affect the Children's Services capital programme requirements in 2021/22.

Place

- 1.44 Covid restrictions and changed working practices are expected to continue to impact on both revenue and capital budgets in 2021/22.
- 1.45 The Waste Management service is particularly affected due to the increase in the volume of household waste being processed as a result of the increased level of working at home. There is also expected to be a shortfall in the income generated from the Energy from Waste plant due to oversupply and price uncertainty in the power market caused by the downturn in demand from businesses and industry.
- 1.46 The additional demands on the public rights of way network including increased numbers of general reports concerning the network, conflict resolution between the newly accessing users and the landowners who see this as a threat and enforcement work against those seeing an opportunity to close routes under the guise of pandemic safety are also expected to continue into 2021/22.
- 1.47 Social distancing measures, and the availability and price of materials is expected to continue to affect the capital programme both for major schemes but also more routine asset protection works.

Commercial

- 1.48 The running costs of the temporary mortuary facilities will continue to affect Corporate Property revenue costs into 2021/22.
- 1.49 Further development of Smarter Working capability, increased support costs for a remote workforce, and extending software licences are also expected to impact on IMT costs.

The Medium Term Financial Strategy

- 1.50 The Medium Term Financial Strategy has been refreshed this year and is attached as Appendix H (to follow).

The Capital Strategy

- 1.51 The Capital Strategy has been updated for 2021/22 and is attached as Appendix I. The main changes to the strategy are that it includes a new appendix which sets out the terms of reference of the Capital Review Group; the annexes have been updated to reflect the latest Capital Programme and Prudential Indicators; the strategy now refers to the impact of the latest guidance on borrowing from the Public Works Loans Board; additional information is included to provide assurance about non-treasury investments and the existing Annex A is now expanded to show how the Capital Programme supports the Council's Corporate Plan.

2. Legal Issues:

2.1 Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The 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.

These equality considerations do not preclude changes in services being made, but do require that these be fully appreciated. It is clear that the current and future financial challenges facing local authorities and the need for budget savings may result in changes to service provision and to some reduction in Council services. These may apply to services accessed by all people in Lincolnshire as well as services provided to specific groups. It is possible that there may be an adverse impact on some people and communities including those with a protected characteristic.

In order to meet its obligations, Equality Impact analyses will be carried out in relation to any proposed changes to services on an individual basis. The specific impacts on people with a protected characteristic will be investigated and the potential mitigation, if any, will be made clear, so that the implications of decisions are fully understood as they affect specific groups and communities. These have been and will continue to be regularly reported to the Executive as part of the decision making processes. Individual proposals will only be implemented after due regard to the legal matters that must be considered, including the public sector equality duty.

As part of its decision-making, the Executive will need to consider whether any alternative approaches could alleviate or at least mitigate the impact of the decision; such as making reductions in other areas which do not have

the same impacts, including, particularly, equality impacts. The result could be to require additional resources to be used in certain areas than has been budgeted for.

Consideration of the public sector equality duty and/or consultation may be necessary at the budget setting stage where a decision to reduce spending is significant, sufficiently focussed, and in financial terms, apparently rigid.

In the meantime consideration has been given as to whether there is any element of the current budget proposals that should be the subject of an equality impact analysis at this stage and as a result an assessment (attached at Appendix B) has been carried out on the proposal to increase Council Tax. That assessment identifies the potential for the proposal to impact on people with low income and therefore disproportionately on certain people with a protected characteristics including older and younger people, people with a disability and women with children. Overall, however, the increase is modest and each District Council operates a Council Tax Support Scheme which has been designed following consultation and individual impact analyses to mitigate the effects of Council Tax levels on vulnerable people and people with low incomes. The savings of £13.828m built into this budget are all considered to have minimal impacts on service users but, as stated above, equality impact analyses will be carried out in relation to any proposed changes to services on an individual basis.

Approval of the budget is not a final decision about what the Council's services will be or about how much money will be saved under any particular proposals. Individual proposals will only be implemented after due regard to the legal matters that must be considered including the public sector equality duty.

As part of its decision-making the Executive will need to consider whether any alternative approaches could alleviate or at least mitigate the impact of the decision such as making reductions in other areas which do not have the same impacts, including particularly equality impacts. The result could be to require additional resources to be used in certain areas than has been budgeted for. In this event the usual budget management processes such as virement would be followed and approval sought at the appropriate levels in accordance with Financial Regulations including full Council where necessary. In particular a contingency has been built into the budget proposals in the form of the Financial Volatility Reserve (the balance is currently £52.683m) and the annual Contingency budget of £3.000m for 2021/22, for when additional funding cannot be found by way of virement from other service areas.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Wellbeing Strategy (JHWS) in coming to a decision.

Approval of the budget is not a final decision about what the Council's services will be or about how much money will be saved under any particular proposals. Individual proposals will only be implemented after due regard to the legal matters that must be considered including the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy.

Crime and Disorder

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.

Approval of the budget is not a final decision about what the Council's services will be or about how much money will be saved under any particular proposals. Individual proposals will only be implemented after due regard to the legal matters that must be considered including the duty under section 17 of the Crime and Disorder Act 1988.

3.

Conclusion

- 3.1 These budget proposals reflect the level of Government funding available to the Council and a proposal to increase general Council Tax in 2021/22 by 1.99%.
- 3.2 The budget proposal from the Executive meeting on 5 January 2021, as developed to reflect the changes contained in this report and consideration of consultation feedback, is recommended as the budget to be put forward by the Executive for approval at the County Council on 19 February 2021, subject to any change by the Leader to reflect the Final Local Government Finance Settlement, and District Council business rates and final council tax information.

4. Legal Comments:

The Executive is responsible for publishing initial budget proposals for the budget in accordance with the Budget and Policy Framework Procedure Rules.

When publishing its budget proposals the Executive must be mindful of its obligation to have due regard to a number of matters including under the Equality Act 2010.

Case law has established that generally it is lawful for a Council first to decide its budget and then to consider the question of consultation and the specific impact of proposed policies and service changes at the time they are developed and decisions are taken on them. Consideration has been given to whether there are any specific proposals within the budget that would require such consideration prior to the budget being set and apart from the proposed Council Tax increase which is dealt with in the Report there are not considered to be any such proposals

The way in which it is proposed to deal with specific service proposals is set out in full in the body of the report.

The legal issues relating to the recommended level of council tax and prudential indicators and the requirement for a Flexible Use of Capital Receipts Strategy are set out in the Report.

The proposed Medium Term Financial Strategy and Capital Strategy 2021/22 form part of the Financial Strategy which is part of the Council's Policy Framework. Approval of documents forming part of the Policy Framework is reserved to the full Council on the recommendation of the Executive.

The recommendations are within the remit of the Executive and are lawful. The Executive has the power to accept recommendation 3 or to agree one of the alternative approaches referred to in the report.

5. Resource Comments:

These budget proposals incorporate the level of funding available to the Council from central Government plus an increase in Council Tax of 1.99% for general Council Tax.

The funding assumed is in line with the Provisional Local Government Finance Settlement received in December 2020, and we propose a surplus budget at this stage, which will be a balanced budget once all remaining budgetary information has been incorporated.

The Medium Term Financial Plan from 2022/23 onwards still shows an underlying deficit position. We expect to be able to resolve this once our future funding is known and further savings are built into the budget after a number of development initiatives, including transformational projects, are delivered.

6. Consultation

a) Has Local Member Been Consulted?

Yes

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

Councillor Budget Briefings

All Councillors were sent a briefing on the Government's Spending Review announcement and its impact on the Council. A further briefing is due to be sent to all Councillors in January 2021, to update them on the latest budgetary position.

Further Scrutiny and Consultation:

A consultation meeting with local business representatives, trade unions and other partners will take place on 28 January 2021. Comments from this meeting will be tabled at the meeting on 2 February 2021.

The Council's scrutiny committees scrutinised proposals in detail during January 2021 and their comments are included in Appendix G.

The Overview and Scrutiny Management Board scrutinised the budget proposals, as set out in the report to the Executive on 5 January 2021, and their comments will be tabled at the meeting on 2 February 2021.

The proposal to increase Council Tax by 1.99% has been publicised on the Council's website together with the opportunity for the public to comment. Consultation comments and responses are included in Appendix G for the Executive to consider alongside this report on 2 February 2021.

d) Risks and Impact Analysis

Yes. An impact analysis relating to the proposal to increase Council Tax has been carried out and is attached at Appendix B. Proposed service changes to give effect to the budget will be subject to their own policy proofing considerations.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Executive Report "Council Budget 2021/22" 5 January 2021 (Available to view at: https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5750&Ver=4)
Appendix B	Impact Analysis relating to increasing the council tax by 1.99% in 2021/22
Appendix C	Capital Programme 2020/21 to 2021/22 and future years
Appendix D	Council Tax Increase per Band 2021/22
Appendix E	Prudential Indicators
Appendix F	Flexible Use of Capital Receipts Strategy 2021/22
Appendix G	Consultation Comments Received (<i>updated version to be tabled at the meeting</i>)
Appendix H	Medium Term Financial Strategy
Appendix I	Capital Strategy 2021/22

8. 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
Provisional Local Government Finance Settlement	https://www.gov.uk/government/collections/provisional-local-government-finance-settlement-england-2021-to-2022
Executive Report 5 January 2021 "Medium Term Financial Strategy and Council Budget 2021/22"	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5750&Ver=4

This report was written by Michelle Grady, who can be contacted on 01522 553235 or michelle.grady@lincolnshire.gov.uk .

Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Page 31

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Increase in the council tax for financial year 2021/22	Person / people completing analysis	Michelle Grady – Assistant Director – Finance
Service Area	All Council Services	Lead Officer	Andrew Crookham – Executive Director of Resources
Who is the decision maker?	Full Council	How was the Equality Impact Analysis undertaken?	Desktop Exercise
Date of meeting when decision will be made	19/02/2021	Version control	1.0
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Directly delivered
Describe the proposed change	<p>Each February the County Council sets a budget for the forthcoming financial year part of which includes a decision on the amount of Council Tax to be levied in that year. When the Government offered a time-limited grant to Councils freezing council tax levels, the decision was taken to freeze council tax. This was the case in the 4 years 2011/12 to 2014/15. The level of government grant support to the Council substantially reduced between 2012/13 and 2019/20 and increasing service pressures and costs has led the Council to establishing a more robust and sustainable income base going forward i.e. from local taxpayers.</p> <p>The council tax system requires each billing authority (ie. district council) to establish and maintain a local council tax support scheme which is a means tested system to allow those on low income to gain financial support to meet their council tax bill either in part or in full. Schemes vary within the county but some schemes positively favour certain classes of council tax payers with protected characteristics (eg. disability). These schemes are themselves the subject of equality impact assessments undertaken by the individual district council concerned. The County Council is consulted each autumn by the Districts on any changes to their council tax support schemes.</p> <p>Over the past 10 years the local council tax has increased by just under 23% whereas general price inflation over the same period has been just over 16%. The reason why council tax increases have been above the rate of inflation is</p>		

because the government has allowed authorities with adult social care responsibilities to charge an additional up to 2% per annum for the 4 years between 2017/18 and 2020/21 (an adult social care precept) and the County Council has exercised this option to help fund rising social care costs over those 4 years. If the adult social care precept had not been charged then the increase in general council tax over the past 10 years would have been just over 13% which is below the increase in general price inflation over the same period.

The maximum council tax increase which the Council is allowed to approve in 2021/22 without triggering a local referendum is 5.00% (2.00% for general council tax plus 3.00% for the adult social care precept). It is proposed that the general council tax increase for 2021/22 is 1.99%, and that no adult social care precept will be charged in 2021/22. The proposal to increase council tax by 1.99% rather than by the full 5.00% permitted is a recognition of the impact on council tax payers of increased costs, particularly at this time when many households have been financially strained as a result of the coronavirus pandemic.]

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age	Increasing the council tax adds a permanent and sustainable income stream to the funding of the Council. In so doing it thereby assists in limiting potential cuts in service provision over the wide range of services provided by the Council. Many of those services provide key support to those with protected characteristics.
Disability	As for Age above.
Gender reassignment	As for Age above.
Marriage and civil partnership	As for Age above.
Pregnancy and maternity	As for Age above.
Race	As for Age above.
Religion or belief	As for Age above.

Sex	As for Age above.
Sexual orientation	As for Age above.

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

The benefits outlined above in terms of limiting wider service reductions apply to all those who use Council services and not just to those with protected characteristics.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Age	<p>The proposed increase in the council tax of 1.99% will impact on all council tax payers who are responsible for the council tax levied on their property. The level of income of the council tax payer and their ability to afford the increase in the annual charge will be the key issue.</p> <p>To the extent to which those with a protected characteristic are council tax payers then they will be potentially impacted by this change. To the extent that any of the protected characteristics impact disproportionately on income generating capacity compared to people without that protected characteristic there is the potential for the council tax increase to impact adversely to a greater extent on individuals with the protected characteristic.</p> <p>As mentioned earlier this differential impact is mitigated by financial support made available from schemes operated by district councils to assist in meeting council tax bills for low income individuals.</p>
Disability	<p>As for Age above.</p>
Gender reassignment	<p>As for Age above.</p>

Marriage and civil partnership	As for Age above
Pregnancy and maternity	As for Age above
Race	As for Age above
Religion or belief	As for Age above
Sex	As for Age above
Sexual orientation	As for Age above

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

The ability to afford the proposed council tax increase applies to all individuals who are responsible for paying a council tax bill.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

The proposed council tax increase is one of the proposals to enable the Council to set a balanced budget for 2021/22. The other key aspect is a range of across the board efficiency savings totalling £13.8m. The Council has undertaken a public engagement/consultation exercise on the budget proposals. There will also be more formal consultation with the Scrutiny Committees of the Council and with key stakeholders such as business, public sector partners and trade unions.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	The details of public and wider consultation/engagement are described above. This is undertaken at the level of the whole suite of budget proposals rather than specific concentration on one aspect such as the proposed council tax increase. The nature of this proposal combined with the mitigation available through local council tax support schemes means that though there may be a differential impact between those people with a protected characteristic and those who do not share that characteristic this impact is mitigated.
Disability	As for Age above
Gender reassignment	As for Age above
Marriage and civil partnership	As for Age above
Pregnancy and maternity	As for Age above
Race	As for Age above
Religion or belief	As for Age above

Sex	As for Age above
Sexual orientation	As for Age above
Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes The proposal has received publicity and has been undertaken to invite feedback from all key stakeholders. The main mitigation of the impact of the proposal rests in the Council Tax Support Schemes operated by District Councils. These scheme themselves are the subject of equality impact assessments undertaken by the District concerned.
Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?	Feedback is received periodically from the Districts on the take up of the County Tax Support Schemes not least because the County Council funds around 75% of the cost of such schemes.

Further Details

Are you handling personal data?	No If yes, please give details.
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Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	NONE		
Signed off by	Michelle Grady	Date	14/01/2021

APPENDIX C

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
ADULT CARE AND COMMUNITY WELLBEING										
ADULT FRAILTY & LONG TERM CONDITIONS										
Dewint Court Extra Care Housing Scheme	Contribution towards De Wint Extra Care Housing Scheme	0.000	-1.400	1.400	0.000	0.000	0.000	0.000	0.000	0.000
Linelands Extra Care Housing Scheme	Contribution towards Planned Linelands Housing Scheme	1.990	0.000	1.990	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals: Adult Frailty & Long Term Conditions		1.990	-1.400	3.390	0.000	0.000	0.000	0.000	0.000	0.000
CHILDREN'S EDUCATION SCHOOLS										
Devolved Capital	Capital funding devolved to schools for improvements to buildings and school sites or investment in ICT hardware.	0.000	-1.017	1.017	0.000	0.000	0.000	0.000	0.000	0.000
Provision of School Places (Basic Need)	A programme of expansion and new build construction of school buildings.	0.080	-3.351	3.431	2.900	0.000	2.900	0.000	0.000	0.000
Schools Modernisation / Condition Capital	Programme to improve the condition of the school estate.	0.000	-5.755	5.755	0.000	-3.500	3.500	0.000	0.000	0.000
New Schools Requirements		0.000	0.000	0.000	0.000	0.000	0.000	42.700	-10.600	53.300
SEND Provision Capital Funding for Pupils with EHC Plans	A programme of major investment in SEND provision.	0.000	-11.500	11.500	0.000	-29.710	29.710	15.600	-26.059	41.659
Other Education & SEND Services	Capital funding for CWD short breaks and other education services	0.003	-0.072	0.074	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals - Schools		0.083	-21.694	21.777	2.900	-33.210	36.111	58.300	-36.659	94.959
CHILDREN'S SERVICES										
Early Help		0.978	-0.146	1.123	0.395	0.000	0.395	0.000	0.000	0.000
Safeguarding Services	Capital funding for in-house provision and other safeguarding services including foster carers and supported accommodation	0.097	0.000	0.097	0.323	0.000	0.323	0.250	0.000	0.250
Children's Services - Children's Homes	Two new small children's homes for children who are looked after.	0.050	0.000	0.050	1.075	0.000	1.075	0.375	0.000	0.375
Commissioning & Health Services	Capital funding for the 0-19 Health Services	0.000	0.000	0.000	0.100	0.000	0.100	0.000	0.000	0.000
Subtotals - Children's Services		1.125	-0.146	1.271	1.893	0.000	1.893	0.625	0.000	0.625
Subtotals Children's Education		1.208	-21.840	23.047	4.793	-33.210	38.004	58.925	-36.659	95.584

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
COMMERCIAL PROPERTY										
Property	Maintenance and improvement programme for council properties, asbestos works and improvements to the County Farm estates.	2.983	0.000	2.983	2.736	0.000	2.736	0.000	0.000	0.000
Property maintenance	To fund the maintenance and improvement programme for council properties	0.000	0.000	0.000	3.500	0.000	3.500	24.500	0.000	24.500
Orchard House Repairs	To complete essential repair work to the Lincoln County offices / Orchard House campus	1.400	0.000	1.400	0.000	0.000	0.000	0.000	0.000	0.000
Bluelight - wider estates (other funding will support this)	Programme of works to support dual and tri service occupation throughout Lincolnshire.	0.284	0.000	0.284	0.000	0.000	0.000	0.000	0.000	0.000
Lexicon House	Refurbishment of Lexicon House for office accommodation.	0.050	0.000	0.050	0.950	0.000	0.950	0.000	0.000	0.000
County Emergency Centre	Modernisation of the County Emergency Centre.	0.087	0.000	0.087	0.000	0.000	0.000	0.000	0.000	0.000
Property Area Reviews	Programme of works for leased properties.	0.225	0.000	0.225	0.202	0.000	0.202	0.000	0.000	0.000
Property Improvement Programme	The improvement to council properties	0.306	0.000	0.306	0.000	0.000	0.000	0.000	0.000	0.000
County Farms Private Roads	The improvement private roads on the County Farms Estates	0.017	0.000	0.017	0.020	0.000	0.020	0.020	0.000	0.020
County Farms Grain Stores	The improvement to county farms grain stores	0.000	0.000	0.000	0.145	0.000	0.145	0.242	0.000	0.242
School Mobile Classroom Replacement	The replacement of school mobile classrooms	0.300	0.000	0.300	0.390	0.000	0.390	1.500	0.000	1.500
Castle Motte	Contribution towards the programme of works to remove Lincoln Castle from the Heritage at Risk Register.	0.370	0.000	0.370	0.000	0.000	0.000	0.000	0.000	0.000
Horncastle Estate & Land Purchase	Purchase of land from East Lindsey District Council to enable development that will generate future capital receipts.	0.113	0.000	0.113	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals - Property		6.136	0.000	6.136	7.943	0.000	7.943	26.262	0.000	26.262

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
ICT										
Broadband	Provision of superfast broadband across the county.	0.640	-1.200	1.840	0.000	0.000	0.000	3.751	0.000	3.751
Infrastructure and Refresh Programme	General IT programmes including: IT development, replacement of PCs, other IT equipment and ICT infrastructure.	1.845	0.000	1.845	3.539	0.000	3.539	3.500	0.000	3.500
Improvement Transformation	To support the Transformation Programme by delivering enabling strategies in line with the Council's IMT strategy	0.000	0.000	0.000	2.000	0.000	2.000	2.000	0.000	2.000
Replacement ERP Finance System	Improvements to the ERP Finance system.	0.010	0.000	0.010	0.312	0.000	0.312	0.000	0.000	0.000
Care Management System (CMPP)	Installation of the Mosaic system.	0.009	0.000	0.009	0.005	0.000	0.005	0.000	0.000	0.000
ICT Development Fund	Improvements to ICT infrastructure and network.	0.300	0.000	0.300	0.121	0.000	0.121	0.000	0.000	0.000
IMT (Cloud Navigator/Windows 10)	Upgrade of hardware to Windows 10 system and development of Cloud Navigator to enable digital transformation of services to citizens.	0.136	0.000	0.136	0.000	0.000	0.000	8.000	0.000	8.000
Azure Data Migration	Migration of data from a physical to a cloud platform	0.604	0.000	0.604	0.460	0.000	0.460	0.000	0.000	0.000
Subtotals - ICT		3.545	-1.200	4.745	6.436	0.000	6.436	17.251	0.000	17.251
Subtotals Commercial		9.680	-1.200	10.880	14.379	0.000	14.379	43.513	0.000	43.513
RESOURCES										
<u>FIRE AND RESCUE & EMERGENCY PLANNING</u>										
Fire and Rescue & Emergency Planning	Refurbishment of fire and rescue properties.	0.393	0.000	0.393	1.074	0.000	1.074	0.000	0.000	0.000
Fire Fleet Vehicles and Associated Equipment	Rolling programme for the replacement of fire and rescue fleet vehicles and associated equipment.	4.097	0.000	4.097	3.128	0.000	3.128	6.540	0.000	6.540
Subtotals - Fire and Rescue & Emergency Planning		4.489	0.000	4.489	4.203	0.000	4.203	6.540	0.000	6.540
<u>PUBLIC PROTECTION</u>										
Registration Celebratory & Coroners Service	Coroners IT system for case management, and improvement to Gainsborough celebratory premises.	0.082	0.000	0.082	0.000	0.000	0.000	0.000	0.000	0.000
Safer Communities	Vehicle for Trading Standards	0.025	0.000	0.025	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals - Public Protection		0.107	0.000	0.107	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals Resources		4.596	0.000	4.596	4.203	0.000	4.203	6.540	0.000	6.540

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
PLACE										
COMMUNITIES										
CULTURE										
Libraries	RFID replacement kiosks and library hub capital works.	0.521	0.000	0.521	0.000	0.000	0.000	0.000	0.000	0.000
Historic Lincoln	Improvement programme for Lincoln Castle.	-0.050	-0.066	0.017	0.000	0.000	0.000	0.000	0.000	0.000
Lincoln Castle Revealed phase 2		0.281	0.000	0.281	0.000	0.000	0.000	0.000	0.000	0.000
Heritage / Archives	Future development of the Heritage service.	2.500	0.000	2.500	2.500	0.000	2.500	0.000	0.000	0.000
Subtotals - Culture		3.252	-0.066	3.319	2.500	0.000	2.500	0.000	0.000	0.000
ENVIRONMENT										
Electronic Ticket Machine		0.365	0.000	0.365	0.000	0.000	0.000	0.000	0.000	0.000
Other Highways and Transportation	Capital programme for transport services to support the purchase of assets such as vehicles and new technologies.	1.028	-0.390	1.418	0.000	0.000	0.000	0.000	0.000	0.000
Other Environment and Planning	Block of small projects.	0.043	0.000	0.043	0.000	0.000	0.000	0.000	0.000	0.000
Flood & Water Risk Management	A range of projects to alleviate flood and water risks.	0.572	0.000	0.572	0.000	0.000	0.000	0.000	0.000	0.000
Local Flood Defence Schemes (to match fund EA)	Match funding with the Environment Agency for local flood defence schemes.	0.900	0.000	0.900	1.350	0.000	1.350	3.650	0.000	3.650
Subtotals - Environment		2.908	-0.390	3.298	1.350	0.000	1.350	3.650	0.000	3.650
Waste - Fire Suppression Systems at Transfer Stations	Installation of fire suppression systems.	0.400	0.000	0.400	0.421	0.000	0.421	0.000	0.000	0.000
Waste - replacement of HWRC x 2	Replacement programme for 2 Household Waste Recycling Centres.	0.050	0.000	0.050	3.950	0.000	3.950	0.000	0.000	0.000
Equipment & Vehicles for Waste Transfer Stations	Replacement programme for vehicles and plant used for winter maintenance and in waste transfer stations.	0.251	0.000	0.251	0.252	0.000	0.252	0.847	0.000	0.847
Separated Paper and Card Scheme	Separated collections of paper and cardboard for households across Lincolnshire	0.000	0.000	0.000	1.206	0.000	1.206	4.171	0.000	4.171
Waste		0.035	0.000	0.035	0.100	0.000	0.100	0.000	0.000	0.000
Subtotals - Waste		0.736	0.000	0.736	5.929	0.000	5.929	5.018	0.000	5.018
Subtotals - Communities		6.897	-0.456	7.353	9.779	0.000	9.779	8.668	0.000	8.668

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
GROWTH										
Lincolnshire Enterprise Partnership Contribution	Lincolnshire Enterprise Partnership funding for capital projects.	13.956	0.000	13.956	0.000	0.000	0.000	0.000	0.000	0.000
LEP Skills Investment Programme	This project is aimed at increasing new apprenticeships and training places by refurbishing existing and creating new learning spaces.	0.232	0.000	0.232	0.000	0.000	0.000	0.000	0.000	0.000
Lincoln Growth Point		-0.240	0.000	-0.240	0.000	0.000	0.000	0.000	0.000	0.000
Lincolnshire Waterways		-0.144	0.000	-0.144	0.000	0.000	0.000	0.000	0.000	0.000
Other Growth and the Economy - Economic Infrastructure		0.293	0.000	0.293	0.000	0.000	0.000	0.000	0.000	0.000
Teal Park, Lincoln		-0.001	0.000	-0.001	0.000	0.000	0.000	0.000	0.000	0.000
South Lincs (Holbeach) Food Enterprise Zone	Contribution towards Holbeach Food Enterprise Zone.	3.400	0.000	3.400	0.000	0.000	0.000	0.000	0.000	0.000
Economic Development - Business Unit Development	Development of business units.	0.500	0.000	0.500	1.500	0.000	1.500	0.000	0.000	0.000
Skegness Countryside Business Park		0.009	0.000	0.009	0.000	0.000	0.000	0.000	0.000	0.000
Economic Development - Horncastle Industrial Estate Extension	Extension of Horncastle Industrial Estate Extension.	0.500	0.000	0.500	1.000	0.000	1.000	0.000	0.000	0.000
Subtotals - Growth		18.505	0.000	18.505	2.500	0.000	2.500	0.000	0.000	0.000

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
Corringham Road (development with WLDC)	Major scheme development of Corringham Road, in partnership with West Lindsey District Council.	1.154	-0.500	1.654	0.000	0.000	0.000	0.000	0.000	0.000
Sleaford Rugby Club (Sleaford Growth Scheme)	Improvement to ease congestion and improve the traffic flow at the Sleaford Rugby Club junction.	0.247	-1.070	1.318	1.014	0.000	1.014	0.000	0.000	0.000
A52 Skegness Roman Bank	Full reconstruction of a total of 550m of the A52 Roman Bank in Skegness.	4.449	0.000	4.449	0.325	0.000	0.325	0.075	0.000	0.075
Local Highways Improvements(Pinchpoints) to support Coastal Route	Improvement of the transport corridor to the Lincolnshire Coast by improving pinch-points along the route (A57, A46, and A158).	0.850	0.000	0.850	1.705	0.000	1.705	17.295	0.000	17.295
Other Highways	Block of smaller Highways projects.	0.032	0.008	0.024	0.000	0.000	0.000	0.000	0.000	0.000
Boston Development Schemes (Infrastructure & Economic)	A range of initiatives to support economic and housing growth whilst reducing traffic congestion in and around Boston.	0.829	0.000	0.829	0.641	0.000	0.641	3.700	0.000	3.700
Pothole and Challenge Fund		0.000	-20.909	20.909	0.000	0.000	0.000	0.000	0.000	0.000
North Hykeham relief road (Scheme total £158m, DfT bid £110m)	Completion of a ring road by linking the Lincoln Eastern Bypass with the existing Western Bypass.	0.000	0.000	0.000	0.000	0.000	0.000	48.000	0.000	48.000
Subtotals - Highways		54.679	-75.392	130.071	61.030	-56.908	117.939	112.662	-2.630	115.292
Subtotals Place		80.081	-75.849	155.929	73.309	-56.908	130.217	121.330	-2.630	123.960

Capital Programme (2020/21 plus Future Years)		Net Programme 2020/21 £m	Grants & Contribution 2020/21 £m	Revised Gross Programme 2020/21 £m	Net Programme 2021/22 £m	Grants & Contribution 2021/22 £m	Revised Gross Programme 2021/22 £m	Net Programme Future Years £m	Grants & Contribution Future Years £m	Gross Programme Future Years £m
OTHER BUDGETS										
New Developments Capital Contingency Fund	A council wide budget has been created to fund any schemes that are currently in the development stage. The funding will be awarded to these schemes on the approval of their business cases.	5.659	0.000	5.659	17.500	0.000	17.500	52.500	0.000	52.500
Capital Fund - CL	This block relates to Community Infrastructure Levy receipt from the districts as a contribution towards the construction of Lincoln Eastern Bypass and we have forward funded. Any income received will result in the reduction of the current capital programme.	-0.668	-0.668	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Capital Fund - S106	This block relates to S106 developer contributions towards schemes we have forward funded. Any income received will result in the reduction of the current capital programme.	-0.148	-0.148	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Subtotals Other Budgets		4.843	-0.817	5.659	17.500	0.000	17.500	52.500	0.000	52.500
Total Budget		102.397	-101.105	203.502	114.184	-90.119	204.302	282.808	-39.289	322.097

County Council Element of Council Tax per Property Band

Property Band	Council Tax per Property		
	2020/21	Increase	2021/22
Band A	£891.72	1.99%	£909.44
Band B	£1,040.34	1.99%	£1,061.01
Band C	£1,188.96	1.99%	£1,212.59
Band D	£1,337.58	1.99%	£1,364.16
Band E	£1,634.82	1.99%	£1,667.31
Band F	£1,932.06	1.99%	£1,970.45
Band G	£2,229.30	1.99%	£2,273.60
Band H	£2,675.16	1.99%	£2,728.32

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Prudential Indicators

PRUDENTIAL INDICATORS		2019-20 Actual	2020-2021 Original Estimate	2020-2021 Updated Estimate	2021-22 Estimate	2022-23 Forecast	2023-24 Forecast
Prudence Indicators:							
1) Capital Expenditure & Financing							
The Council will set for the forthcoming year and the following two financial years estimates of its capital expenditure plans and financing:							
Gross Capital Expenditure	£m	173.076	223.204	203.502	204.302	111.933	39.682
Net Capital Expenditure	£m	73.552	137.923	102.397	111.283	85.937	36.988
Capital Financing							
Borrowing	£m	77.898	137.893	80.909	111.213	85.822	36.827
Grants & Contributions	£m	99.524	85.281	101.105	93.019	25.996	2.694
Capital Receipts, Reserves & Revenue	£m	-4.346	0.030	21.488	0.071	0.115	0.161
Total Capital Financing	£m	173.076	223.204	203.502	204.302	111.933	39.682
2) Capital Financing Requirement							
The Council will make reasonable estimates of the total capital financing requirement at the end of the forthcoming financial year and the following two years:							
Opening CFR	£m	556.484	633.239	616.220	660.697	750.869	809.728
Add Additional Borrowing	£m	77.898	137.893	64.727	111.213	85.822	36.827
Add Additional Credit Liabilities (PFI & Finance Leases)	£m	0.000	1.613	0.000	1.613	0.000	0.000
Less Revenue Provision for Debt Repayment (MRP)	£m	18.162	23.146	20.250	22.654	26.962	29.738
Capital Financing Requirement	£m	616.220	749.599	660.697	750.869	809.728	816.818
3) Gross Borrowing and the Capital Financing Requirement							
The Council will ensure that gross long term borrowing does not, except in the short term, exceed the total capital financing requirement in the preceding year plus the estimates of any additional capital financial requirement for the current and next two financial years. This is to ensure that over the medium term borrowing will only be for a capital purpose.							
Medium Term Forecast of Capital Financing Requirement	£m	671.095	822.627	809.728	816.818	800.979	804.623
Forecast of Long Term External Borrowing and Credit Arrangements	£m	512.116	628.398	497.038	587.114	645.878	652.875
Headroom	£m	158.979	194.229	312.690	229.704	155.101	151.748
4) External Debt							
The Council will set for the forthcoming year and the following two financial years an authorised limit and operational boundary for its total gross external debt, gross of investments, separately identifying borrowing from other long term liabilities:							
Authorised Limit for External Debt							
Borrowing	£m	621.421	715.305	600.732	681.075	726.404	731.431
Other Long Term Liabilities	£m	12.270	11.488	11.471	10.673	11.002	9.703
Total Authorised Limit	£m	633.691	726.793	612.203	691.748	737.406	741.134
Operational Boundary for External Debt							
Borrowing	£m	606.421	700.305	585.732	666.075	711.404	716.431
Other Long Term Liabilities	£m	10.270	9.488	9.471	8.673	9.002	7.703
Total Operational Boundary	£m	616.691	709.793	595.203	674.748	720.406	724.134
Affordability Indicators:							
5) Financing Costs & Net Revenue Stream							
The Council will estimate for the forthcoming year and the following two financial years the proportion of financing costs to net revenue stream (NRS), including dedicated schools grant (DSG). The Council will also set the following voluntary indicator limit: minimum revenue provision and interest not to exceed 10% of net revenue stream (NRS) including dedicated schools grant (DSG).							
Proportion of Financing Costs to NRS (Incl DSG)	%	4.93%	5.60%	5.02%	5.44%	6.04%	6.32%
Proportion of MRP & Interest Costs to NRS (Incl DSG) -Limit 10% (Voluntary Indicator)	%	5.16%	5.78%	5.11%	5.39%	6.00%	6.29%

PRUDENTIAL INDICATORS		2019-20 Actual	2020-21 Original Estimate	2020-21 Updated Estimate	2021-22 Estimate	2022-23 Forecast	2023-24 Forecast
Proportionality Indicators							
6) Limit for Maximum Usable Reserves at Risk from Potential Loss of Investments							
The Council will set for the forthcoming financial year and the following two years a limit of no more than 10% of General Reserves to be at risk from potential loss of total investments. (Voluntary Indicator).							
General Reserves	£m	16.050	16.200	16.200	16.400	16.600	16.800
Sums at Risk (Based on Expected Credit Loss Model)	£m	0.216	0.231	0.233	0.326	0.324	0.322
Proportion of Usable Reserves at Risk from Potential Loss of Investments -Limit 10%	%	1.35%	1.43%	1.44%	1.99%	1.95%	1.92%
7) Income from Non Treasury Investments & Net Service Expenditure							
The Council will set for the forthcoming financial year and the following two years a limit of 3% for income from non- treasury investments as a proportion of Net Service Expenditure. (Voluntary Indicator). This is to manage the risk of over dependency of non-treasury investment income to deliver core services.							
Income from Non-Treasury Investments (Including County Farms)	£m	2.444	2.276	2.308	2.189	2.101	1.993
Net Service Expenditure	£m	436.080	492.570	492.570	505.459	517.489	532.876
Proportion of Non-Treasury Investment Income to Net Service Expenditure -Limit 3%	%	0.56%	0.46%	0.47%	0.43%	0.41%	0.37%
Treasury Indicators							
8) Interest Rate Exposures (Variable)							
The Council will set for the forthcoming year and the following two financial years, an upper limit to its exposure to effects of changes in interest rates on variable rate borrowing and investments. (Voluntary Indicator).							
Upper limit for variable interest rate exposures							
Borrowing	%	0.00%	30.00%	30.00%	30.00%	30.00%	30.00%
Investments	%	23.00%	100.00%	100.00%	100.00%	100.00%	100.00%
9) Total Principal Sums Invested							
The Council will set an upper limit for each forward year period for the maturing of investments (treasury and non-treasury) longer than 365 days.							
Upper limit for total principal sums invested for over 365 days (per maturity date)	£m	13.850	40.000	40.000	40.000	40.000	40.000
10) Maturity Structure of borrowing							
The Council will set for the forthcoming financial year and the following two years both upper and lower limits with respect to the maturity structure of its borrowing: (Fixed & Variable Rate Borrowing).							
Upper limit							
Under 12 months	%	2.90%	25.00%	25.00%	25.00%	25.00%	25.00%
12 months and within 24 months	%	2.20%	25.00%	25.00%	25.00%	25.00%	25.00%
24 months and within 5 years	%	5.40%	50.00%	50.00%	50.00%	50.00%	50.00%
5 years and within 10 years	%	12.70%	75.00%	75.00%	75.00%	75.00%	75.00%
10 years and above	%	76.80%	100.00%	100.00%	100.00%	100.00%	100.00%
Lower limit							
All maturity periods	%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
11) Borrowing in Advance of Need							
The Council will set for the forthcoming financial year and the following two years upper limits to any borrowing undertaken in advance of need.							
Borrowing in advance of need limited to percentage of the expected increase in CFR over 3 year budget period	%	0.00%	25.00%	25.00%	25.00%	25.00%	25.00%
(Voluntary Indicator)	£m	0.000	18.257	37.258	16.487	-2.187	-3.049

Flexible Use of Capital Receipts Strategy for 2021/22

Background

The Local Government Finance Settlement for 2016/17 announced additional flexibilities for local authorities to be able to use capital receipts, from the sale of Council assets, for revenue transformation projects. Previously these receipts were required to be used to fund new capital assets or to repay debt from the purchase of assets. In December 2017, the government extended this period for a further 3 years to April 2022.

To qualify to use capital receipts in this way the Council must prepare, at least annually, a Flexible Use of Capital Receipts Strategy (required in Statutory Guidance issued under section 15 of the Local Government Act 2003).

The guidance requires the Strategy to:

- Document how the new flexibilities in the use of capital receipts will be used; and
- Show the effect on Prudential Indicators for the period of capital receipt flexibilities.

Flexible Use of Capital Receipts

Government has provided a definition of expenditure which qualifies to be funded from capital receipts. This is:

"Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility."

Strategy for 2021/22

The Council will not take advantage of the flexibility to use capital receipts to fund revenue transformation projects in 2021/22. Instead such projects will be funded from either revenue budgets or earmarked reserves, and capital receipts in 2021/22 will be used to fund new capital assets or to repay debt.

There is therefore no schedule of projects to be funded by capital receipts for 2021/22.

Impact on Prudential Indicators 2021/22

As the Council will not be using capital receipts to fund revenue transformation projects in 2021/22, there is no impact of the strategy on Prudential Indicators. Details on the Council's Prudential Indicators are set out at **APPENDIX N** to this report and they demonstrate that the capital programme and associated financing remain affordable for the County Council.

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BUDGET CONSULTATION FEEDBACK

This Appendix provides details of the budget consultation events which have taken place in January 2021. At the time that this appendix was prepared, details of the feedback received before 20 January are included below.

Further Scrutiny Committee meetings are due to take place after 20 January 2021, and the public consultation via the Council website is due to close on 25 January. A meeting with businesses, trade unions and other public bodies took place on 28 January 2020. An update on the budget consultation feedback from these meetings and the public consultation will be tabled at the meeting on 4 February.

Overview and Scrutiny Committees

The following statements have been received from Scrutiny Committee meetings which have taken place during January 2021:

Comments from the Environment and Economy Scrutiny Committee – 12 January 2021

On 12 January 2021, the Environment and Economy Scrutiny Committee supported the budget proposals for the Environment and Economy services for 2021/22.

The following points were highlighted in relation to the Revenue and Capital Budget Proposals for 2021/22:

- The Committee was pleased to see that the Government was still providing the Council with grants during the Covid-19 pandemic.
- It was recognised that costs had increased due to the pandemic and would have to increase to reflect the rise in the National Living Wage from April 2021.
- In relation to the separated paper and card recycling scheme, this was now being rolled out across the county. Based on the returns from the trial, it was expected that it would eventually generate an income to the Council after taking into account the costs to the Council. The separated collections would therefore have both environmental and financial benefits in the long term.

Comments from the Adults and Community Wellbeing Scrutiny Committee – 13 January 2021

On 13 January 2021, the Adults and Community Wellbeing Scrutiny Committee supported the budget proposals for Adult Care and Community Wellbeing services for 2021/22.

The following points were highlighted on the Revenue and Capital Budget Proposals for 2021/22:

- The Committee was pleased to see that Adult Care and Community Wellbeing had performed well in managing and delivering an anticipated balanced budget for 2020/21, especially during such a challenging year because of the Covid-19 pandemic. The Committee also acknowledged the work of all those in Adults Care and Community Wellbeing involved in delivering balanced budgets for the last nine years, up to and including 31 March 2021.
- It was expected that 2021/22 would be similarly challenging, but the proposed balanced budget for 2021/22 was welcomed.
- Information on the social care precept, including proposals for its use in 2021/22, would be included in the report due to be submitted to the Executive on 2 February 2021.

Comments from the Children and Young People Scrutiny Committee – 15 January 2021

On 15 January 2021, the Children and Young People Scrutiny Committee supported the budget proposals for Children's Services for 2021/22.

The following points were highlighted in relation to the Revenue and Capital Budget Proposals for 2021/22:

- The Committee thanked officers for their excellent work on the proposals, and recognised the significant cost pressures facing Children's Services. Officers had responded to the challenges and identified savings as well.
- The Committee congratulated officers on the CIPFA Looked After Children benchmarking for Local Authority participants which showed Lincolnshire's average looked after child placement costs for 2019 to be £41,555 per annum, compared to the average of other Local Authorities of £53,287. This highlighted great value for money while still providing excellent services.
- The Committee was pleased to see that the Council had secured additional Government grant funding for the Building Communities of Specialist Provision Strategy, and Council funding solutions to meet the revised overall programme costs of £86.794m, to cover the increasing costs of the programme and to invest in Lincolnshire's children and young people with special educational needs and disabilities.
- Concerns were raised about the increasing Home to School Transport costs and the impact that the Government's aspirations for green transport would have on this budget. The budget was still continuing to increase despite a lot of effort put in to manage the costs. Where possible, Home to School Transport utilises public transport services; however there were a large number of routes where this was not possible due to the rurality and size of Lincolnshire, and the lack of large bus operators with only Stagecoach

operating in Lincolnshire. An in depth review by external consultants from Edge Consultancy was being undertaken to identify whether any further possible efficiencies could be made. This review would consider all different options, including the Council delivering some of the Home to School Transport or paying parents mileage costs, as possible options. The Committee supported the in depth review and it was suggested that the report from the review be considered at an informal briefing session for the Committee to discuss the outcomes in detail.

Further Scrutiny Committees are due to meet after 20 January:

- Highways and Transport Scrutiny Committee – 25 January 2021
- Public Protection and Communities Scrutiny Committee on 26 January 2021, and
- Overview and Scrutiny Management Board on 28 January 2021.

Meeting with businesses, trade unions and other public bodies

Budget proposals will be presented to representatives from business, trade unions and other public bodies on 28 January 2021. Feedback from the meeting will be reported in due course.

Public Consultation via the Council website

Following consideration of the budget proposals 2020/21 by the Executive on 5 January 2021, a public consultation was published on the Council website, and is due to close on 22 January 2021. Any comments received will be reported in due course.

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The Medium Term Financial Strategy

1. Introduction

- 1.1. The Medium Term Financial Strategy (MTFS) sets out how we plan to manage our finances for the period 2021/22 – 2023/24 and support the delivery of the Council's Corporate Plan. The MTFS will be refreshed annually to take account of the current circumstances and context affecting our financial resources.
- 1.2. Local government has been in a period of austerity since 2010 and has seen its funding reduced in real terms over this time with more reliance on one-off specific grants and on local taxation to fund essential services. Council Tax income now represents around 63% of our net expenditure (it was 51% in 2010/11).
- 1.3. The funding review of Local Government and business rates review which had initially been planned for 2020/21 has had further delay due to the Covid-19 pandemic. This has meant that we have had single year financial settlements for 2020/21 and 2021/22 and we continue to have uncertainty in our longer term financial envelope.
- 1.4. In March 2020, Covid-19 was declared a global pandemic by the World Health Organisation. The government recognised the significant role Local Authorities needed to play to support the response to the pandemic and has put a number of financial measures in place to support the cost pressures that Local Authorities have incurred as the pandemic has continued.
- 1.5. The Council has a strong record of good financial management and delivery of savings and efficiencies with a level of reserves that demonstrates financial resilience.
- 1.6. In this context, it is essential that we plan for the future to maintain our strong financial position and ensure our financial sustainability going forward. This Medium Term Financial Strategy (MTFS) aims to help us do this.

2. The Objectives of the Medium Term Financial Strategy

- 2.1. The MTFS is a flexible strategy which will allow us to forecast our future financial resources and then plan to use these to both deliver core services and to invest in future improvements to service delivery. The objectives of the strategy are to:
 - a) Ensure that we are financially resilient now and in the future and can respond positively to adverse financial impacts;
 - b) Support the provision of Value for Money services to our communities;
 - c) Support sustainable service delivery using a combination of Revenue and Capital Budgets and Reserves;
 - d) Maintain Council Tax in the lowest quartile for county councils;
 - e) Support other Council strategies;
 - f) Deliver assets to improve and maintain services and also to achieve future savings;
 - g) Enable the setting of an annual balanced budget. The annual Revenue Budget must be affordable and can be supported by the use of Reserves,

but only as part of a medium term plan moving towards a future budget which is balanced without the support of reserves;

- h) Support good decision making;
- i) Recognise financial risks and identify how these will be managed; and
- j) Allow for emerging opportunities to be exploited within the affordable budget.

2.2. Corporate Plan – Our Vision: Working for a better future. Our Corporate Plan underpins our 'One Council' approach which ensures all services are working towards shared goals and will help different areas of the council work together more effectively. We are identifying key priorities for this council to support our ambitions for Lincolnshire in that our People and Communities will have:

- High aspirations;
- The opportunity to enjoy life to the full;
- Thriving environments; and
- Good value Council services.

The Council has embarked on a programme of transformation to support the delivery of the corporate plan and to consider how we can best deliver services in Lincolnshire. This MTFS will underpin the Corporate Plan by ensuring that financial resources are identified and made available to deliver its ambitions and programme of transformation.

2.3. Appended to this strategy is our Medium Term Financial Plan (MTFP), which will set out our forecast budget surplus or deficit for the medium term financial years 2021/22 – 2023/24. Whilst there continues to be a large element of uncertainty over our future funding from Government, longer term financial planning becomes more challenging, so our financial plans cover the medium term at this point in time. We aim to extend our financial planning to cover a longer term period once funding reforms are in place.

3. The Current Financial Context

3.1. The past ten years have been a period of austerity for councils, with Government funding reducing significantly over this period. Councils like ours, with Social Care responsibilities, have seen new Government grants introduced to help deal with increasing Social Care pressures, but, over this time, the balance of our sources of funding has changed and we are now more reliant on Council Tax and Business Rates funding to support the provision of services

3.2. The table below shows a summary of how our funding has changed since 2011/12 and the cost pressures built into our budget and savings achieved over this same period:

Financial Trends							
Year	General Government Grant £m	Other Govt. Grants received £m	Total Govt. Grant income £m	Savings £m	Cost Pressures £m	Council Tax Increase	Planned Use of Reserves £m
2011/12	211	16	227	57	52	0.00%	0
2012/13	195	17	212	51	23	0.00%	0
2013/14	146	19	165	28	61	0.00%	12
2014/15	125	22	147	40	22	0.00%	8
2015/16	95	25	120	31	31	1.90%	22
2016/17	70	28	98	42	31	3.95%	20
2017/18	48	42	90	39	26	3.95%	18
2018/19	34	49	83	23	30	4.95%	5
2019/20	20	61	81	16	26	4.95%	3
2020/21	20	78	98	45	15	3.50%	0

- 3.3. The current regime for funding councils has been in place since 2013 and is now out-dated. The Government has proposed two major reforms to the system: the Review of Relative Needs and Resources (formerly known as the Fair Funding Review) and Business Rates Retention Review and reset. These reforms were initially delayed for a year due to Brexit, and have been delayed a further year to allow the focus to remain on the current Covid-19 pandemic response.
- 3.4. There have been no further announcements on a much needed review of the national funding of Adult Social Care. In lieu of these reforms the government has continued to provide specific grants to support the costs of Social Care and has continued to allow Local Authorities with Social Care responsibilities the ability to levy an Adult Social Care precept on local tax payers, which was initially introduced in 2016/17.
- 3.5. **Covid-19** – In March 2020 the Government's budget 2020 set out a number of financial measures to support the economic impact of the Covid-19 outbreak. The government has introduced restrictions during the year to reduce the spread of the virus, and the financial support measures put in place by the government alongside these restrictions have continually emerged during the year. A number of government grants to support the Local Authority response to the pandemic have been made. During 2020/21 the Council has received £44.508m of general covid support grant as well as a number of specific grants including those supporting hardship, vulnerable groups, infection control, and Covid-19 testing. As the pandemic continues the economic outlook for the UK is uncertain and further complicated by the Brexit transition period which came to an end in December 2020.

4. The Forward View

- 4.1. In October 2020, the Chancellor announced the decision to conduct a one-year only Spending Review (SR2020), in order to prioritise the response to Covid-19. The SR2020 was announced in November, with the Provisional Local Government Settlement following on 17th December 2020.
- 4.2. As anticipated the SR2020 confirmed a 'roll-over' one year settlement for Local Authorities. The Chancellor has ruled out returning to a programme of austerity to tackle the budget deficit, however the Chancellor announced a pay freeze for most public sector employees, with the exceptions being NHS staff and employees with a

full time basic salary up to £24,000 receiving a flat uplift of £250. Other announcements included:

An overall real terms increase in core spending power in 2021/22 of 4.4% (with a large proportion of this coming from local taxation);

The National Living Wage will increase to £8.91 per hour from April 2021 for people aged 23 years and over;

Council tax referendum limits set at 2% for General Tax increase and 3% for an Adult Social Care increase, the latter of which can be deferred to 2022/23;

£300m of new Social Care Grant to be made available to Local Authorities; and

£4m increase nationally for the Rural Services Delivery Grant.

4.3. The government also set out continued support for the impacts of Covid-19 which included:

£1.55bn of Covid Funding for cost pressures in 2021/22;

Covid related losses on sales fees and charges can continue to be claimed for the first quarter of 2021/22;

£670m available nationally to support Local Council Tax Reduction Schemes; and

£762m available nationally for a Tax Income Guarantee Scheme to cover 75% of irrecoverable tax losses.

4.4. We have been through a detailed budget exercise during the year, reviewing our cost pressures and budget assumptions. In some areas additional income and efficiencies have been included in the MTFP, which can be delivered without having a negative impact on service delivery.

4.5. With regard to the proposed funding reforms, we have lobbied Government to increase the total amount of funding coming to the sector as a whole and have specifically requested that Government look at the distribution of funding to this Council with a view to addressing past inequalities between authorities. Whilst we believe that the Government understands the challenges of delivering services in a large rural county, we are still cautious about future funding levels given the amount of current uncertainty.

5. Delivering the Medium Term Financial Strategy

- 5.1. The Strategy provides a framework within which we can manage the financial resources available to deliver our priorities for our communities over the medium term. To deliver this successfully requires a culture of good financial management within the Council, which is led by the Executive Director of Resources (the Section 151 Officer) and the Leadership Team, which includes our elected Members as well as Chief Officers. The Section 151 Officer has certain responsibilities for financial management which are set out in regulations, and must follow CIPFA's Codes of Practice.
- 5.2. To support this culture we have a set of financial regulations and procedures, as well as schemes of authorisation, which give guidance to Officers about their financial responsibilities.
- 5.3. The Strategy supports the Council's other key strategies, by setting the financial context for the Council and by clarifying the levels of investment that we can make in the future to deliver services and improve and maintain our assets.
- 5.4. We have an Earmarked Reserve, called the Financial Volatility Reserve, which can be used to support the Revenue Budget in any given year if the requirement to spend is higher than the resources available. Our strategy is that this will only be a temporary solution to balance the budget whilst we work towards finding budget savings or increased funding to ensure that our budgetary position is sustainable. We also have a Corporate Contingency and General Reserves which can be called upon to meet any unexpected financial pressures in the year, if these cannot be funded from any other source.
- 5.5. The Strategy is supported by financial performance indicators, which are approved by Council with the budget in February each year. These are monitored during the year and performance is reported at the end of the year.
- 5.6. During each financial year, the approved Revenue Budget and the approved Capital Programme are monitored, and performance against each is regularly reported to the Corporate Leadership Team and the Executive, with scrutiny applied by the Overview and Scrutiny Management Board.

6. Key Considerations for the Medium Term Financial Strategy

Council Tax

- 6.1. As part of its Spending Review 2020 the Government has proposed a referendum limit for general Council Tax of 2%, and is once again allowing the raising of local tax to support Adult Social Care with an additional 3% precept (which can be deferred until 2022/23). This gives a potential total Council Tax increase of 5%.
- 6.2. We are proposing to implement a 1.99% general Council Tax increase for 2021/22 but we are not proposing to include the Adult Social Care precept increase for 2021/22. Our modelling assumes that beyond 2021/22 our Council Tax increases will be 2% each year.

Business Rates

- 6.3. Our Business Rates funding is made up of two elements, an amount actually collected by the seven District Councils in Lincolnshire, and a top up Grant from central Government, as the total Business Rates collected in Lincolnshire are not sufficient to cover Local Authority spending in the area.
- 6.4. Any surpluses or deficits on the Business Rates element of the Collection Fund are not received from the Lincolnshire District Councils until 31 January each year and can vary year on year. We maintain a Business Rates Volatility Earmarked Reserve to support any large negative variances. We have assumed a neutral position for the Business Rates element of the Collection Fund in our budget assumptions. It is worth noting that only 10% of the Business Rates collected locally are passed to Lincolnshire County Council and any share of surpluses or deficits will also be on this basis.
- 6.5. In addition to the above Business Rates funding, the Council receives Section 31 government grant as compensation of central government caps and reliefs offered to small and rural businesses. It is anticipated that Government will continue to compensate local authorities in full for the extension of Small Business Rate Relief and new Rural Rate Relief and has confirmed an additional Section 31 grant will be made to compensate councils for the freeze of the business rates multiplier in 2021/22.
- 6.6. We are planning to continue to be part of the Business Rates Pool with the District Councils whilst this continues to forecast benefits. Pooling should provide us with additional Business Rates growth income although we have assumed a neutral position for 2021/22.

Government Funding

- 6.7. We receive General Grant from the Government in the form of Revenue Support Grant. This grant has reduced from its level of £70.351m in 2016/17 to £20.467m in 2020/21. The future of Revenue Support Grant is uncertain given the Government's funding reform agenda, but we have assumed that it will continue at the current level plus inflation for future years.
- 6.8. In addition to Revenue Support Grant we receive a number of other specific Government grants to support our expenditure, the largest of these being the Better Care Fund and the Public Health grants. For the purposes of forecasting our medium term position, where grants had been inflated for 2020/21 we have assumed a continuation of funding at current levels plus inflation for these grants, however a number of grants we receive are cash flat allocations.

Fees and Charges

- 6.9. The charges made to service users form a significant part of our total gross income, making an important contribution to the funding of services with £105.892m planned income from these charges in 2020/21. This income relates to a number of our services, with over half of it coming from users of Adult Social Care services.

Reserves

- 6.10. We hold two types of reserves: General Reserves, which are held as a fund of last resort to cover unexpected and unbudgeted costs which cannot be funded from our Revenue Budget, and Earmarked Reserves, which are funds held for specific

purposes and to cover future costs relating to those purposes. Earmarked Reserves are either created from grants and financial contributions received by the Council, or from underspends in the Revenue Budget at year end.

- 6.11. Our General Reserves currently stand at £16.050m, and our strategy is to maintain these reserves at a level which is between 2.5% and 3.5% of the budget requirement each year. The current level is 3.3% of the 2020/21 budget requirement. We take a risk based approach to ensure that the General Reserves alongside Earmarked reserves are at an appropriate level.
- 6.12. We will budget for an estimated contribution to or from General Reserves each year to ensure that the level of these reserves keeps pace with the budget requirement.
- 6.13. Our Earmarked Reserves are currently valued at £219.329m, which includes an Earmarked Reserve which is ring-fenced for Schools of £24.808m. The Council approves the creation of any new Earmarked Reserves. Our strategy is to regularly review Earmarked Reserves so that they are used for the purposes originally intended, or removed if no longer required, with the funding diverted for a new agreed purpose.
- 6.14. Within Earmarked Reserves there is a Financial Volatility Reserve which exists to deal with volatility in costs and to support the budget whilst savings are being delivered. There are a number of other Earmarked Reserves which are also used to cover volatility in costs and these support our financial resilience.

Flexible Use of Capital Receipts

- 6.15. In September 2016 the Council approved the Efficiency Plan, and the flexible use of Capital Receipts, to fund transformation for the three year period from 2016/17 to 2018/19. This plan allowed the Council to sign up to the four year funding deal offered by Government for the period 2016/17 to 2019/20. In December 2017, the Government set out further measures to support councils to deliver services. One of these measures was an extension to the use of Capital Receipts to help meet the Revenue costs of transformation for a further 3 years to April 2022.
- 6.16. From 2020/21, we have no longer planned to use Capital Receipts to fund transformation projects. Instead, we plan to use our Earmarked Reserves for this purpose. This will allow us to revert to using Capital Receipts to repay borrowing or to finance new Capital expenditure.

Financial Performance

- 6.17. We have a strong financial foundation upon which to build future years' budgets. Indicators of this are:
- We have prepared for this eventuality by setting aside money in reserves to help smooth the transition to a lower budget base;
 - We have a culture of financial management which generally results in expenditure being contained within budgets;
 - Prompt action has been taken to reduce budgets in the early years of austerity;

- A prudent approach has been taken to budgeting and this often results in underspends at the end of the year. This in turn has allowed for Earmarked Reserves levels to be increased;
- The CIPFA Financial Resilience Index has indicated that this Council has a reasonable level of financial resilience;
- The Leader of the Council is the Executive Portfolio Holder for finance and has a good understanding of financial issues. The Executive is involved in the budget process.
- We have reviewed our practice against the newly developed CIPFA Financial Management (FM) Code, with an aim to being fully compliant at the point at which code is implemented. The code is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. Our analysis and compliance will initially be reported to the Audit Committee in March 2021.

Governance, Risk and Opportunities

6.18. As set out in section 5 above, we have a strong culture of good financial management and this is supported by a governance framework as follows:

Constitution and Financial Regulations

All Council business is conducted in accordance with the policies and procedures set out in our Constitution, which defines how we operate, how decisions are made, and the procedures that must be followed.

Financial Procedures

In order to conduct our business efficiently, we need to ensure that we have sound financial management policies and procedures in place and this is done through our Financial Procedures. These set out the financial accountabilities of individuals and the procedures to be followed.

Council

The Council's financial affairs are operated through a number of Member committees which have delegated powers. Decisions that cannot be delegated are taken at meetings of full Council.

The Executive

Each year, the Council agrees a policy framework and budget, and it is the responsibility of the Executive to implement the framework and budget. The Executive has special responsibilities for financial matters.

Scrutiny Committee

The Overview and Scrutiny Management Board reviews and scrutinises any decision made by the Executive, Executive Councillor or key decision made by an officer.

The key aim of scrutiny is to:

- Provide healthy and constructive challenge

- Give voice to public concerns
- Support improvement in services
- Provide independent review

Audit Committee

The Council's Audit Committee plays a vital role overseeing and promoting good governance, ensuring accountability and reviewing the ways things are done. It provides an assurance role to the Council by examining areas such as audit, risk management, internal control, counter fraud and financial accountability. The Committee exists to challenge the way things are being done and make sure the right processes are in place. It works closely with both internal audit and senior management to continually improve the Council's governance, risk and control environment.

Internal Audit

The Council maintains an adequate and effective system of internal audit of the accounting records and the systems of internal control in line with the requirements of the Accounts and Audit (Amendment) (England) Regulations 2011.

External Audit

An external audit service to the Council is currently provided by Mazars, who report on an annual basis to the Audit Committee on their findings in respect of the Statement of Accounts and on the Council's Value for Money arrangements.

Chief Finance Officer

The Council has designated the Executive Director – Resources as the Chief Finance Officer under Section 151 of the Local Government Act 1972. He leads and directs the financial strategy of the Council. He is a member of the Leadership Team and has a key responsibility to ensure that the Council controls and manages its money well. He is able to operate effectively and perform his core duties, complying with the CIPFA Statement on the role of the Chief Finance Officer.

Monitoring Officer

The Chief Legal Officer is the designated Monitoring Officer, with responsibility for ensuring the lawfulness of decisions taken by us as detailed in the Constitution. The Monitoring Officer is responsible for ensuring the Council complies with its duty to promote and maintain high standards of conduct by Members and co-opted Members of the authority.

Risk Management Strategy

The Audit Committee has overall responsibility for ensuring that the Council's risk management framework is robust, and provides assurance that strategic and operational risks which the Council faces have been identified and managed. Our financial risk register is at MTFS Appendix VII.

- 6.19. Our strategy is to take account of risk when preparing the MTFP. We have a number of budgets which are volatile because the amount we spend in each year depends on either demand for services or on other factors which we do not control e.g. the weather. We hold a corporate contingency budget to support these variables and can also support any unforeseen expenditure that we have not been

able to plan for. The current Covid-19 pandemic has increased the risks around our budget assumptions, and whilst the immediate costs have been covered by the provision of government grants the longer term impacts on our tax base and service costs are still unknown.

6.20. Our MTFP is supported by assumptions about a number of factors affecting the budget, and we model scenarios based on differing levels of risk for each major assumption: high risk (the outcome which results in a higher risk to our financial position); medium risk (the most realistic outcome); low risk (the outcome which results in a lower risk to our financial position). This provides us with a range of possible financial positions for the future, which we can take account of when making major decisions. We update the MTFP as detailed information about our future costs, income and funding is confirmed.

6.21. We need to ensure that we can grow and develop as a Council, as well as maintain existing core services. To do this we need to be able to make the most of opportunities when they arise. The MTFP allows us to do this by establishing funding for investing in new ideas. Examples of this are:

- Budget holders can bid for investment in new opportunities (either revenue or capital) as part of the annual budget process. These will be considered in the context of the business case and affordability.
- Council Directorates can carry forward up to 1% of their budgets to the following year to the extent that they have delivered a budget underspend.
- We have a New Development Capital Fund of £7.5m each year. Budget Holders can bid for funding from this to spend on new capital schemes.
- There are a number of earmarked reserves which can be used to fund investment in new opportunities.

7. Medium Term Financial Plan (MTFP)

MTFS Appendix A

7.1. Due to continued uncertainty in our levels of future funding, we are only setting a detailed budget for one year 2021/22. To support our summary budget position the MTFP table below sets out our expected budget position for the period 2021/22 – 2023/24.

SUMMARY REVENUE BUDGET	2021/22 £m	2022/23 £m	2023/24 £m
EXPENDITURE:			
Net Base Budget	489.894	502.783	514.813
Cost Pressures (<i>including inflation</i>)	26.736	16.585	17.622
Savings & Additional Income	-14.664	-5.351	-2.236
Other Movements (PH Grant & BCF Grant)	0.817	0.796	0.000
Total Expenditure	502.783	514.813	530.199
Use of Reserves	1.912	-5.744	-8.775
Transfer to/from General Reserve	0.200	0.200	0.200
Budget Requirement	504.895	509.269	521.624
INCOME:			
Business Rates Local Retention	120.354	121.015	121.682
Revenue Support Grant	20.580	20.693	20.807
Other Grants	44.416	37.551	37.476
County Precept	319.545	330.010	341.659
Total Income	504.895	509.269	521.624

7.2. The MTFP table shows how our base budget each year during 2021/22 – 2023/24 is increased by cost pressures and reduced by savings or additional income. It also shows the total funding income in each of these years which determines the net budget requirement and use of reserves to balance the difference between the total income and total funding.

7.3. The MTFP shows that following the settlement from government we are expecting to have a budget surplus in 2021/22 of £1.912m, but expect to have a budget deficit in the following years of £5.744m in 2022/23 and £8.775m in 2023/24.

7.4. Whilst we are expecting a surplus budget in 2021/22, this is still very reliant on council tax and business rates updates that will be provided by the District Councils. To reach a sustainable budget position for future years an assessment of further likely savings will need to be made during 2021/22. This can be supported by our Financial Volatility Earmarked Reserve to smooth the delivery of future savings required

7.5. We have a ten year Capital Programme, which is a budget set aside to deliver new or improved assets and to maintain existing assets used to deliver services. The proposed Capital Programme is affordable over the longer term, within the context of our budget assumptions and in line with our Capital Strategy, which also covers a longer term period up to ten years. The table below is a summary of our proposed Capital Programme and its proposed funding:

Capital Programme (2020/21 plus Future Years)	Revised Gross Programme 2020/21 £m	Gross Programme 2021/22 £m	Gross Programme Future Years £m
Gross Capital Programme	203.502	204.302	322.097
Funded by:			
Grants and Contribution	101.105	90.119	39.289
Revenue Funding	1.316	0.071	1.035
Use of Reseve	20.172	0.000	0.000
Borrowing	80.909	114.113	281.773
TOTAL FUNDING	203.502	204.302	322.097

Key Assumptions in Medium Term Financial Plan

Funding / Expenditure Area	Assumption	2021/22 £000's
Funding		
Revenue Support Grant	2021/22 per Provisional Settlement, increased by 0.55% each following year	20,580
Rural Services Delivery Grant	2021/22 per Provisional Settlement, remains at this level thereafter	7,277
New Homes Bonus Grant	2021/22 per Provisional Settlement, decreased by 2.5% each following year	1,469
Independent Living Fund	2021/22 not yet confirmed. 2020/21 amount decreased by 2.5% each following year	1,515
Social Care Support Grant	2021/22 per Provisional Settlement, remains at this level thereafter	20,485
Public Health Grant	2021/22 not yet confirmed. 2020/21 amount assumed to continue in 2021/22 then increased by CPI each following year	33,546
Better Care Funding	2021/22 not yet confirmed, increased by CPI each following year	18,984
Improved Better Care Funding	2021/22 per Provisional Settlement, then increased by CPI each following year	33,250
Council Tax Collection Fund Surplus	Assume no surplus in any year of MTFP	0
Council Tax	Taxbase 2021/22 estimated as at Nov 20, increased by 1.3% / 1.5% / 1.5% in following 3 years	319,545
BR Collection Fund Surplus	Assume no surplus in any year of MTFP	0
BR collected locally	2021/22 not yet confirmed. 2020/21 amount increased by 0.55% each following year	21,874
BR Top Up Grant	2021/22 per Provisional Settlement, increased by 0.55% each following year	91,302
BR S31 Grant	2021/22 not yet confirmed. 2020/21 amount increased by 0.55% each following year	7,178
BR Pooling Gain	Assume no pooling gain in any year of MTFP	0
Expenditure		
Pay Inflation	1% in 2021/22 to cover salaries up to £24k, 2% in each following year	1,580
LGPS Employers Contribution	2.0% increase 2021/22, 1.1% increase 2023/24	1,130
Total		

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CAPITAL STRATEGY 2021/22

1. Aim of the Capital Strategy

- 1.1 The aim of the Capital Strategy is to enable elected Members to make decisions about capital spending plans that support the Council's objectives and are affordable over the long term. In making those decisions, elected Members should understand the financial risks and how those risks will be managed.
- 1.2 The Capital Strategy also provides a framework of guidance to support elected Members in their decision making and to support Officers involved in capital planning.
- 1.3 The Capital Strategy will be refreshed annually and presented to the Council within the Budget Book, alongside capital and revenue budget plans. This will ensure that the Capital Strategy is adapted as the Council's financial position evolves over time, and that Council's approval of the capital programme budget takes account of the Capital Strategy and its implications.

2. Background Information

- 2.1 The CIPFA Prudential Code was revised in 2017, and included the new requirement for councils to have a capital strategy in place by April 2019.
- 2.2 This requirement has been driven by the changing face of local government finance. Councils have been through a number of years of austerity and reducing government funding, and some councils are now investing in commercial opportunities using capital budgets. In addition to this there are increasing demand pressures on services, which has added to the financial risks faced by councils. The Capital Strategy will help elected Members to understand the key risks and manage those risks to an appropriate level.
- 2.3 The Ministry of Housing Communities and Local Government (MHCLG) has issued revised statutory guidance on local government investments, which came into effect on 1 April 2018 and extended the meaning of "investments" to include the type of commercial investment referred to in paragraph 2.2. The Council has adhered to this guidance and it has been reflected in this Capital Strategy where it is relevant to do so.
- 2.4 In November 2019 the Chartered Institute of Public Finance and Accountancy published a guidance document entitled Prudential Property Investment, which reinforces the principle that Councils must not borrow

more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed. The guidance covers technical and legal issues relating to investment in commercial property. Appendix B sets out our approach to such investments in our Commercialisation Strategy.

- 2.5 The Council's first Capital Strategy was for 2019/20. This Capital Strategy is the third iteration.

3. What is "Capital" and How Does it Impact on Budgets?

- 3.1 It is important that those making decisions about capital spending plans understand the terminology used in reports as well as how budgets will be impacted by their decisions.

Definitions

- 3.2 **Capital expenditure** is spending on buying, building or enhancing long term assets. Examples of long term assets include: land and buildings, vehicles, infrastructure such as roads and bridges, specialised facilities such as recycling plants, specialised equipment such as fire-fighting equipment.
- 3.3 The term "**capitalised**" means "treated as capital expenditure". This requires certain accounting treatments and the inclusion of capitalised assets in an asset register.
- 3.4 The Secretary of State will allow some expenditure types to be capitalised in certain exceptional circumstances, and councils must apply for permission to capitalise expenditure which would normally be treated as revenue expenditure. An example of such an item approved for another council in the past is the capitalisation of large-scale redundancy costs.
- 3.5 **Revenue expenditure** is therefore all expenditure which is not capital expenditure – this usually applies to spending on the day to day running costs of the Council which doesn't result in long term assets e.g. salaries of employees, rent of buildings, fuel, stationery etc.
- 3.6 **Capital receipts** are monies received when capital assets are sold. By law, capital receipts can only be used to either repay loans or finance new capital expenditure. The government has introduced a temporary relaxation of these rules to allow capital receipts to be used to fund revenue expenditure on projects which will reduce future revenue costs. This will last until March 2022 and the Council has taken advantage of this in previous years. From 2020/21 onwards, the Council's strategy will be to use capital receipts only to either repay loans or to finance new capital expenditure.

Accounting Policy on Capitalisation

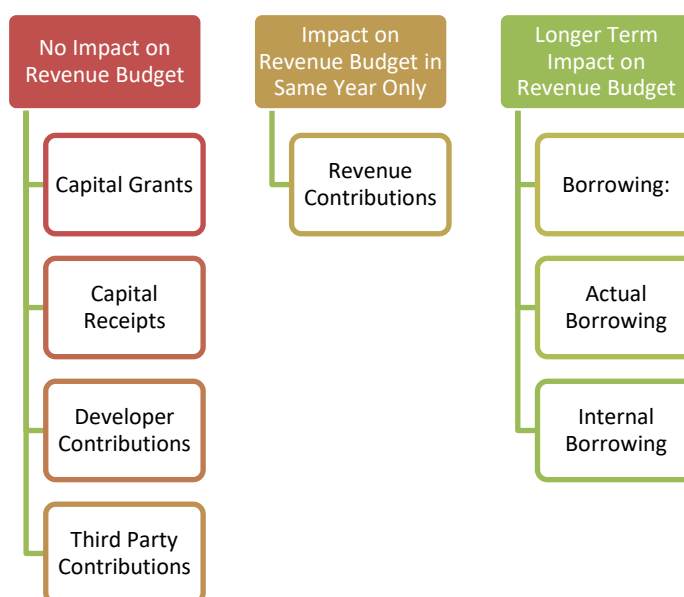
3.7 The rules on what types of expenditure can or cannot be capitalised are set out in International Financial Reporting Standards and in the CIPFA Accounting Code of Practice, as well as in law. Councils are allowed to set a minimum threshold value for capital expenditure to ensure that only the more significant assets are capitalised. Lincolnshire County Council has set a minimum threshold value of £10,000 spent on buildings, vehicles or equipment in its capital accounting policy. Expenditure on buying, building or enhancing assets which is below this level may be treated as revenue expenditure.

The Funding of Capital Expenditure

3.8 At Lincolnshire County Council the budget for capital expenditure is known as the **Capital Programme** and is separate from the **Revenue Budget**. The Capital Programme will cover at least three years because capital projects are often large projects that span more than one financial year to completion.

3.9 When formulating the Capital Programme, decisions must be made about the most cost effective way of funding it. There a number of different potential sources of funding for the capital programme and these are shown in the diagram below, together with their impact on the Revenue Budget. Further explanation is below the diagram.

Sources of Funding and their Impact on the Revenue Budget:



Capital Grants

- 3.10 Capital grant applications are made to the government to support essential but expensive capital projects, such as the building of new schools or new roads. Capital grants may cover the whole project cost or only part of it. When capital grants are used to finance new capital expenditure, there is no cost to the Revenue Budget in respect of the proportion of capital expenditure covered by grant. This is therefore an extremely important source of funding as some of our major projects would be unaffordable without these capital grants. The Council's strategy will be to seek to maximise the use of capital grants wherever possible.

Capital Receipts

- 3.11 When capital receipts are used to finance new capital expenditure, there is no cost to the Revenue Budget. This is therefore an attractive source of funding, however the amount of capital receipts generated each year is relatively low so they are not a significant source of funding for the Council. They can also be used to repay loans and finance certain types of revenue costs, as explained in paragraph 3.6 above. Capital receipts can be used in the year that they are received, or carried forward to be used in future years. When determining how to fund the Capital Programme the Council must take a view on how best to apply capital receipts to ensure that value for money is obtained.

Developer Contributions

- 3.12 Development companies engaged in projects such as house building will make financial contributions to the Council to help finance the cost of developing infrastructure e.g. roads to support their housing development. When developer contributions are used to finance new capital expenditure, there is no cost to the Revenue Budget in respect of the proportion of capital expenditure covered by such contributions. This is therefore another extremely important source of funding for the Council, however in some instances developer contributions are received by the Council in later years i.e. after a project has started, which means that another source of funding will be required in the short term and the deferred developer contribution will be used to fund future capital scheme expenditure.

Revenue Contributions

- 3.13 The Council can use some of its Revenue Budget to directly finance new capital expenditure. When this happens there is an impact on the Revenue Budget in that year, however there is no longer term impact. The Council

does not usually budget for significant revenue contributions as this would divert funds away from the running costs needed to provide core services. However, if there is a Revenue Budget underspend at the end of any financial year then this use should be considered as part of the decision on the Council's use of underspends to carry forward to the next financial year's budget. Using revenue underspend to finance part of the capital programme will reduce the capital financing impact on the revenue budget in the longer term.

Actual Borrowing

- 3.14 When the use of the above sources of funding have been maximised to finance the Capital Programme, the remainder of capital expenditure will be financed by borrowing. This amount is called the Council's Borrowing Requirement. The Council's strategy for its borrowing is set out in the Treasury Management Strategy Statement and takes account of factors such as interest rates and the spreading of loan repayment dates to reduce risk. The Council predominantly borrows from the Public Works Loans Board (PWLB), which is an Executive Agent of HM Treasury and provides loans to councils at beneficial interest rates. New guidance introduced in 2020 means that PWLB loans will only be available to the Council if the Section 151 Officer is able to make an annual declaration that the Council's capital programme contains no projects which are primarily for the purpose of generating income returns. The Council can also take loans from the financial market if these are at lower rates than PWLB loans.
- 3.15 When borrowing is used to finance the Capital Programme, it impacts on the Revenue Budget in two ways. Firstly, loan interest payments are charged to the Revenue Budget over the term of the loan. Secondly, a charge is made to the Revenue Budget to provide for the cost of repaying loan principal when it falls due – this is called the Minimum Revenue Provision (MRP). The MRP charge is calculated by taking the amount of capital expenditure financed by borrowing and dividing this over the number of years the asset concerned is expected to be in use. This charge is made to the Revenue Budget every year until the end of the asset's life. This means that the impact of capital expenditure on the Revenue Budget can sometimes be very long term e.g. an asset with a life of 50 years would generate an MRP charge for the next 50 years and a loan taken for say 40 years would generate an interest charge for the next 40 years.

Internal Borrowing

- 3.16 The Council's Treasury Management Strategy allows for its borrowing requirement to be deferred until a later date if the Council has sufficient

cash surplus to cover the cost of the capital expenditure, and if it would be financially beneficial to do so and it would help to manage risk. This is known as "internal borrowing" i.e. the Council borrows from its own cash reserves and repays these at a later date by taking an actual loan. This, in effect, converts the internal borrowing into actual borrowing. When internal borrowing is the means of financing, the Minimum Revenue Provision charge is still payable on the asset concerned, however there are no interest costs charged to the Revenue Budget. Once the internal borrowing converts to actual borrowing then there will be an interest charge.

4. The Capital Process

- 4.1 Underpinning the capital process are the Council's service objectives and priorities, together with its asset management strategies. The Council's priorities according to the Corporate Plan are set out in Annex A, and links to asset management strategies, can be found in Annex B.
- 4.2 The capital process is as follows:
 1. Identification of a need which would require Capital Expenditure. This should be recorded in a Full or Outline Business Case.
 2. Exploration of options to satisfy the identified need. This should be recorded as an Options Appraisal and should consider: value for money / financial sustainability / risk / capacity to deliver the project. The results should be included in the Full or Outline Business Case.
 3. Review of Full or Outline Business Cases by **Directorate Leadership Teams**.
 4. Presentation of Full / Outline Business Cases to the **Capital Review Group**. The terms of reference of the Capital Review Group are set out in Annex H.
 5. The **Capital Review Group** will review and, if required, challenge business cases. The **Executive Director for Resources** will then determine whether to refer the business cases for consultation with the **Executive Councillor for Finance and Communications**.
 6. Annually in June, the **Capital Review Group** will consider Full / Outline Business Cases prepared in respect of projects for the following year's Capital Programme.

7. Annually in September, the **Capital Review Group** will consider programmes of work prepared in respect of bids for annual "block" funding in the following year's Capital Programme.
8. Throughout the year, the **Capital Review Group** will monitor the delivery of capital projects and this will feed into the capital budget monitoring process.
9. Earmarking of funding in the Capital Programme. The opportunity to do this will be during the autumn of each year as part of the budget setting process. Following feedback on bids from the **Capital Review Group** and in the light of consultation with the **Executive Councillor for Finance and Communications**, a draft Capital Programme will be prepared by the **Executive Director of Resources** and its cost calculated. As the Capital Programme covers ten years, planning for Capital Projects should be forward-looking. Alternatively, if funding approval is required urgently, Business Cases can be presented to the **Executive Director of Resources** (in consultation with the **Executive Councillor for Finance and Communications**) for approval. Such approval will allow the project to be allocated budget from the capital programme's New Developments Capital Contingency fund.
10. Consideration of the affordability of the Capital Programme. The draft capital programme will be included in budget reports to the **Executive** and to the **Overview and Scrutiny Management Board** as part of the budget setting process and the final Capital Programme will be approved by full Council as part of the budget. The reports will clearly show the potential longer term financial impact of each project / asset on the Revenue Budget, as well as the potential longer term financial impact of the capital programme as a whole.
11. If the capital projects identified by **Departmental Leadership Teams** exceed what is affordable over the longer term, the **Executive** will be asked to prioritise capital projects for presentation to full **Council** to ensure that an affordable capital programme can be approved. In this case, some projects will have to be deferred or removed altogether.
12. Once an affordable capital programme has been approved by the **Council** in February as part of the budget setting process, capital projects will be monitored and reported on as part of the Council's budget monitoring process.
13. Before a capital project which has funding earmarked in the Capital Programme can start there will need to be separate executive

level approval to commence, and a detailed Capital Scheme Appraisal report including a Full Business Case must be approved, normally by the **Executive Councillor for Finance and Communications** if the value of the project is over £500,000. If the value of the project is less than £500,000 the project may be approved by **the relevant Executive Director** following consultation with the appropriate **Executive Councillor(s)**. This may be done by an individual report or as part of a wider programme of works.

14. When a capital project is complete and an asset has been created, that asset will be managed over its life. This will involve bringing the asset into use, maintaining it and planning for its disposal and/or replacement, if required, as the end of its useful life approaches.
15. When a capital project has completed, a post project review must be undertaken to ensure that any lessons learned can be applied to future similar projects, and that all planned benefits from the scheme have either been achieved or reasons for non-achievement have been recorded.
16. Finally, the asset will be taken out of service and either sold or disposed of.

5. Key Principles of the Capital Strategy

- 5.1 The Council's strategy in relation to capital is underpinned by the following principles:
 1. Capital expenditure / investment decisions must be made to drive forward **service objectives** (*service objectives will need to be clearly identified as part of the Council's strategic planning and will need to take account of future changes to services - the asset implications of such changes must be assessed*). They must also support one or more of the **capital objectives** – see Section 6.
 2. The Council's assets must be **properly planned for and managed** over their lifetime (*asset management strategies and plans which demonstrate this should exist for all key types of asset*). This should result in the identification of new capital requirements, as well as the identification of surplus assets for disposal.
 3. Capital expenditure / investment decisions must be supported by a **business case** which clearly sets out why the expenditure is required, what outcomes it will help to achieve, as well as costs and risks.

4. A key consideration in decision making must be the achievement of **value for money** (*different options for achieving outcomes must be considered and costed, using the Council's options appraisal template and the best all round option selected*). External funding will be actively sought to support capital projects where possible.
5. Capital expenditure / investment plans must take account of **risk**, which should be identified and managed appropriately.
6. Capital expenditure / investment plans must be **achievable** (the capacity to deliver projects must exist, projects must be properly managed in accordance with the Council's project management framework, project risk must be considered).
7. There must be clear **governance** around capital expenditure with approval of capital projects made at appropriate levels.
8. Capital expenditure / investment plans must demonstrate **affordability** (*the future impact on council tax levels must be considered and the whole life cost must be understood, albeit with assumptions made about the future financial landscape*). Decisions made about capital projects must not threaten the overall financial sustainability of the Council. The financing of capital expenditure must remain within approved prudential limits.
9. Capital expenditure / investment plans must be **prioritised** if ambition exceeds available resources (*options appraisals should show financial and non-financial implications, risk implications, links to service objectives, the "do nothing" option and its implications, to enable scarce resources to be directed to those schemes which generate the best value for the Council*). See Annex C.
10. Capital programme projects must be **managed** (*in accordance with the Council's project management framework*) and the procurement of suppliers and contractors must be in accordance with the Council's procurement policies and procedures.

6. Capital Objectives

- 6.1 All capital projects must help to deliver the Council's overall service objectives but there are also a number of supplementary capital objectives which recognise the nature of capital expenditure in that it will result in long term assets to support the Council's aims. The capital programme as a whole should allow for:
 1. The replacement or refurbishment of existing assets.

2. The creation of assets to satisfy increasing demand for services.
3. The creation of assets which will enable economic growth.
4. The creation of assets necessary to meet statutory requirements.
5. The creation of transformational assets which will generate future: capital receipts / reduced revenue costs / income streams. The Council will not create new assets primarily to generate an income stream as this would mean that borrowing from the PWLB would not be accessible for the whole of the capital programme.

7. Integration with Other Plans and Strategies

- 7.1 The Capital Strategy is not a standalone document. It must be seen in the context of the Council's other strategic documents which outline how the Council's longer term objectives will be achieved. Some of these have a clear impact on the Capital Strategy and these impacts have been extracted and are interpreted in Annex B.

8. Guidance for Officers with Responsibility for Capital Planning

- 8.1 This guidance is intended to highlight the main considerations for the planning of capital programme projects. It follows the principles outlined in section 5 and includes links to more detailed guidance.
- 8.2 Asset management is about supporting the delivery of strategic objectives through the use of long term assets. It is an integral part of business planning. All service areas which rely on long term assets to deliver services must plan for those assets over their whole life-cycle. This will include planning for the creation / purchase / build of new assets, their use, their replacement and their eventual disposal. Proper asset planning will result in a forward-looking capital programme, where major projects are identified and resourced well in advance of their starting.
- 8.3 Once a need for a new asset has been identified, the Council's project management framework must be followed (this can be found on the Council's Intranet under "Project Management Standard"). This will involve preparing a business case and an options appraisal, and will ensure that the full implications of every proposal are fully understood by those making decisions about whether or not to proceed with the capital investment required. It will also ensure that capacity to deliver the project, risks associated with the project, and value for money have all been considered. In the early stages of the process, an Outline Business Case should be completed with sufficient information included to allow the feasibility and affordability of the project to be assessed by the **Capital Review Group**. If it is deemed to be a desirable and affordable project then a full business

case must be completed and considered before approval to commence a project is given.

- 8.4 Service areas have a wealth of experience in the delivery of capital projects and it is important that this experience is used to inform the planning of future projects. Project reviews should be carried out and lessons learned should be documented and made available to others in the Council who might benefit from this learning. Project reviews should provide information to help with the estimation of costs for future projects and the inclusion within capital budgets of appropriate contingency amounts.
- 8.5 The Council's Financial Procedure 1 (Financial Planning and Management) must be followed by Officers involved with capital expenditure and can be found on the Council's intranet.
- 8.6 When writing a business case, the cost of the capital project, together with any associated funding such as capital grant, must be phased as accurately as possible into the financial years when the expenditure / income is expected to occur. This will enable the financial impact on the revenue budget to be more accurately assessed.
- 8.7 Business cases should be considered by **Directorate Leadership Teams** to ensure that they align to the **Corporate Plan**. If identified as a project the **Directorate Leadership Team** wishes to progress then they must be submitted to the **Capital Review Group** for inclusion in the Capital Programme as part of the budget setting process, by the end of May each year.
- 8.8 Projects requiring urgent (in-year) funding approval can be taken for approval by the **Executive Director of Resources** in consultation with the **Executive Councillor for Finance and Communications**. On such approval Capital Programme budget allocations can be made from the New Developments Capital Contingency Budget.
- 8.9 Inclusion in the Capital Programme or an in-year approval only provides availability of funding. To commence the project an appropriate executive level decision is needed and a Capital Scheme Appraisal will be required to be approved, normally by the **Executive Councillor for Finance and Communications**.

9. Capital Expenditure Approval and Monitoring Process

- 9.1 The **Corporate Leadership Team (CLT)** will review the draft future Capital Programme in October and consider its affordability. If it is deemed to be unaffordable, **CLT** will prioritise the Capital Programme projects and

make recommendations to the **Executive** as to which projects should or should not be approved.

- 9.2 The **Executive** is responsible for considering the Capital Programme in December along with recommendations on how the capital programme will be financed as a whole, its affordability and a recommendation from **CLT** on which projects should be prioritised if the whole programme is unaffordable. The **Executive** will propose a budget for public consultation during January and meet in February to recommend a revenue budget and a Capital Programme to the **Council** for approval.
- 9.3 The **Council** will consider and approve a joint Capital Programme and Revenue Budget in February of each year.
- 9.4 Performance against the Capital Programme will be reported to the **Overview and Scrutiny Management Board** quarterly. The final position at the end of the year will be reported to the **Executive** in June each year.

10. Annual Investment Strategy for Non-Treasury Investments 2019/20

- 10.1 The Ministry of Housing Communities and Local Government (MHCLG) has issued revised statutory guidance on local government investments, which came into effect on 1 April 2018. Under section 15(1)(a) of the Local Government Act 2003 councils are required to have regard to such statutory guidance. In this guidance, the meaning of investments has been extended to include both **financial** (related to treasury management) and **non-financial** investments (for non-treasury management reasons).
- 10.2 For **financial** (treasury) investments, the Council's priorities for investment are security first, liquidity second, and then return or yield and the risk appetite is set as "low". **Non-financial (non-treasury investments)** are made for purposes which are different to treasury management and will primarily relate to the securing of future service delivery. The risk appetite is therefore set as "medium" or "high" which recognises that the Council is prepared to accept some risk to the security of the investments albeit within the parameters of the prudential limits set to manage risk to an appropriate level. An example of such an investment is a loan made to a supplier commissioned by the Council to provide adult social care but currently experiencing financial difficulties.
- 10.3 The Capital Strategy allows for certain types of **non-treasury investments** to be made and the Council currently holds non-treasury investments falling within three categories. Further detail about the management of risk associated with these investments is set out in paragraph 10.4.

- Loans to other bodies for service reasons. Such loans may not be planned for as part of the budget process but may emerge at any time e.g. due to the Council's statutory duty to manage the market in adult social care. The Council's strategy is to invest only in other bodies either to secure future service delivery or where the other body is a subsidiary company of the Council which has been created for service reasons. The contribution that such investments make towards the Council's objectives is that they support the resilience of future service delivery arrangements.
- Investments for non-service reasons (commercial investments which may include loans to other bodies). The current strategy is that the Council will not make new investments in commercial activity unless there is a direct service benefit and this is reflected in the Commercialisation Strategy highlighted in Annex B, however the Council owns some investment properties which do generate income. The majority of these properties are collectively known as County Farms and these are investments which have been held for a number of years by the Council. The table in Annex F shows the value of these investment properties as £108.7m, which is just below 8% of the total value of all property plant and equipment assets owned by the Council as at 31st March 2019. The estimated annual income from investment properties is £2.2m, which is approximately 0.5% of the revenue budget, and is considered to be an insignificant proportion. An assessment of the fair value of these investment properties is made annually, in accordance with the requirements of the CIPFA Accounting Code of Practice for Local Government and the underlying assets provide security for these investments. The Council's strategy is to maintain these assets and a summary of the investments is shown in Annex F. The contribution that such investments make towards the Council's objectives is that they provide an annual income stream which supports the overall budget and they provide the potential for future capital receipts to be realised from the sale of surplus land and properties. The farms are historic investments as they were originally offered to servicemen returning from the war.
- Equity shares held for service reasons. Again the strategy is not to invest in equity shares ordinarily but the Council may choose to do so if this would support the delivery of services.

Treasury investments, which are made by using the Council's surplus cash balances, fall under the remit of the Council's Treasury Management Strategy Statement and are not covered within this Capital Strategy.

10.4 Loans made to other bodies for service reasons may be designated as low, medium or high risk. The measures in place to manage these risks are:

- the financial procedures for loans to outside bodies which include the scheme of delegation for the approval of new loans;
- loan agreements signed by both parties to the loan
- credit control arrangements in place to ensure that interest and loan repayments are made on time, and
- adherence to prudential indicator limits for proportionality.

For investments in commercial properties made for non-service reasons, the measures in place to manage risk are:

- The Council uses a specialist third party agent to manage the collection of rental income.
- Prudential limits have been set to manage the risks arising from non-treasury investments (shown in Annex G).

10.5 A fourth category of non-treasury investment exists, which is: Equity shares held for non-service reasons. The Council does not hold any equity shares under this category and the current Capital Strategy does not permit the purchase of such investments. Prudential limits have therefore not been set for this category of investment.

10.6 A schedule of non-treasury investments currently held by the Council is provided in Annex F.

11. Affordability of the Capital Programme

11.1 The CIPFA Prudential Code requires councils to ensure that capital spending plans are affordable, sustainable and prudent. Determining whether or not a capital programme is affordable over the long term is difficult to do, because it requires looking into an uncertain future. There is, therefore, no precise calculation which can be done to work out how much is affordable, instead we have to use our judgement to make assumptions about the Council's finances in the future and we have to understand this carries the risk that our assumptions may turn out to be incorrect.

11.2 Some elements of the cost of financing the capital programme are more certain. The future cost to the revenue budget of all past capital expenditure is largely known, and is explained in principle in section 3. These future costs comprise the minimum revenue provision and the

interest payments on loans already taken to finance the capital programme.

11.3 Virtually all other relevant factors are uncertain. Below are some examples of the inherent uncertainties, which could result in financial risk:

- a) The value of the revenue budget in future years is dependent on many factors outside of the Council's control e.g.:
 - The Council's main sources of income are often subject to government determination or changes in policy e.g. Limits on Council tax increases
 - The amount the Council needs to spend is subject to inflation.
- b) Capital projects may overspend or underspend, or may take more or less time to complete than planned. As explained elsewhere in this strategy any effect on capital expenditure will also impact on the cost to the revenue budget including the timing of those impacts.
- c) Statutory policy relating to capital may change e.g.:
 - The method of calculating Minimum Revenue Provision has changed over time
 - The accounting standard which defines capital expenditure and its accounting treatment could change.
- d) The cost of interest on loans which will be taken in the future is subject to future unknown interest rates. There are other treasury risks which could impact on the cost of future borrowing e.g. re-financing risk and liquidity risk.
- e) Unplanned for significant events, such as the coronavirus pandemic, may lead to financial resources being directed towards other priorities or to additional costs.

11.4 Despite the uncertainties, it is still possible to look forward and take a view on the affordability of the capital programme. A high level summary of the proposed capital programme for 2021/22 and future years up to 2030/31 is included at Annex D (the detailed capital programme is included in the Council's Budget Book). The estimated additional on-going impact on the revenue budget of this capital programme has been calculated as just over £6.9m per annum.

11.5 This must be seen in the context of the Council's overall net revenue budget in order to determine its affordability. The amount of the Council's budget is not known beyond 31st March 2022, but a prudent estimate can be made going forwards which allows for a modest increase in funding each year up to 2023/24. This assumes that the new local government finance reforms will be more favourable to County Councils than the current system and that there will still be increases to Council Tax levels to

some extent. It is hoped that the equivalent assumptions in the next iteration of this strategy will be made in the light of more certain information about future funding levels.

- 11.6 The graph at Annex E shows the estimated total proportion of the net revenue budget which would need to be allocated to finance the capital programme set out in Annex D for the next ten years. It can be seen that in each of the next ten years, the Council is expected to be within its voluntary prudential indicator i.e. that capital financing charges, comprising MRP and interest, will not exceed 10% of the Council's total income in each year.
- 11.7 This indicates that the Capital Programme for 2021/22, which also covers future years, is affordable. It is important to note however that there are risks inherent in this conclusion. Some of these risks are explained in paragraph 11.3 above. In addition it must be recognised that the capital programme will be refreshed each year and this assessment will need to be repeated each time to determine future affordability.

12 Role of the Section 151 Officer

- 12.1 The Section 151 Officer is responsible for ensuring that elected members tasked with either treasury management responsibilities or capital programme scrutiny responsibilities have access to training relevant to their needs and those responsibilities.
- 12.2 The Section 151 Officer is also responsible for ensuring that employees with responsibility for budget management, accounting, finance, and treasury management, are suitably skilled and experienced and have the opportunity to maintain their professional competence.
- 12.3 Statement of the Section 151 Officer:

The Section 151 Officer is satisfied that the Capital Programme for 2021/22, which includes future years, has been through a robust scrutiny process. The Capital Strategy includes an assessment of financial risks and the Section 151 Officer is satisfied that prudent assumptions have been made relating to those areas of risk and that the Capital Programme for 2021/22 is affordable over the longer term.

Council Priorities within the Corporate Plan

People and Communities will have:

- High aspirations;
- The opportunity to enjoy life to the full;
- Thriving environments;
- Good value Council services.

Links between the Capital Programme and the Corporate Plan

The following schemes / projects within the Council's Capital Programme support the priorities of the Corporate Plan:

High Aspirations:

- A range of projects to alleviate flood and water risks.
- A range of projects to build, and improve highways infrastructure assets.
- Projects to replace Household Waste recycling centres and to introduce a Separated Paper and Card recycling scheme.

The opportunity to enjoy life to the full:

- Contributing towards projects to build supported and extra care housing
- Funding adaptations to the homes of foster carers
- Projects to invest in provision for children in care and care leavers
- Improvements to Heritage sites.

Thriving environments:

- Improvements to Schools buildings, sites and IT facilities.
- Major investment in SEND Schools provision.
- Provision of superfast Broadband across the County.
- Development of Business Units and the extension of the Horncastle Industrial Estate.
- Programme of street lighting improvement.

Good Value Council services:

- Projects to transform Council services using technology.

Links to Other Strategies

A. Medium Term Financial Strategy

The Medium Term Financial Strategy covers the medium term period but is refreshed periodically as part of the budget process. It sets out the Council's framework for financial management and provides some key principles which directly influence the Capital Strategy – these are interpreted below:

- a. The Council has set a key financial performance measure which relates to the affordability of the capital programme, which is that the level of council tax will remain in the lowest quartile of all English County Councils.
- b. We have a ten year Capital Programme, which is a budget set aside to deliver new or improved assets and to maintain existing assets used to deliver services. The proposed Capital Programme is affordable over the longer term, within the context of our budget assumptions and in line with our Capital Strategy, which covers a longer term period up to ten years.
- c. The Strategy provides a framework within which we can manage the financial resources available to deliver our priorities for our communities over the medium term. To deliver this successfully requires a culture of good financial management within the Council, which is led by the Executive Director of Resources (the Section 151 Officer) and the Leadership Team, which includes our elected Members as well as Chief Officers. To support this culture we have a set of financial regulations and procedures, as well as schemes of authorisation, which give guidance to Officers about their financial responsibilities.
- d. The Strategy supports the Council's other key strategies, by setting the financial context for the Council and by clarifying the levels of investment that we can make in the future to deliver services and improve and maintain our assets.
- e. During each financial year, the approved Revenue Budget and the approved Capital Programme are monitored and performance against each is regularly reported to the Corporate Leadership Team and the Executive, with scrutiny applied by the Overview and Scrutiny Management Board.
- f. Budget holders can bid for investment in new opportunities (either revenue or capital) as part of the annual budget process. These will be considered in the context of the business case and affordability.
- g. We have a New Development Capital Fund of £7.5m each year. Budget Holders can bid for funding from this to spend on new capital schemes.

B. Flexible Use of Capital Receipts

In September 2016 the Council approved the Efficiency Plan, and the flexible use of Capital Receipts, to fund transformation for the three year period from 2016/17 to 2018/19. This plan allowed the Council to sign up to the four year funding deal offered by Government for the period 2016/17 to 2019/20. In December 2017, the Government set out further measures to support councils to deliver services. One of these measures was an extension to the use of Capital Receipts to help meet the Revenue costs of transformation for a further 3 years to April 2022.

In 2021/22, we do not plan to use Capital Receipts to fund transformation projects. Instead, we plan to use our Earmarked Reserves for this purpose. This will allow us to use Capital Receipts to repay borrowing or to finance new Capital expenditure.

C. Commercialisation Strategy

This strategy documents the Council's approach to commercialisation. It sets out a broad vision of commercial activities that the Council could engage in, which include activities that might require capital investment e.g. the use of digital technologies to deliver savings or increase value and investment opportunities. The aim is to generate extra revenue streams and deliver cost reductions through commercial activity, thereby supporting the continued delivery of front line services. The strategy also clarifies the principle that all commercial opportunities considered should provide benefit to people who live in, work in or visit Lincolnshire i.e. the achievement of service objectives will be the prime driver for commercial activities, with income generation a secondary benefit.

As the generation of income is not the main motive for the Council's commercial investment, the extent to which the Revenue Budget is reliant upon commercial income streams is not significant. However the Council has held some investment properties for a number of years, which are County Farms.

The Commercialisation Strategy defines the Council's risk appetite for investing in commercial opportunities as "whilst willing to take risk, we will manage that risk so as not to jeopardise the services and opportunities we offer to Lincolnshire citizens. Risk management will be proportionate to the magnitude of the risk and the adverse impact should it materialise"

Proposed new commercial activities will be scrutinised by the appropriate Scrutiny Committee before being considered by the Executive. Commercial projects are subject to the Council's project management framework.

D. Treasury Management Strategy

The Council's annually approved Treasury Management Strategy is very closely aligned to the Capital Strategy as it covers the Council's borrowing strategy for the year ahead, a key source of funding for the capital programme. The relevant aspects of the Treasury Management Strategy are set out below:

In line with the CIPFA Prudential Code the Treasury Management Strategy sets out a series of Prudential Indicators which ensure and demonstrate that the Council's capital expenditure plans remain **affordable**, **prudent** and **sustainable** and manage treasury risks:

- a. Long term loans are usually secured at fixed rates of interest, to provide certainty over the cost of maintaining the loans over their lifetime thereby reducing the risk of adverse interest rate changes. However up to 30% of all borrowing could alternatively be secured at variable rates of interest.
- b. The Council will take new borrowing from the PWLB in all periods with the aim of achieving an even "spread of maturity" profile and keeping an increase in the average cost of the Council's debt to a minimum.
- c. Consideration will be given to borrowing market loans, to fit into the above maturity strategy, in order to take advantage of lower rates offered on these loans. This proportion is limited to no more than 20% of total external borrowing for market loans and 10% of total external borrowing for Lender Option Borrower Option loans (which are also market loans).
- d. Other long term liabilities e.g. loans to other bodies and PFI contracts also impact on the revenue budget and future sustainability. Separate limits are set each year for total borrowing and for total other long term liabilities.
- e. Limits are set on the maturity structure of borrowings i.e. no more than 25% will mature within 12 months; no more than 25% will mature between 12 months and 24 months; no more than 50% will mature between 24 months and 5 years; no more than 75% will mature between 5 years and 10 years. This means that exposure to short term interest rate risk is limited.
- f. The Minimum Revenue Provision and Interest Charges together shall not exceed 10% of the Council's Net Revenue Stream.

Two "proportionality" Prudential Indicators have been set for 2021/22, to support the Capital Strategy and these are shown in Annex G. The Treasury Management Strategy includes the Council's **Capital Financing Requirement**, which reflects the need to borrow to fund capital expenditure in the future. It also includes the Policy for Minimum Revenue Provision which allows for debt to be repaid over the life of the underlying assets.

The Treasury Management Strategy is scrutinised by the **Overview and Scrutiny Management Board** and approved by the **Executive Portfolio Holder for Finance and Communications**. Performance against prudential indicators is also scrutinised by the **Overview and Scrutiny Management Board**, as is the Treasury Management Annual Report at year end.

Treasury Management activity is governed by The CIPFA Code of Practice for Treasury Management and a set of Treasury Management Practices arising from this Code. These set out the relevant delegations and processes which are designed to manage risk to an acceptable level. The Council's risk appetite for treasury activity is set at low – the security and liquidity of Council funds is of paramount importance and the Strategy includes a number of controls designed to manage risks to security and liquidity.

The Treasury Management Strategy also includes the policy on the use of external advisers, which states that the Council uses Link Asset Services Ltd as its external treasury management adviser, and recognises that responsibility for treasury management decisions remains with the Council at all times and will ensure that undue reliance is not placed upon our external service providers.

E. Asset Management Strategies

The Council has asset management strategies in place for the major types of assets. Asset management is about supporting the delivery of strategic objectives through the use of long term assets. All service areas which rely on long term assets to deliver services must plan for those assets over their whole life-cycle. This will include planning for the creation / purchase / build of new assets, their use, their replacement and their eventual disposal.

- Highways Asset Management Strategy

<https://www.lincolnshire.gov.uk/downloads/file/1896/highways-asset-management-strategy>

- Integrated Risk Management Plan 2020-2024 (which includes a section on Fire and Rescue asset management)

<https://www.lincolnshire.gov.uk/downloads/file/4777/irmp-2020-24>

Prioritisation of Capital Programme Projects

If the total capital programme is deemed to be unaffordable then capital programme projects will need to be prioritised, and this may result in the cancellation or deferral of projects.

The aim of the process of prioritisation is to select those projects which generate the best value for the Council. As the Council's functions are wide-ranging, this diversity is reflected in the capital programme and this makes it difficult to compare projects. In many cases the benefits are non-financial and hard to measure, which means that return on investment measure is not an appropriate tool to use when trying to rank projects.

It is recognised that the reasons for undertaking capital projects may be complex, and that ranking projects in order of priority may sometimes be a matter of subjective assessment. When a Business Case for a capital project is prepared, the checklist below must be completed and submitted with the Business Case. The considerations set out on the checklist are designed to assist those making decisions on the prioritisation of capital projects if this is required. This is not an exhaustive list of factors to consider – there may be others.

Consideration	Yes / No	If Yes, please provide detail
To what extent does the project support the Council's objectives (Appendix Capital A) or the Capital objectives (Section 6)?		
• Does it maintain current service delivery by replacing or refurbishing existing assets?		
• Does it improve current service delivery by:		
○ Satisfying increasing demand for services;		
○ Enabling economic growth;		
○ Meeting new statutory requirements;		
○ Transforming service delivery thereby:		
▪ Generating future capital receipts;		
▪ Reducing revenue costs;		
▪ Increasing income?		
• Does it meet identified community expectations?		

How is Value for Money achieved by this project?		
• What are the project Benefits?		
○ Number of citizens who benefit		
○ Significance of improvement to citizens lives		
○ Significance of improvement to aspects of service delivery		
• What are the project Costs?		
○ What is the whole life cost of the asset:		
▪ What is the expected useful life of the asset in years?		
▪ What is the total capital cost?		
▪ Minimum Revenue Provision charge?		<i>(Finance to provide)</i>
▪ Interest charge?		<i>(Finance to provide)</i>
▪ Asset maintenance costs per annum?		
○ Is external funding available for the project?		
▪ If Yes, how much?		
▪ If Yes, where from?		
▪ If Yes, when will it be received?		
○ Is internal funding available for the project?		
▪ If Yes, how much?		
▪ If Yes, where from (capital receipts or revenue contributions)		
▪ If Yes, when will it be received?		
What are the key risks inherent in this project?		
○ How urgent is the need?		
○ How long will the project take?		<i>If more than 1 year, please phase the capital costs over Year 1, Year 2, Year 3 etc.</i>
○ Does the Council have the capacity to deliver the project?		
▪ If Yes, please list them?		
○ Are there any other significant project risks?		

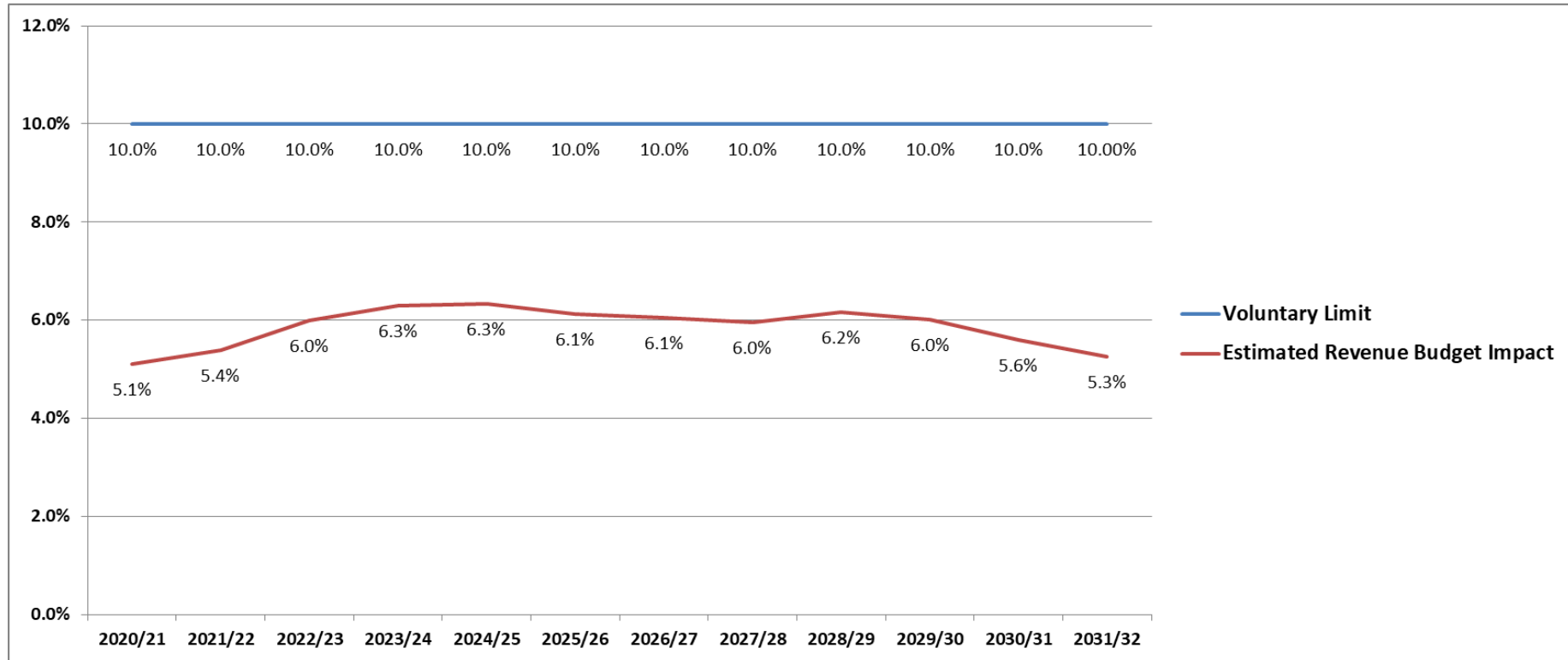
<ul style="list-style-type: none"> ▪ If Yes, please list them? 		
<ul style="list-style-type: none"> ○ Does the project take account of future needs? 		
<ul style="list-style-type: none"> ○ Does the project take account of the changing world, e.g. technology or social changes? 		
<p>When the project is complete, a post implementation review must be undertaken and a Project Closure report completed.</p> <p>Please add any further information which you think may support the decision-making process.</p>		

Capital Programme (2020/21 plus Future Years)	Revised Gross Programme 2020/21 £m	Gross Programme 2021/22 £m	Gross Programme Future Years £m
<u>ADULT CARE AND COMMUNITY WELLBEING</u>			
Adult Frailty & Long Term Conditions	3.390	0.000	0.000
<u>CHILDREN'S EDUCATION</u>			
<u>SCHOOLS</u>			
Schools	21.777	36.111	94.959
Children's Services	1.271	1.893	0.625
<u>COMMERCIAL</u>			
Property	6.136	7.943	26.262
ICT	4.745	6.436	17.251
<u>RESOURCES</u>			
Fire and Rescue & Emergency Planning	4.489	4.203	6.540
Public Protection	0.107	0.000	0.000
<u>PLACE</u>			
Communities	7.353	9.779	8.668
Growth	18.505	2.500	0.000
Highways	130.071	117.939	115.292
<u>OTHER BUDGETS</u>			
Other Budgets	5.659	17.500	52.500
Total Budget	203.502	204.302	322.097

Funding of the Capital Programme

Gross Capital Programme	203.502	204.302	322.097
Funded by:			
Grants and Contribution	101.105	93.019	39.289
Revenue Funding	1.316	0.071	1.035
Use of Reseve	20.172	0.000	0.000
Borrowing	80.909	111.213	281.773
TOTAL FUNDING	203.502	204.302	322.097

Estimated Proportion of Revenue Budget to be Spent on Capital Financing Charges Compared to Prudential Indicator Voluntary Limit



Schedule of Non-Treasury Investments

Loans To Other Bodies for Service Reasons	Classification	Risk Level	Original Term of Loan in Years	Principal Outstanding as at 31/03/2020 £000's	Estimated Interest Income 2021/22 £000's
B14080 School Academies	Loan	Low	Various	1,040	-33
B14020 Lincs Community Foundation Ltd - Soft Loan	Loan	Medium	24	162	-1
B14075 TransportConnect Fixed Loan	Loan	High	3	379	-15
B20040 TransportConnect Revolving Credit Facility	Loan	High	3	250	-21
Total				1,831	-70
Commercial Investments for Non Service Reasons (including loans to 3rd Parties)	Classification	Risk Level		Fair Value as at 31/03/2020 £000's	Estimated Rental Income 2021/22 £000's
B11005 County Farms	Investment Properties	Low		104,394	2,096
B11005 Other Non-Farm Properties	Investment Properties	Low		1,771	36
Total				106,165	2,132
Equity Purchase for Service Reasons	Classification	Risk Level		Fair Value as at 31/03/2020 £000's	Estimated Dividend Income 2021/22 £000's
Investors in Lincoln Shares	Non-Specified Investment	Low		278	0
Total					0

Prudential Limits Relating to Non-Treasury Investments

PRUDENTIAL INDICATORS		2019-20 Actual	2020-21 Original Estimate	2020-21 Updated Estimate	2021-22 Estimate	2022-23 Forecast	2023-24 Forecast
Proportionality Indicators							
6) Limit for Maximum Usable Reserves at Risk from Potential Loss of Investments							
The Council will set for the forthcoming financial year and the following two years a limit of no more than 10% of General Reserves to be at risk from potential loss of total investments. (Voluntary Indicator).							
General Reserves	£m	16.050	16.200	16.200	16.400	16.600	16.800
Sums at Risk (Based on Expected Credit Loss Model)	£m	0.216	0.231	0.233	0.326	0.324	0.322
Proportion of Usable Reserves at Risk from Potential Loss of Investments -Limit 10%	%	1.35%	1.43%	1.44%	1.99%	1.95%	1.92%
7) Income from Non Treasury Investments & Net Service Expenditure							
The Council will set for the forthcoming financial year and the following two years a limit of 3% for Income from non- treasury investments as a proportion of Net Service Expenditure. (Voluntary Indicator). This is to manage the risk of over dependency of non-treasury investment income to deliver core services.							
Income from Non-Treasury Investments (Including County Farms)	£m	2.444	2.276	2.308	2.189	2.101	1.993
Net Service Expenditure	£m	436.080	492.570	492.570	505.459	517.489	532.876
Proportion of Non-Treasury Investment Income to Net Service Expenditure -Limit 3%	%	0.56%	0.46%	0.47%	0.43%	0.41%	0.37%

A full list of Prudential Indicators is included within the Council's Budget Book

CAPITAL REVIEW GROUP (CRG)
TERMS OF REFERENCE

1. PURPOSE

Officers to provide challenge and support to ensure the Council's capital programme:

- 1.1. supports and prioritises the ambitions of the corporate plan;**
- 1.2. reflects and complies with our agreed capital strategy;**
- 1.3. is supported by information to enable sound and transparent decision making; and**
- 1.4. has adequate challenge and reporting of its delivery.**

2. RESPONSIBILITIES

For the CRG to provide a gateway challenge and review for:

- 2.1. new spend 'outline' bids to be included in a future capital programme;
- 2.2. bids against the in-year Capital Development Contingency Budget where there is a time pressure for the spend (e.g. for matched funding, or an emerging opportunity);
- 2.3. all capital detailed business cases; to support decision making before proceeding with the project;
- 2.4. block budget lines within the programme; to ensure they are supported by appropriate programmes of work;
- 2.5. the monitoring and reporting of the delivery of the capital programme, including benefits realisation;
- 2.6. requests to move revenue contributions to support capital spend and to re-purpose existing budgets in the programme (S151 Officer decision);
- 2.7. policy framework being sought for future S106 contributions, use of S106 contributions , including monitoring of their collection;
- 2.8. bids for external funding, to ensure they meet the Council's strategic

priorities; and

2.9. ensuring the programme is managed within the parameters set out in Appendix A.

It is the responsibility of the CRG to ensure that projects demonstrate affordability, timing, risks/issues, funding and budget implications, and a fit with corporate priorities, following the requirements as set out in Appendix A.

If a Business case does not meet the requirements as outlined in this ToR, the CRG can refer it back to the submitting service or can include any concerns if the business case moves forward in the decision making process.

3. MEMBERSHIP

- Assistant Director – Finance (Chair)
- Executive Director – Commercial
- Executive Director – Place
- Executive Director - Resources
- Representative – Commercial/Property (when appropriate)
- Representative – Children's (when appropriate)
- Representative – ACCW (when appropriate)
- Legal support
- Finance - support

4. MEETING ARRANGEMENTS

4.1. The CRG shall meet monthly and all papers will be issued in advance to allow sufficient time to be reviewed.

4.2. Business cases and papers can be submitted to the dedicated email account – Capitalreviewgroup@lincolnshire.gov.uk . Papers will also be issued from this account.

4.3. Regular items on the monthly agenda will include (but are not limited to):-

- A review of new outline bids put forward for future inclusion in the capital programme (call for new bids specifically requested for the June meeting each year);
- Review of delivery against agreed programme;
- Review of detailed business cases and information to be included for decision making;
- Review of programmes of work supporting block budgets in the programme (main review in October); and
- Review of any budget movement requests, or bids for external funding (including S106).

5. REPORTING

- 5.1. The relevant Directorate Leadership Team shall review all items before they come forward to the CRG. This will include ensuring support from the relevant portfolio holder.
- 5.2. Items which have gone through the gateway process will be notified to the Executive Councillor for Finance and Communications in the regular portfolio update meetings by a member of the CRG. This will then progress to the appropriate decision making process as required with any comments, concerns or caveats from the CRG if appropriate.
- 5.3. Items for inclusion in the future capital programme will be shared with the Informal Executive in the Autumn before entering into the formal budget cycle for inclusion in the programme approved by Council in February.
- 5.4. CRG papers will be shared with the Support Councillor for Finance following the CRG meeting.
- 5.5. New projects to be shared at the Group Leaders' meetings.
- 5.6. Reporting to Overview and Scrutiny Management Board will be via Quarterly Financial Management reports.

APPENDIX A

Expectations for the management of the capital programme:

1. All areas of the capital programme will fit into the following categories:

- A 'block' budget aimed at maintaining or replacing our existing assets, which is supported by a programme of works reviewed by the CRG. This will be consistent with our asset management strategies. A block budget may also support small value spend on new assets, but should still be supported by a planned programme.
- A scheme/project with an indicative budget that is supported by an outline bid, awaiting a detailed business case – i.e. no permission to spend.
- A scheme/project in flight, supported by a business case reviewed by the CRG with appropriate officer/member decision – i.e. permission to spend.

This principle applies to all spend within the capital programme, regardless of the source of funding, i.e. relates to grant funded spend as well as spend funded by the Council's resources.

2. All business cases are of appropriate scale for the size of the project, but will follow the basic principles of the Government Treasury five case model; i.e. the case covers:

- Strategic case – why are we doing this, and how does it meet our strategic objectives?
- Economic case – what are the options and which provides the optimum benefits and value for money?
- Commercial case – how will this be procured?
- Financial case – what are the capital and revenue impacts of the proposal?
- Management Case – how will the project be managed, what resources are in place?

TERMS OF REFERENCE – REVIEW DATE

FEBRUARY 2021

Open Report on behalf of Glen Garrod, Executive Director, Adult Care and Community Wellbeing and James Drury, Executive Director, Commercial

Report to:	Executive
Date:	02 February 2021
Subject:	Extra Care Housing Scheme and Community Supported Living Units for Working Aged Adults at The Hoplands Sleaford with North Kesteven District Council
Decision Reference:	I021124
Key decision?	Yes

Summary:

This report recommends that a further £2.56 million of the designated capital programme budget is released to enable the Hoplands scheme to begin development in the summer of 2022. The project is a proposed partnership between Lincolnshire County Council (LCC) and North Kesteven District Council (NKDC), to provide Extra Care Housing (ECH), and community supported living (CSL) units for Working Aged Adults (WAA) with learning disabilities, mental health and/or physical disabilities, for the anticipated demand in the North Kesteven District.

Following the commencement of the De Wint Court scheme, in partnership with the City of Lincoln Council, the remaining capital programme budget is £9.086 million. However, a further £1.99 million has been allocated to support the Linelands ECH scheme, in partnership with Lace Housing Ltd (LH). LCC's contribution of £2.56 million towards the Hoplands scheme in Sleaford, (£1.6 million towards the ECH scheme, and £960,000 towards the CSL units for WAA) will provide LCC with nomination rights on all 40 units within the ECH scheme, and a further 12 CSL units for WAA with learning disabilities, mental health and/or physical disabilities for a period of 30 years; using a process of first refusal with no void risk. The scheme will help provide alternative accommodation choice whilst enabling independence, and access to services within the local community.

LCC proposes to dispose of 0.9625 hectares of the Hoplands site for nil value to NKDC, which is permitted under the state aid rules where the aid provided can be categorised as Services of General Economic Interest (SGEI). LCC's contribution to the Hoplands scheme is on the condition NKDC acquires relevant approvals, obtains planning permission and secures the additional funding required.

The remaining 0.81262 hectares will be sold to Lafford Homes, NKDC's wholly-owned property company, which operates through its own board of directors, at commercial value to provide market rental properties. Should Lafford Homes not be in a position to proceed, NKDC will purchase the remainder of the site for the development of social housing.

Initial findings suggest that a £2.56 million investment (£1.6 million towards ECH scheme and £960,000 towards the CSL units for WAA), which allows LCC nomination rights on 40 ECH properties supporting 40 individuals could generate an annual saving of £127,060 per annum based on 2019/20 prices. On this basis and assuming a rate of inflation totalling 2 per cent for the duration of the scheme, it is estimated that the total savings will equal the total value invested (i.e. the breakeven point) after 18 years. This saving will be higher once a WAA revenue model has been confirmed.

Recommendation(s):

That the Executive:

- (1) Approves the payment of a sum of £2.56 million from the Capital Programme for Lincolnshire to NKDC through a Funding Agreement to support the development of the Hoplands, Sleaford, which is permitted under the state aid rules where the aid provided can be categorised as Services of General Economic Interest, with Lincolnshire County Council and North Kesteven District Council entering into a Nominations Agreement and Funding Agreement for the Extra Care Housing scheme and Working Age Adult properties, to secure nomination rights for Lincolnshire County Council on 40 Extra Care Housing units and 12 Community Supported Living units for Working Age Adults with learning disabilities, mental health and/or physical disabilities; through a process of first refusal with no void risk for a period of 30 years.
- (2) Approves the under-value disposal of 0.9625 hectares of the Hoplands site for nil value to North Kesteven District Council to support the development of the Hoplands, which is permitted under the state aid rules, where the aid provided can be categorised as Services of General Economic Interest. (The market value for this section of land is £650,000).
- (3) Approves the disposal of 0.81262 hectares of the Hoplands site for market value of £250,000 to Lafford Homes, North Kesteven District Council's wholly-owned property company, for the development of market rental properties, or to North Kesteven District Council for the development of social housing, in the event Lafford Homes are unable to proceed.
- (4) Delegates to the Executive Director for Adult Care and Community Wellbeing, in consultation with the Executive Councillor for Adult Care, Health and Children's Services, authority to determine the final form, and approve the entering into of all legal documentation necessary to give effect to the above decisions.

Alternatives Considered:	
1)	Do Nothing: The lack of affordable and available ECH and CSL for WAA in Lincolnshire as a viable alternative to more costly residential services will continue to limit choice and increase revenue costs for LCC in the medium and long term.
2)	Provide funding for the Hoplands on the basis of a Collaboration Agreement rather than a Funding Agreement: It is not possible to evidence the necessary collaboration in this instance to make this a viable option. This approach would require a greater degree of involvement in the Scheme and sharing of risk than can be achieved through a Funding Agreement.

Further assessment of the above options is set out in the body of this report.

Reasons for Recommendation:
<ul style="list-style-type: none"> • To enable LCC to develop an ECH scheme and additional CSL accommodation for WAA with learning disabilities, mental health and/or physical disabilities in partnership with NKDC, thereby utilising NKDC's existing housing development resources and expertise, together with their capacity for the creation of the new scheme, to offset the higher revenue costs of residential care, and allow LCC to reinvest resources in preventative measures; • To provide the means for LCC to use its existing and future best value care and support contracts to support the new development; and • The proposed contractual arrangements using the appropriate exemptions grants the ability for LCC to contribute compliantly with procurement and state aid obligations, together with providing the least risk in relation to the operation of facilities, and in particular financial implications in respect of voids.

1. Background

The Strategic Case

- 1.1 Lincolnshire County Council (LCC) has defined Extra Care Housing (ECH) and Community Supported Living (CSL) for Working Age Adults (WAA) with learning disabilities, mental health and/or physical disabilities as accommodation which promotes wellbeing and independence. It is designed in such a way that it responds to individuals developing care needs as they grow older; consequently providing a more adaptable and flexible approach in the provision of care and support for Lincolnshire's residents.

- 1.2 The Adult Care Capital Programme for Lincolnshire is intended to help older people and WAA achieve greater independence and improve wellbeing, by offering further choice over housing and care options within local communities. Furthermore, both types of accommodation will help divert a number of older people and WAA from moving into residential care and inpatient admissions, allowing LCC to reinvest resources in preventative services. The development of ECH and WAA accommodation presents an opportunity to generate a sustainable future for health and social care in Lincolnshire; meeting a key ambition of the sustainable services review.
- 1.3 National policy debate has shifted from a focus on frail and vulnerable people and treating ill health, towards an agenda for which the emphasis is:
- Promoting independence;
 - Improving well-being;
 - Enhancing quality of life; and
 - Accessing services closer to home.
- 1.4 The provision of supported living opportunities encourages people to live more independently in accommodation that matches their individual needs. It enables them to exercise much more choice and control in key aspects of their life, such as where they live, and the type of support package they receive. Supported living also promotes inclusivity within the local community, improving health and well-being, providing opportunities to develop skills and knowledge, helping to build confidence and, overall, enhancing quality of life.
- 1.5 An ageing population coupled with rising numbers of profoundly disabled WAA, presents public services, including housing, with a number of challenges to ensure the availability of adequate and appropriate services. These demographic changes have required a policy response from central government, local housing, health, and social care agencies.
- 1.6 In the context of austerity for local authorities in England, social care services for adults are widely recognised as being under-resourced. In addition, services are experiencing growing demand and increasingly complex care needs across the age ranges. This is coupled with increasing NHS pressure and spiralling staff costs, as highlighted in research by the Association of Directors of Adult Social Services. The research shows councils require a sustainable long-term funding strategy to underpin social care. Lincolnshire is no exception to this national picture and, as such, alternative approaches need exploring in order to deliver the most cost effective service. Housing is a key priority for the Health and Wellbeing Board and this project contributes to the impact on the following LCC Corporate Plan Strategies:
- Adult Frailty and Long Term Conditions;
 - Special Adult Services;
 - Carers;
 - Adult Safeguarding; and
 - Wellbeing.

- 1.7 LCC is contributing to the development of a 'Homes for Independence' Lincolnshire strategy, the delivery of which will be overseen by Lincolnshire's Housing, Health and Care Delivery Group. The strategy will articulate the types of housing required to support those for whom LCC provides services, the scale of this need, and the geographic hotspots in the county. LCC will work in partnership with District Councils and with the supported housing commercial market to deliver the requirements, rather than delivering the housing directly. The strategy will be made publically available to enable the market to develop suitable delivery approaches.
- 1.8 Currently the main sources of evidence surrounding the need for housing with care in Lincolnshire are the Council's Extra Care Needs Assessment, which was undertaken in 2014 and updated in 2017, and the work of Housing LIN in 2018. For the purposes of this business case, data from both of these sources has been used as the evidence base.
- 1.9 The Needs Assessment introduces LCC's vision for the provision of housing with care, both now, and in the future. This business case supports the following pivotal strategic objectives outlined in the Needs Assessment:
- Provide choices for housing, support and care services, to meet future demand;
 - Design and develop schemes through innovative partnership which provide options in lifestyle, accommodation size, location, tenure and services;
 - Work collaboratively with Health, District Councils, independent housing providers and voluntary groups; and
 - Encourage older people's participation in the design and implementation of new schemes to better meet their requirements.

Existing Provision and Estimated Need of Specialised Housing for North Kesteven District Council (NKDC) – Data from Housing LIN Report 2018

Housing for Older People

1.10 The following table summarises the current profile of older people's housing in the North Kesteven district, in relation to the nomination rights on the proposed new the Hoplands scheme.

Housing for Older People	Current provision of housing for older people for rent is significantly above the Greater Lincolnshire and national average. Older people's housing for sale is below both the Greater Lincolnshire and national average. The district is currently ranked 51 out of 326 local authorities for older people's housing (social rent). Ranked 273 out of 326 authorities for private sector retirement housing.
Housing with Care	Limited provision of housing with care for rent. However, ranked 107 out of 326 authorities in relation to private housing with care for sale.
Residential Care	Provision below both the Greater Lincolnshire and national average. Ranked 247 out of 326 authorities.
Nursing Care	Provision above both the Greater Lincolnshire and national average. Ranked 138 out of 326 authorities.

1.11 The table below shows a summary of the **current** provision of older people's housing in the North Kesteven district, the projected need and the shortfall/net need. This project will aim to address the projected provision for social (rent) in the Housing with Care section, highlighted in red in the table below.

Type	Current Provision	Projected provision required				
		2018	2020	2025	2030	2035
		Units/Beds	Units/Beds	Units/Beds	Units/Beds	Units/Beds
Housing for Older People						
Social (rent) Units	1624	1624	1624	1624	1624	1624
<i>Net need</i>		0	0	0	0	0
Private(for sale) Units	91	372	560	1065	1338	1612
<i>Net Need</i>		281	469	974	1247	1521
Housing with Care						
Social (rent) Units	15	167	183	212	202	166
<i>Net need</i>		152	168	197	187	151
Private(for sale)Units	54	19	37	107	204	337
<i>Net Need</i>		-35	-17	53	150	283
Residential care Beds	338	588	596	683	698	704
<i>Net need</i>		220	258	345	360	366
Nursing care Beds	520	558	609	738	802	864
<i>Net need</i>		38	89	218	282	344

Working Age Adult Housing

1.12 As part of modelling work around need and demand for supported housing in Lincolnshire, the Public Health Intelligence Team (PHIT) reviewed national evidence to determine the estimated number of units required in the county. Applying national projections locally suggests that 994 units are currently required in Lincolnshire for WAA with learning disabilities, physical disabilities, sensory impairment and/or mental health problems. This figure is expected to rise to 1,239 by 2030.

1.13 There are currently circa 600 units of CSL accommodation in Lincolnshire. However, utilisation of this service type cannot be considered in isolation to determine demand, since it is somewhat reliant on what is available at any given time. Current supply and utilisation of services in North Kesteven as at 31 March 2020 indicates 241 people with learning disabilities known to Adult Care services of which;

- 90 people live in supported living settings;
- 97 people live with parents, family or friends;
- 16 people live in a property rented from an RSL or the District Council;
- 78 people with learning disabilities live in residential/ nursing care;
- 14 people physical disabilities are residing in long term residential care;
- 55 people with physical disabilities are in receipt of homecare provision; and
- 37 people are accessing day services.

- 1.14 This data gives an indication of potential demand for supported accommodation among this cohort within the North Kesteven district. Use of residential care services for people may serve as an indicator of demand for supported accommodation; if suitable supported accommodation were available it may be a more appropriate and beneficial alternative to long stay residential care for individuals. The accommodation setting of current users of services provides a potential indication of future demand for supported accommodation, particularly where people are living with an informal carer.
- 1.15 A Specialist Adult Services Accommodation Strategy (for adults with learning disability, autism and/ or mental health needs) is under development to support the Homes for Independence blueprint. This will consider the need for residential and nursing care as well as supported accommodation, shared lives services and other accommodation for WAA with complex needs, and this project will help to meet the needs of the strategies objectives and projected demand.

2. The Business Case for The Hoplands

- 2.1 This business case provides the information for a decision to be taken by LCC to proceed with securing nomination rights at the proposed new Hoplands scheme being developed by NKDC in Sleaford, for 40 ECH units and 12 CSL units for WAA with learning disabilities, mental health and/or physical disabilities, as part of the LCC's Adult Care Capital Programme at a cost of £2.56 million; £1.6 million towards the ECH scheme and £960,000 towards the CSL units for WAA.
- 2.2 The project's aim is to provide alternative accommodation choice for people to remain in a home of their own, connected to their local community where they can be supported by their social networks, thereby encouraging them to live meaningful and independent lives. Individual tenancies provide privacy, whilst communal spaces provide an area for neighbours, friends and family to meet, together with the opportunity to engage in group activities if they choose to. The ECH scheme will utilise the 24 hour care and support which schemes can provide across a range of residents.
- 2.3 The purpose of the project is to deliver ECH provision and accommodation for WAA with learning disabilities, mental health and/or physical disabilities in the District of North Kesteven, and enable LCC to nominate to all 40 ECH units and 12 CSL units within the proposed new scheme, for a period of 30 years, with first refusal and no void risk; subsequently helping to meet the identified need within the locality.
- 2.4 The Hoplands will play an important part in increasing people's independence, wellbeing and longevity, as well as aid in the ability to stop and/or slow down further physical and psychological deterioration, in turn reducing pressure on Adult Care revenue budgets, and enabling LCC to reinvest resources into more preventative measures. The proposed new scheme will provide an environment which encourages movement and opportunity for physical exercise which keeps the mind active, develops motivation, increases confidence and enhances creativity. Research highlights that unsuitable housing, stress, and loneliness can have a significant impact on health and well-being. The Hoplands will provide an

environment which promotes a more positive and healthy lifestyle, enabling and encouraging motivation to remain independent, and the ability to participate in meaningful and purposeful activities. The scheme will encourage tenants to volunteer in sharing knowledge, skills and experiences, as well as strengthen the opportunity to develop and build new and continued social networks.

- 2.5 LCC residents will be able to access all other services, both via the Wellbeing service, as well as through a range of options by which LCC supports people including, but not exclusive to, block contracted homecare, self-funded home care, Direct Payments, Personal Health Budgets, and other options developed over time. This care and support will be there to meet identified needs within a joint Care and Wellbeing Vision. A draft Nominations Process will be drawn up and joint workshops will develop the practical delivery of the Care and Wellbeing Vision for the ECH scheme, the allocations panel and nominations process for this project.
- 2.6 LCC owns the freehold of the Hoplands site which has been vacant since 24/07/2009. The site does not directly adjoin the public highway and access is therefore taken over a small strip of land off The Hoplands owned by NKDC. LCC lacks access rights for anything other than the highway depot usage established by prescription. Following the sale of the site to Lafford Homes and NKDC, NKDC will provide access rights to Lafford Homes.
- 2.7 The Hoplands site has been ear-marked for ECH and WAA accommodation, to aid the strategic need to support the development of ECH and CSL within the area. LCC proposes to provide financial assistance of £2.56 million and transfer 0.9625 Hectares of the Hoplands site for nil value to NKDC, both of which are permitted under the state aid rules where the aid provided can be categorised as Services of General Economic Interest (SGEI).
- 2.8 LCC is able to make an undervalue disposal without specific Secretary of State consent if it can meet the conditions of the Local Government Act 1972 General Disposal Consent (England) 2003. This states that specific consent is not required for the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental wellbeing of its area, as long as (1) the amount of the undervalue is less than £2 million, (2) the disposal is state aid compliant and (3) the land is not held as housing land under the Housing Act 1985 or under the Town and Country Planning Act 1990. Point (3) is satisfied in this case, so LCC needs to consider points (1) and (2). In this case, the undervalue is £650,000, and the disposal will help secure the promotion of social wellbeing by providing ECH and CSL facilities which encourage people to live independently for as long as they wish to do so within their local community and access services closer to home. Furthermore, such facilities aim to improve wellbeing through enhanced community involvement opportunities and aim to avoid admission to hospital; consequently expanding the bed capacity within hospitals, increasing the number of patients discharged from hospital, and decreasing those who may have a need for residential care. Additional advantages of such facilities are set out in this report.

- 2.9 Alongside compliance with section 123 obligations, disposing of land at an undervalue, together with the giving of grant funding could also amount to state aid. The value of aid in property disposals is calculated as follows:

"when assessing the value of an aid in the form of a sale of property at an allegedly preferential price, the principle of the private investor operating in a market economy applies. Therefore, the value of the aid is equal to the difference between what the recipient in fact paid and what it would have had to pay in an arm's length transaction of the open market to buy an equivalent property from a vendor in the private sector at the time of the relevant transaction".

In order for LCC to comply with their statutory obligations regarding state aid, LCC will rely on the Commission Decision (2012/21/EU) (SGEI Decision) on the basis that ECH is a Service of General Economic Interest (SGEI). LCC has sought external legal advice, which has outlined that aid provided in relation to the scheme is suitable for classification as SGEI. The SGEI Decision specifically refers to social housing and social services,¹ which the Hoplands will deliver. LCC, therefore, intends to transfer the site and provide the grant funding to support the construction of the proposed new ECH and WAA accommodation, which will provide both affordable housing and social care to those who qualify and are nominated by LCC. The Funding Agreement will be drafted to incorporate the requirements of the SGEI Decision.

- 2.10 Following the proposed sale of the Hoplands site to NKDC, NKDC's proposal is to develop a dedicated 40 unit ECH scheme comprising of 29 one bed units and 11 two bed units, with associated facilities to support independent living and encourage community involvement. In addition, it is NKDC's intention to deliver a residential development of 12 CSL units for WAA with learning disabilities, mental health and/or physical disabilities. Please see Appendix A for proposed site drawings.
- 2.11 Construction is planned to commence in summer 2022, for completion in spring 2024. Prior to construction, LCC will enter into a Nominations Agreement and Funding Agreement with NKDC for both the ECH units and WAA accommodation. LCC will purchase nomination rights for 40 units within the ECH scheme, and an additional 12 CSL units for WAA with learning disabilities, mental health and/or physical disabilities, for a period of 30 years, with first refusal and no void risk. The funding model for this is set out later in this report.

¹ See paragraph 11 of the preamble to the SGEI Decision (emphasis added): *"Accordingly, undertakings in charge of **social services**, including the provision of **social housing** for disadvantaged citizens or socially less advantaged groups, who due to **solvency constraints** are unable to obtain housing at market conditions, should also benefit from the exemption from notification provided for in this decision [...]. In order to benefit from the exemption from notification, **social services should be clearly identified services**, meeting social needs as regards **health and long-term care** [...] social housing and **the care and social inclusion of vulnerable groups**."* Services which help integrate people with long term health or disability problems are specifically recognised as SGEI in the Commission's Staff Working Document on SGEI dated 29.4.2013.

- 2.12 The project aims to reduce the long term costs of care provision, as cost avoidance, and provide choice for older people, in line with LCC strategy, the benefits of which are highlighted below. This will ensure people with care needs have alternative choice options to traditional residential care provision, whilst providing affordable options for local people to remain within their communities. The provision is not aiming to generate profitable income.
- 2.13 The remaining 0.81262 hectares will be sold to Lafford Homes at commercial value to provide market rental properties. Please see Appendix B showing the breakdown of the site.
- 2.14 Lafford Homes, NKDC's wholly owned property company, operates through its own board of directors, using existing building companies to fulfil its projects, and seeks to raise the bar as an exemplar landlord, in terms of rental standards across the board. Lafford Homes Ltd assists the Council in achieving its objectives arising from the Central Lincolnshire Local Plan 2016 to 2036 to improve the quality and supply of housing in the North Kesteven District.
- 2.15 LCC will dispose of the site to NKDC and Lafford Homes as indicated above at the same time to ensure no pockets of land remain which have no access. In the event Lafford Homes are unable to purchase the site for whatever reason, NKDC will purchase the remaining 0.81262 hectares of the site at commercial value for the development of social housing, ensuring this transaction is concurrent to that of the other part of the site. Heads of Terms will be agreed between both parties and LCC and approved according to the delegated authority requested. LCC has a duty to satisfy its best value obligations under section 123, Local Government Act 1972. The total Market Value of the site is valued at £1,125,000 within the Banks Long & Co Valuation Report (Appendix E). The Market Value has been adjusted, however, to reflect the NKDC ransom access land at the entrance to £900,000. The Market Value is net of the access road and the public open space areas. Subsequently, Banks Long & Co have recommended a sale price of £650,000 for the parcel of land LCC proposes to transfer to NKDC, and a sale price of £250,000 for the section of site which LCC proposes to sell to Lafford Homes. LCC had assumed it would transfer the 0.9625 hectares of the Hoplands site to NKDC for its market value of £650,000. However, NKDC will apply for Homes England funding to support the delivery of the scheme, and as such, Homes England requires grant applicants to take "all reasonable measures" to acquire land at nil or reduced consideration to minimise the amount of Homes England grant required.²

3. Benefits and Risks

- 3.1 LCC uses a continuum of five levels for risk appetite³ and corporately takes a 'Creative and Aware' approach, which is summarised as being: *'creative and open to considering all potential delivery options, with well measured risk taking whilst being aware of the impact of its key decisions; a 'no surprises' risk culture.'* This is deemed as a suitable risk appetite level for this project.

² Paragraph 81, shared Ownership and Affordable Homes Programme 2016-2021, Prospectus, 13 April 2016.

³ The 5 levels are: Averse, Cautious, Creative and Aware, Opportunist and Mature (Hungry).

3.2 The aim of ECH and CSL is to provide high quality housing, together with support and care services which enable and encourage people to live independently for as long as they wish to do so. The provision of ECH and CSL aims to avoid admission to hospital, which consequently expands the bed capacity within hospitals, increases the number of patients discharged from hospital, and decreases those who may have a need for residential care. Below is a list of the identified key benefits and risks of this project:

Benefits	Risks
<ul style="list-style-type: none"> • Additional housing contributing to the current and projected needs; • Reduction in the long term costs of care provision; • Strengthening the partnership with NKDC; • Increasing the availability of suitable housing with the most appropriate care provision; • Supporting residents within Lincolnshire to stay within their local communities as they grow older; • Multiple care needs can be managed on one site; • Decreased risk of service users going 'missing' with ability to monitor location; • Option available for one care provider managing the site care needs; • New energy efficient accommodation; • Opportunity for added social value through developing a workforce development plan; • Bringing a vacant site back into use, enhancing the local community; • Promote independence for residents and other service users; • Encourage active lifestyles and social contact for residents and other service users; • Offer a living and care environment which has a positive effect on people's health and well-being and prevents or reduces the need for health care interventions; • Offer choice and self-direction or co-production of services for residents; • Be flexible in its style of service delivery so that services respond well to people's changing needs; 	<ul style="list-style-type: none"> • Creating too much accommodation capacity compared to demand; • Not managing demand and nominations effectively; • Service users do not want to move to the site; • Older accommodation is no longer desirable following the development of a new scheme; • Accommodation design is not flexible enough for multiple needs; • NKDC is unable to obtain their board approval; • NKDC is unable to secure planning permission; • NKDC are unable to obtain sufficient funding to ensure the schemes viability; • Site design is not sufficiently flexible to facilitate one and/or multiple care providers; and • Negative reaction from the local community and issues surrounding planning permission.

Benefits	Risks
<ul style="list-style-type: none"> • Release of local housing for rent and sale to benefit families; • Moderating the burden of family members caring at home; • New facilities developed in the local area for wider community use; and • Couples can avoid being separated as they can live together in ECH accommodation, even if only one is in need of care. 	

3.3 Potential Economic Benefits

- Additional use of, and income to, local businesses e.g. leisure centre, cafes, bus service;
- Additional employment opportunities e.g. on-site management/concierge provision, care provision, building construction, and site maintenance;
- Greater use of community facilities, thus supporting their longevity (e.g. GP surgeries);
- Residents providing volunteering in the community, with time banks, fundraising and befriending;
- Facilitates downsizing to more suitable housing, thus freeing up larger homes for the choice-based letting and/or sales markets;
- Delays and reduces the need for primary care and social care interventions including admission to long term care settings and hospital admissions;
- Limiting the demand on Housing Benefit – not all residents in a scheme will be in receipt of housing benefit and this creates additional checks and balances due to self-paying residents monitoring and keeping a downward pressure on rents and service charges, helping ensure they only cover the full costs. Compared to other groups, the average Housing Benefit spend per annum is around £5,200 per older person unit compared to £9,000 per working-age unit;⁴
- People in ECH can potentially use less care hours than if in the community, for example, if meals are provided by the scheme, less care hours may be required in preparing food etc.;
- Additional efficiencies can be gained by delivering care to a number of people on one site, reducing travel and mileage costs associated with domiciliary care in the community, and giving increased flexibility in the delivery of that care; and
- Accommodation is economic to heat and is of an appropriate and manageable size.

⁴ Source – *The Value of Sheltered Housing report, Jan 2017, James Berrington – Commissioned by the National Housing Federation*; http://s3-eu-west-1.amazonaws.com/pub.housing.org.uk/Value_of_Sheltered_Housing_Report.pdf

3.4 Potential Individual Benefits

- Support and maintain independence through the provision of accommodation options, enabling personal choice;
- Provide peace of mind, safety and security for vulnerable older people;
- Improved physical and mental health;
- Maintain and develop links with the community;
- Maximise incomes of older people (includes benefits income) and reduce fuel poverty;
- Environment is more likely to be free from hazards, safe from harm and promotes a sense of security, enabling movement around the home, including to visitors; and
- On-site support available.

3.5 Potential Scheme Specific Benefits

- Land already in the ownership of LCC;
- An attractive setting with good access to local amenities;
- Extensive communal facilities designed to be attractive, welcoming and flexible in their use;
- Excellent day-to-day services ensuring that the quality of the scheme environment and service offer will remain very high;
- Support and care services which can be targeted to those who need them and can flex with people's changing circumstances; and
- A genuinely affordable proposition with a focus on great value for money.

4 Market Sufficiency and Competition

- 4.1 The development and delivery of housing with care typically involves partnerships which include a mixture of local authorities, funding organisations, architects, construction companies, housing associations, private landlords and care providers. There is continuous work and analysis needed to fully understand Lincolnshire's market of those parties willing and able to deliver the county's housing with care needs, and in particular the scale of housing associations in this regard. Indications to date, through liaison with providers and other local authorities' experience, are that housing providers are looking to enter into the county. Lincolnshire has an issue regarding the low sale and rental value of property compared to other areas of the UK, which can affect the willingness of organisations to develop new property.

5 Delivery Model

- 5.1 District Councils with a Housing Revenue Account (HRA) are responsible for social housing stock and are able to rent domestic properties, and retain the revenue received, in order to plan and provide services to current and future tenants. District Councils are able to deliver their own projects without relying upon additional partners. This helps to inform which delivery option is more suitable.

- 5.2 In accordance with LCC's direction of travel and appetite for delivering ECH, the best delivery method has been sought to ensure LCC is legally in a safe position, to provide best value for money across the county and enrich the lives of as many people as possible. Throughout the last 12 months the programme board have been developing an understanding of delivery options that will facilitate partnering with District Councils and Housing Associations. Advice and support has been sought from Legal Services Lincolnshire and external legal advisers, Bevan Brittan. Information within this report relating to potential delivery options is based upon providing ECH, however, opportunities with this site enabled additional CSL units for WAA with learning disabilities, mental health and/or physical disabilities, and therefore, a consistent approach has been adopted for this element of the project.
- 5.3 The following options should be considered for successful and timely completion of this programme. In Option 3 care is not provided by NKDC:
- **Option 1:** Do nothing and allow the market to deliver the needs of the county, using LCC's market position statement and a delivery plan as their guide;
 - **Option 2:** Deliver identified projects via the districts, alongside Housing Associations and Registered Providers who have already formed a robust business case to prove requirement, purchasing nomination rights at an agreed level through a Funding Agreement; and
 - **Option 3:** Deliver identified projects via the districts, alongside Housing Associations and Registered Providers who have already formed a robust business case to prove requirement, purchasing nomination rights at an agreed level through Hamburg co-operation agreements.
- 5.4 From these options, a shortlist of two for partnering with district councils and housing associations has been identified: (1) a Funding Agreement; and (2) a 'Hamburg' Collaboration Co-operation agreement. Both options enable LCC to enter into agreement with partners.

A Funding Agreement

- 5.5 A Funding Agreement for nomination rights provides a simpler approach to partnering. The expectations from the partner and the commitment from LCC are far fewer. The partner sets up an allocation panel, a decision making body comprising a representative from:
- Housing Association (HA) or District Council;
 - Adult Social Care (Local Social worker);
 - Care provider; and
 - Health.
- 5.6 For the Hoplands scheme, LCC intend to deliver the scheme via NKDC who have already formed a robust business case to prove the requirement, purchasing nomination rights at and agreed level through a Nomination Agreement.

Hamburg Collaboration / Co-operation Agreement Model

- 5.7 Whilst considering the current proposal, the legal requirements of the Hamburg Collaboration co-operation agreement model were reviewed. The model requires LCC to evidence true collaboration with NKDC throughout the process, during the pre-procurement, procurement and eventual running of the schemes.
- 5.8 The programme team has considered LCC's ability to provide evidence of true collaboration, reviewed organisational processes for void management, and the appetite for financial risk of voids. The conclusion is that the Hamburg model is not the correct approach for the current proposal. However, the model is one that could be used moving forward with planning from the outset to ensure true collaboration, with the shared void responsibility as one of the strands of evidence of collaboration, although not necessary to the process.
- 5.9 In either case, typically a panel will meet on a regular basis to review all applicants registered for the scheme; along with a review of the composition care and support needs against the individual scheme target. This ensures a combination of people, carer, and place needs is considered when allocating accommodation. In addition to scheduled panel meetings, a virtual panel will be called where a unit becomes available to allow the empty home to be promptly returned to use.

6 Risks and Opportunities

6.1 A Funding Agreement

Risk/Opportunity	Benefit	Disbenefit
'Bare' nomination rights. Rights given to place on allocations panel for all of accommodation	Tried and tested with certain Housing Associations. Influence on all allocation panels, thereby giving LCC clients stronger chance of allocation.	Requires discipline through staff management, governance and processes.
Simple legal agreement	Deliverable and more achievable, involving less time/cost from Legal and operational teams.	
Longevity	Commitment with RP to keep accommodation in a desirable standard to retain clients.	
Procurement compliance	A simple Funding Agreement securing bare nomination rights is not covered by the procurement rules. No procurement challenge.	

6.2 'Hamburg' Co-operation Agreement

Risk/Opportunity	Benefit	Disbenefit
Pooled resourcing of delivery and operation of the scheme	More collaborative working with partners.	Financial cost and possible legal challenge for failure to work collaboratively.
Nomination rights available with specific number of places guaranteed	Guarantee of specific number of places as per legal agreement but no more.	Cost of void for period of time determined in legal agreement – potential cost to LCC revenue budget.
Complicated legal agreement with evidence required throughout lifetime of contract	Legally stronger as a guarantee of places.	Delivery more expensive by involving more time/cost from Legal teams. Long-term revenue cost for operational staff to ensure no voids.
Procurement compliance	Co-operation arrangements between Councils are exempt under Regulation 12 of the Public Contracts Regulations 2015. No procurement challenge.	
Longevity		Raised risk of voids once building becomes tired and better options are available in the market.

7 Recommendations

7.1 It is recommended LCC progress with the partnership with NKDC, whereby LCC contribute to the development of the Hoplands scheme in accordance with Option 2 (Funding Agreement) of the options set out within this report and as discussed in the Executive Report of 9 July 2019 in relation to the De Wint Court development, and in the Executive Report of 2 September 2020 in relation to the Linelands development.

7.2 The inherent financial benefits of the approach in Option 2 (Funding Agreement) are as follows:

- **No void costs:** In previous models of ECH the agreement has included risk agreements which provided the Housing Provider with assurance that vacant properties would be filled within the specified period, with units able to remain vacant for a limited period of time before additional cost become due. The use of Capital Reserves as a financial contribution to any proposed schemes can be done so on the basis that the contribution allows

LCC to place service users of their choosing within a pre-agreed proportion of units, over a pre-determined number of years without recourse to void costs; and

- **Diversions from Residential Placements:** The availability of additional ECH units directly funded via Capital Reserves allows for an additional number of services users who would otherwise be placed in residential establishments to be supported within an ECH environment.

7.3 By placing within ECH and CSL accommodation, LCC avoids expensive hotel costs which would otherwise be incurred, with costs funded via district housing benefit contributions instead. Care and support via LCC's existing prime provider framework is also likely to be cheaper than existing residential care and non-care provision.

8 The Financial Case

8.1 Funding for the scheme is sourced via Adult Care Capital Reserve which has been allowed to grow over a number of years as a result of grant funding awarded to LCC. The grants are specifically earmarked for use against capital investment within Adult Care with the current value of unused capital reserves totalling £7.900 million (accounting for De Wint Court and the Linelands commitment).

8.2 The financial feasibility of the project (cost versus savings) is based on LCC's bespoke Financial Feasibility Model (Appendix D). This model has been used to develop the financial models for a number of other LCC housing with care projects and considers a number of options, including number of tenants, level, and cost of care and savings through diversion of care.

8.3 LCC's data as at 31 March 2019 shows that LCC is funding the care provision of 6,536 people aged 65 and over in either a residential and nursing placement or within a homecare setting (including existing ECH). The total placed in nursing and residential care homes being 2,397 and 4,139 within a homecare setting. The gross annual cost to LCC for this care provision for these areas of service in 2018/19 was £100.157 million; with a net cost to the Council of £71.974 million.

8.4 The financial benefits of ECH are predicated on the basis that the costs of providing care within an ECH setting are materially lower than in traditional residential and nursing settings. The expected cost for older people currently ranges from £502 to £553 per week in 2019/20, with the average annual residential care cost estimate to be £27,566 per annum. Initial analysis suggests the gross cost of providing care within an ECH setting at 20 hours per week would be £309 per week, with an annual cost of £16,111. This represents a gross saving of £11,445 per annum or 41.5 per cent which reduces to £9,118 (33 per cent) once the impact of income loss is taken into consideration as the average placement income within a residential setting is higher than service user contributions derived from an ECH setting.

8.5 It is important to note the following:

- LCC would lose a portion of property related income, linked to service users residential care whereby LCC receives income related to the user's house when it is sold (including interest on the amount owed);
- It is very unlikely that all service users accessing residential care would be willing and able to move to housing with care;
- The savings will be focused more on new service users rather than those residents already in residential care, though the possibility remains that some people in residential settings may prefer to consider ECH;
- Placements within an ECH setting are predicated on 33 per cent being those diverted from a residential setting with the remainder placed via alternative community settings. This assumes that placements are split equally amongst those classified as Low, Medium or High dependency and existing care arrangements continue to be provided via the prime-provider home care contracts (for those categorised as Low, Medium and High). The majority of the saving will be via diversions away from residential;
- Initial findings suggest that a £2.56 million investment (£1.6 million towards ECH scheme and £960,000 towards the CSL units for WAA) that allows LCC nomination rights on 40 properties supporting 40 individuals could generate an annual saving of £127,060 per annum based on 2019/20 prices; and
- On this basis and assuming a rate of inflation totalling 2 per cent for the duration of the scheme, it is estimated that the total savings will equal the total value invested (i.e. the breakeven point) after 18 years. However, this does not take into account the time value of the initial investment which will reduce over the same the period (i.e. the value of £1 in 2019/20 will be less in future years). An analysis of future savings growth is also included within the financial feasibility model along with data from the Housing Learning and Improvement Network (LIN).

9 Timescales

Below is a summarised and early estimation of a potential timetable. Throughout the Covid-19 pandemic the Adults and Community Wellbeing Scrutiny Committee and Executive will meet virtually.

Activity/Milestone	Estimated Start Date	Estimated End Date
Adults and Community Wellbeing Scrutiny Committee	13 January 2021	1 February 2021
Executive	14 January 2021	2 February 2021
Agree and finalise legal documentation	December 2020	December 2021
Commence Development	Summer 2022	Spring 2024

10 Legal Issues

Equality Act 2010

10.1 Under section 149 of the Equality Act 2010, LCC 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 Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. 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; and
- 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.

10.3 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. 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. Compliance with the duties in section 149 may involve treating some persons more favourably than others.

10.4 The 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.

An initial Equality Impact Analysis is attached at Appendix E. This will be kept under review. NKDC is itself subject to the Equality Act duty and LCC will use its influence to ensure equality issues are taken into account in relation to both the housing and care elements of the project as it progresses.

It is fair to say that the key purpose of the service is essential to enabling all those individuals who require community care services to live more independent and healthier lives. In that sense, ensuring adequate provision of suitable ECH and associated care helps to advance equality of opportunity. The ability of the providers of housing and care to provide services which advance equality of opportunity will be considered in the associated procurement and providers will be obliged to comply with the Equality Act.

The service will not affect those with protected characteristics (age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation) differentially. The nature of the service makes it more likely that adults with additional vulnerabilities or increased risk of adverse outcomes will benefit most.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

10.5 LCC must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

The JSNA for Lincolnshire is an overarching needs assessment. A wide range of data and information was reviewed to identify key issues for the population to be used in planning, commissioning and providing programmes and services to meet identified needs. This assessment underpins the JHWS 2013-18 which has the following themes:

- Promoting healthier lifestyles;
- Improving the health and wellbeing of older people;
- Delivering high quality systematic care for major causes of ill health and disability;
- Improving health and social outcomes and reducing inequalities for children; and;
- Tackling the social determinants of health.

Under the strategic theme of improving the health and wellbeing of older people in Lincolnshire, there are two particularly relevant priorities:

- Spend a greater proportion of our money on helping older people to stay safe and well at home; and
- Develop a network of services to help older people lead a more healthy and active life and cope with frailty.

The provision of ECH and CSL units will contribute directly to these priorities. It also supports the themes selected as priorities in the forthcoming refreshed JHWS; namely housing, carers, mental health, plus the cross cutting theme of safeguarding.

Crime and Disorder

- 10.6 Under section 17 of the Crime and Disorder Act 1998, LCC 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.

In commissioning housing and care provision that is designed to provide a supportive and safe environment that enables potentially vulnerable customers to maintain their independence for longer, the provision of ECH and CSL for WAA with learning disabilities, mental health and/or physical disabilities may be said to contribute indirectly to the achievement of obligations under section 17.

11 Conclusion

LCC and NKDC's partnership will enable LCC to increase the provision of ECH and CSL for WAA with learning disabilities, mental health and/or physical disabilities in the county, to assist in offsetting medium and long term revenue cost increases, and facilitate Lincolnshire residents to live independently for as long as possible within their local communities; subsequently improving the wellbeing and quality of life for Lincolnshire people. The Hoplands scheme will deliver the initial need identified in the Housing LIN Report 2018.

12 Legal Comments:

The Council has the power to enter into the arrangement proposed. The detailed legal implications in relation to disposal of land and state aid are set out in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive.

13 Resource Comments:

Funding of £2.56 million for the development of the Hoplands exists in the form of previously received capital grants which form part of the Adult Care Capital Programme. LCC's contribution must fall within the processes for Capital expenditure.

14 Consultation

a) Has Local Member Been Consulted?

No

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 13 January 2021, the Adults and Community Wellbeing Scrutiny Committee considered this report and unanimously agreed to support the recommendations to the Executive.

In addition to supporting the recommendations and strongly welcoming the planned development at Hoplands, the Committee would like to see similar developments progressed in the future, together with this policy commitment continuing into the new County Council term. The benefits of maximising independence for people in their local communities, both in extra care housing and in accommodation for working age adults, cannot be emphasised enough.

d) Have Risks and Impact Analysis been carried out?

An initial Equality Impact Assessment has been completed and there has been internal and external consultation. Internally, Council staff have been sent a link to the survey and a report will be formed from the results of this survey. Externally, the People's Partnership has been consulted, and they will work with groups such as Age Concern and Just Lincolnshire. Additionally, NKDC have a survey on their website and Twitter feed as part of the Housing LIN Phase 2 work, and will share this with LCC as part of our consultation. These sources of information will inform future versions of the EIA as the matter progresses.

e) Risks and Impact Analysis

See the body of the Report

15 Appendices

These are listed below and attached at the back of the report	
Appendix A	<p>The Hoplands Site Drawings:</p> <p>A1 Existing Site Plan (Drawing PM75-01)</p> <p>A2 Proposed Site Plan (Drawing PM75-03 – Revision G)</p> <p>A3 Extra Care Building - Ground Floor Plan (Drawing PM75-04)</p> <p>A4 Extra Care Building - First Floor Plan (Drawing PM75-05)</p> <p>A5 Extra Care Building - Second Floor Plan (Drawing PM75-06)</p> <p>A6 Working Age Adults Accommodation – Ground Floor Plans (Drawing PM75-07)</p> <p>A7 Working Age Adults Accommodation – Second Floor Plans (Drawing PM75-08)</p>
Appendix B	The Hoplands Site Plan (Drawing PM75-03 – Revision F)
Appendix C	Housing LIN ECH Financial Model Cost Benefits Example
Appendix D	Extra Care Feasibility Tool – The Hoplands December 2020
Appendix E	Banks Long & Co Independent Hoplands Valuation Report
Appendix F	The Hoplands ECH and CSL Initial Equality Impact Assessment form

16 Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

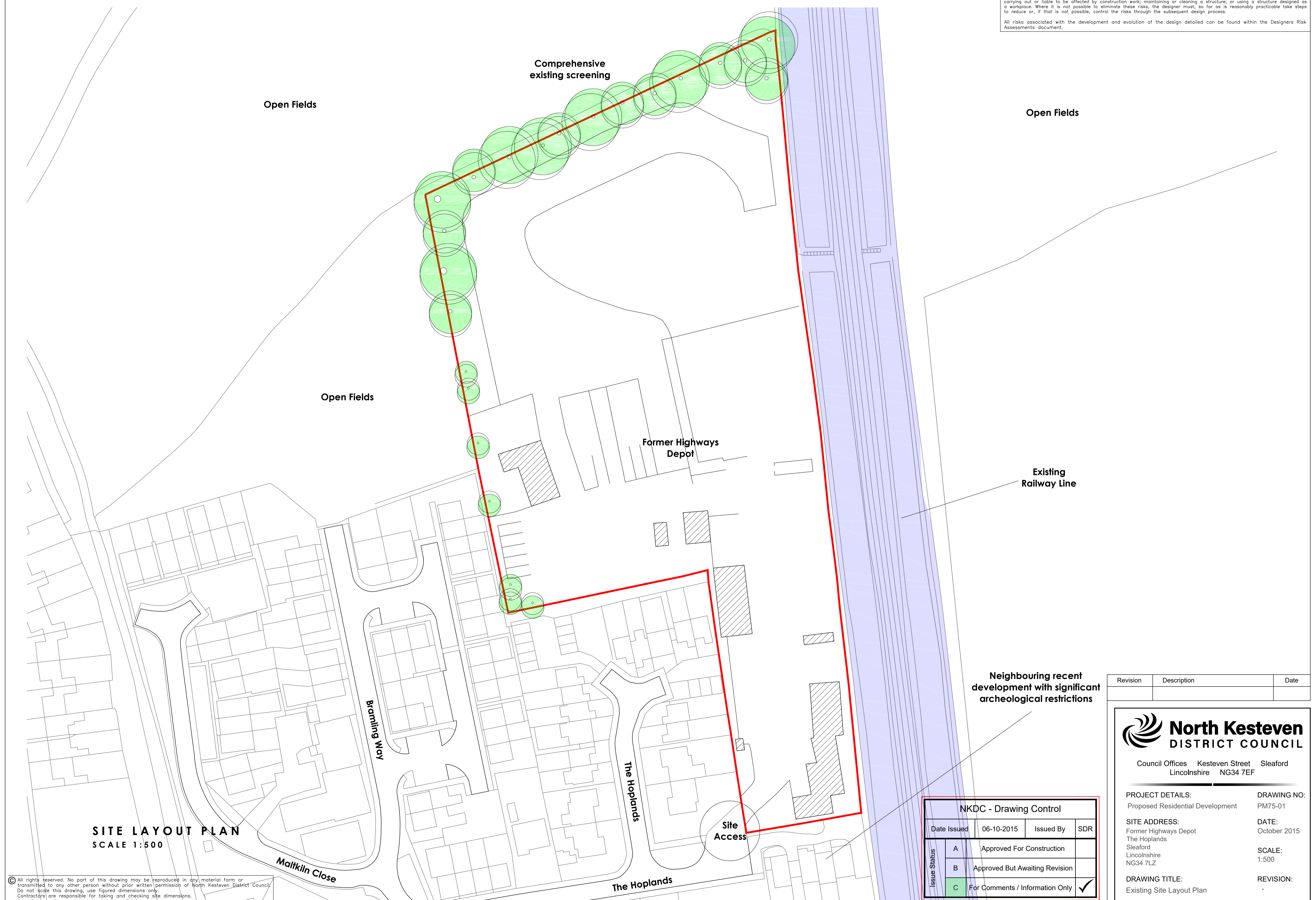
Background Paper	Where it can be viewed
Report to Executive on 9 July 2019 in relation to De Wint Court project in partnership with City of Lincoln Council.	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5284&Ver=4
Report to Executive on 2 September 2020 in relation to the Linelands project in partnership with Lace Housing Ltd.	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5521&Ver=4

This report was written by:

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All risks associated with the development and evolution of the design detailed can be found within the Designers Risk Assessments document.



Open Fields

Open Fields

Open Fields

Comprehensive existing screening

Former Highways Depot

Existing Railway Line

Neighbouring recent development with significant archeological restrictions

SITE LAYOUT PLAN
SCALE 1:500

Malkiln Close

Bramling Way

The Hoplands

The Hoplands

Site Access

NKDC - Drawing Control			
Date Issued	06-10-2015	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only ✓	

Revision	Description	Date

North Kesteven DISTRICT COUNCIL

Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS: Proposed Residential Development
DRAWING NO: PM75-01

SITE ADDRESS: Former Highways Depot
The Hoplands
Sleaford
Lincolnshire
NG34 7LZ
DATE: October 2015

SCALE: 1:500

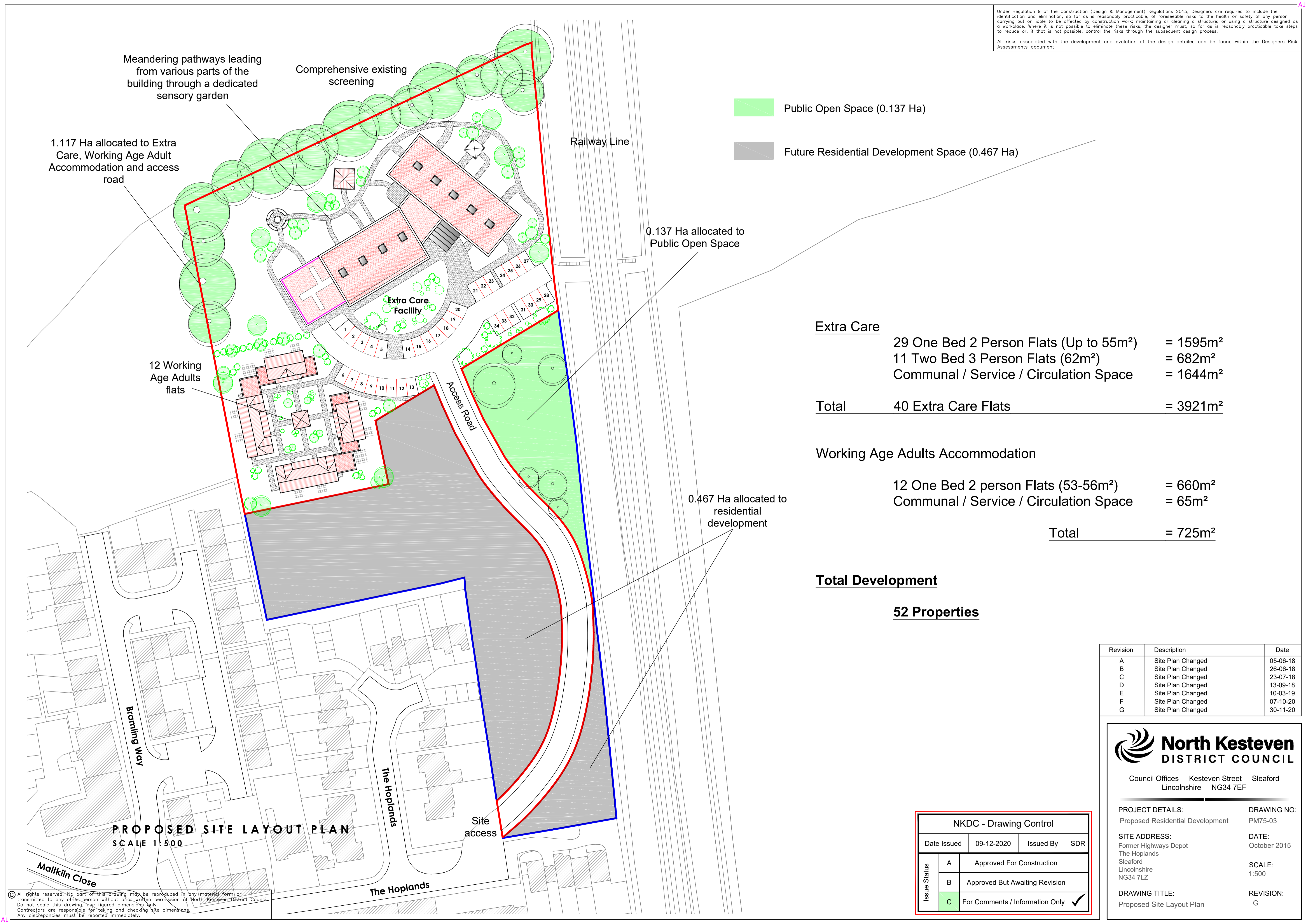
DRAWING TITLE: Existing Site Layout Plan
REVISION: -

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Public Open Space (0.137 Ha)

Future Residential Development Space (0.467 Ha)

Meandering pathways leading from various parts of the building through a dedicated sensory garden

1.117 Ha allocated to Extra Care, Working Age Adult Accommodation and access road

Comprehensive existing screening

Railway Line

0.137 Ha allocated to Public Open Space

12 Working Age Adults flats

Extra Care Facility

Access Road

0.467 Ha allocated to residential development

Extra Care

29 One Bed 2 Person Flats (Up to 55m ²)	= 1595m ²
11 Two Bed 3 Person Flats (62m ²)	= 682m ²
Communal / Service / Circulation Space	= 1644m ²
Total	40 Extra Care Flats = 3921m²

Working Age Adults Accommodation

12 One Bed 2 person Flats (53-56m ²)	= 660m ²
Communal / Service / Circulation Space	= 65m ²
Total	= 725m²

Total Development

52 Properties

Revision	Description	Date
A	Site Plan Changed	05-06-18
B	Site Plan Changed	26-06-18
C	Site Plan Changed	23-07-18
D	Site Plan Changed	13-09-18
E	Site Plan Changed	10-03-19
F	Site Plan Changed	07-10-20
G	Site Plan Changed	30-11-20



Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS: Proposed Residential Development	DRAWING NO: PM75-03
SITE ADDRESS: Former Highways Depot The Hoplands Sleaford Lincolnshire NG34 7LZ	DATE: October 2015
DRAWING TITLE: Proposed Site Layout Plan	SCALE: 1:500
	REVISION: G

NKDC - Drawing Control			
Date Issued	09-12-2020	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only	✓

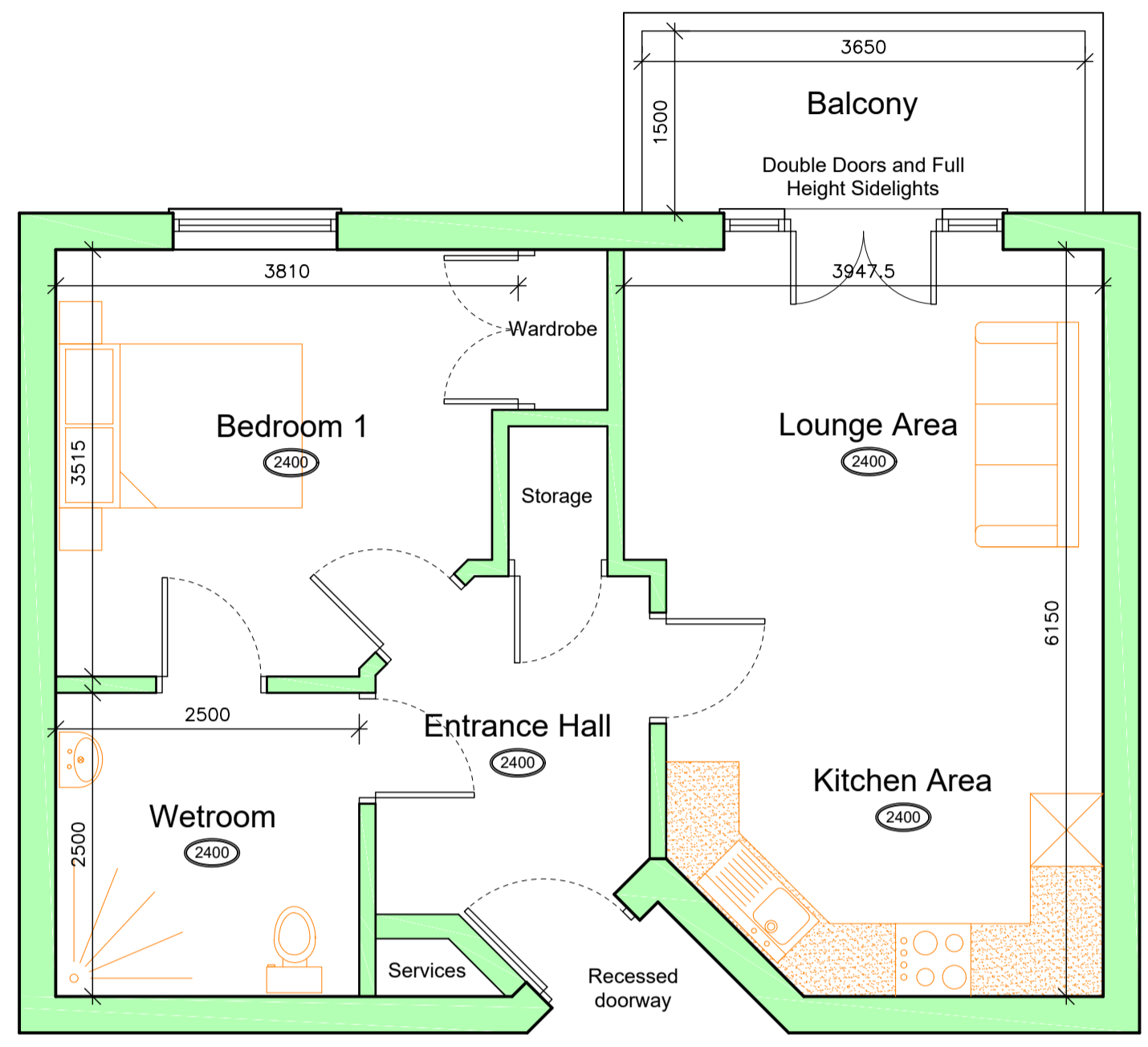
PROPOSED SITE LAYOUT PLAN
SCALE 1:500

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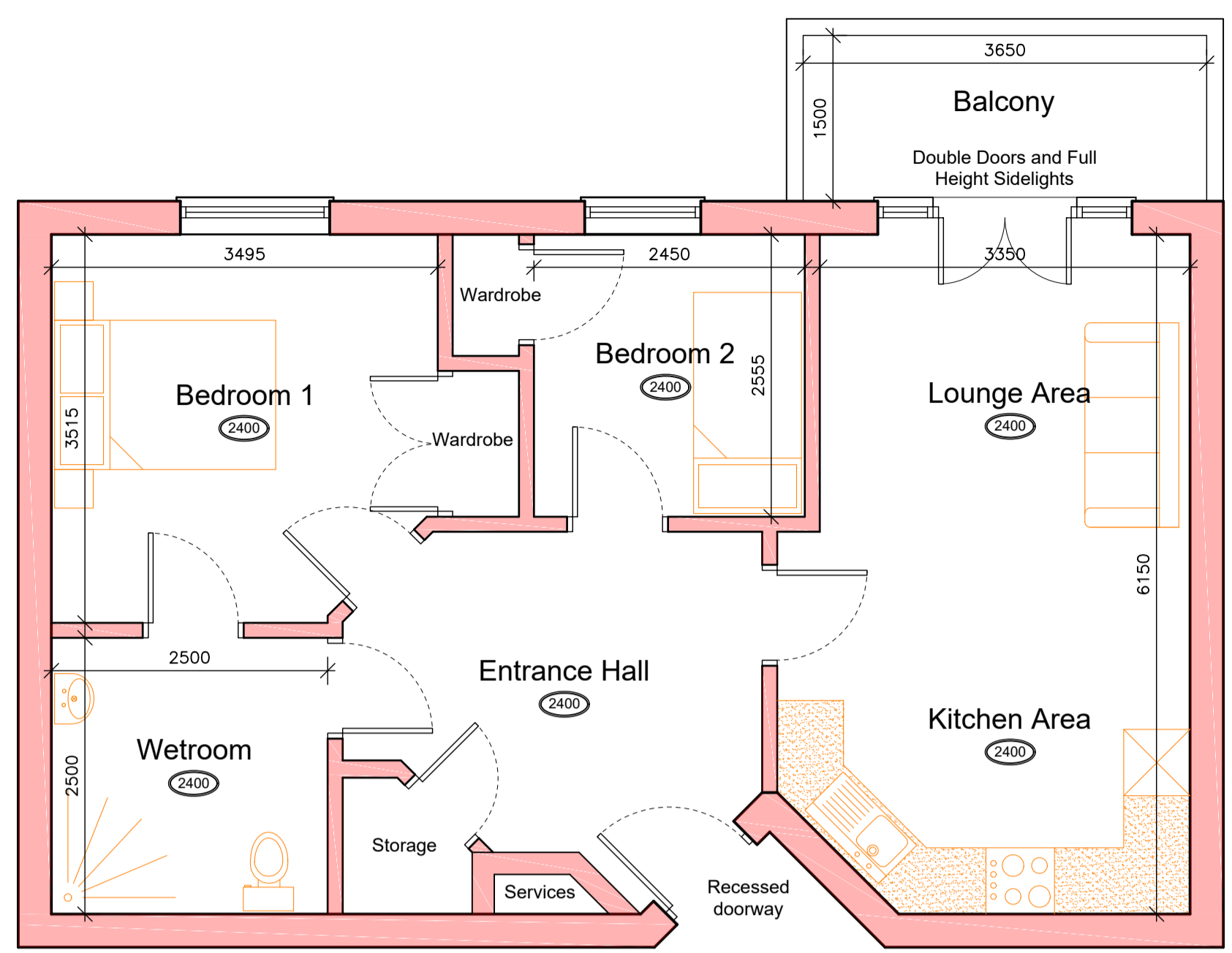
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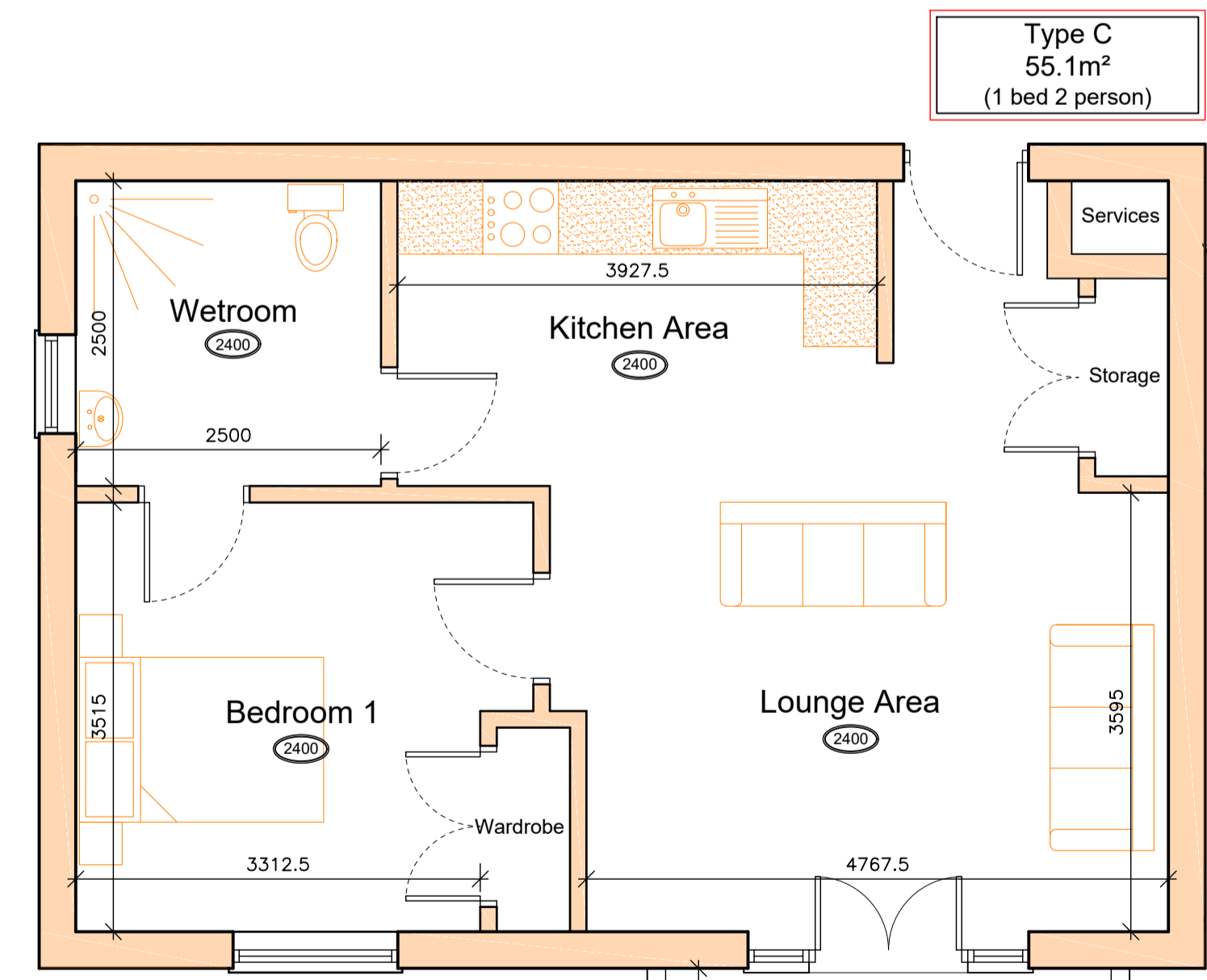
All risks associated with the development and evolution of the design detailed can be found within the Designers Risk Assessments document.



FLOOR PLAN (TYPE A)
SCALE 1:50
Type A
51.6m²
(1 bed 2 person)



FLOOR PLAN (TYPE B)
SCALE 1:50
Type B
62.1m²
(2 bed 3 person)



FLOOR PLAN (TYPE C)
SCALE 1:50
Type C
55.1m²
(1 bed 2 person)



PROPOSED GROUND FLOOR PLAN
SCALE 1:150

NKDC - Drawing Control			
Date Issued	09-12-2020	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only	<input checked="" type="checkbox"/>

Revision	Description	Date

North Kesteven DISTRICT COUNCIL
Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

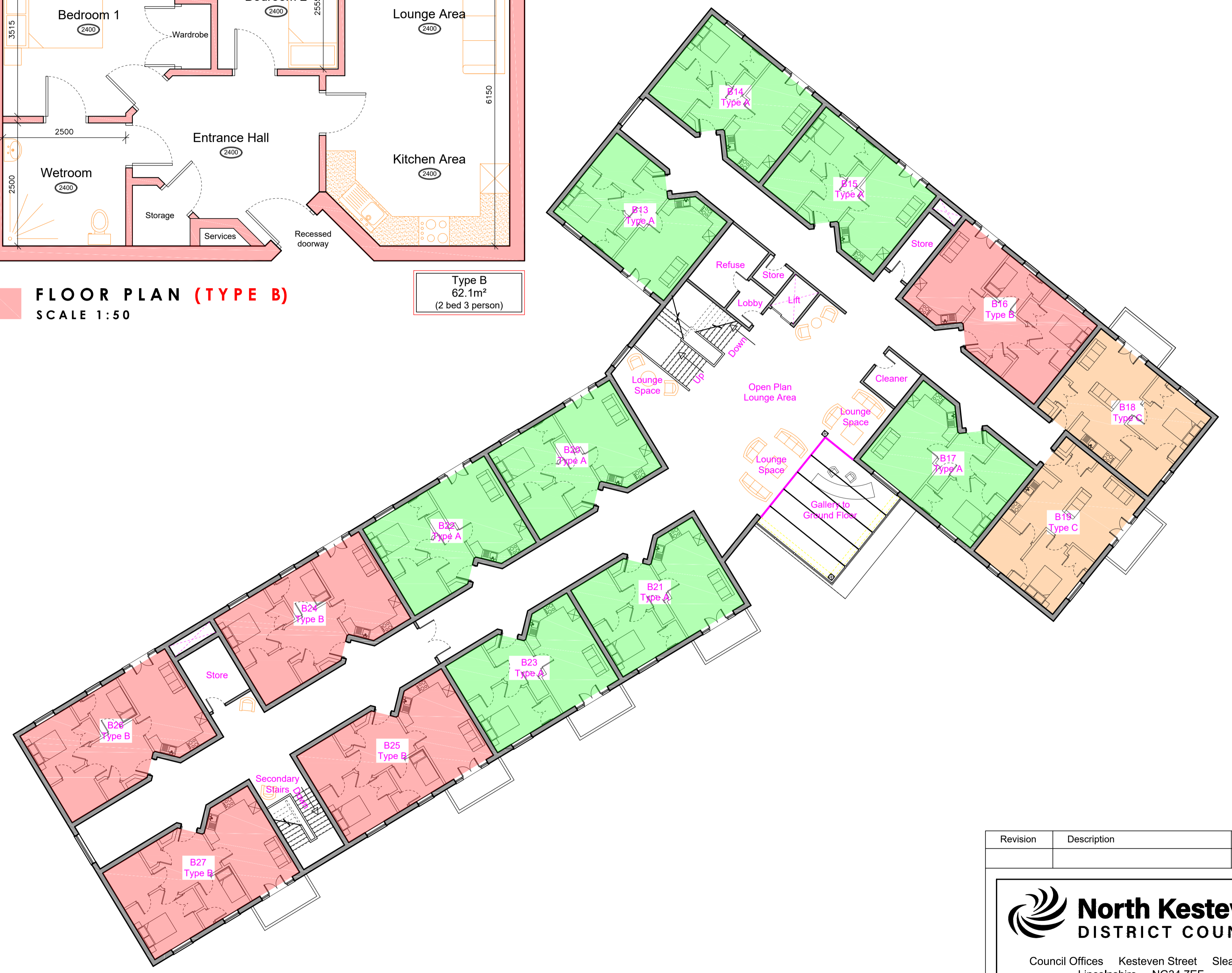
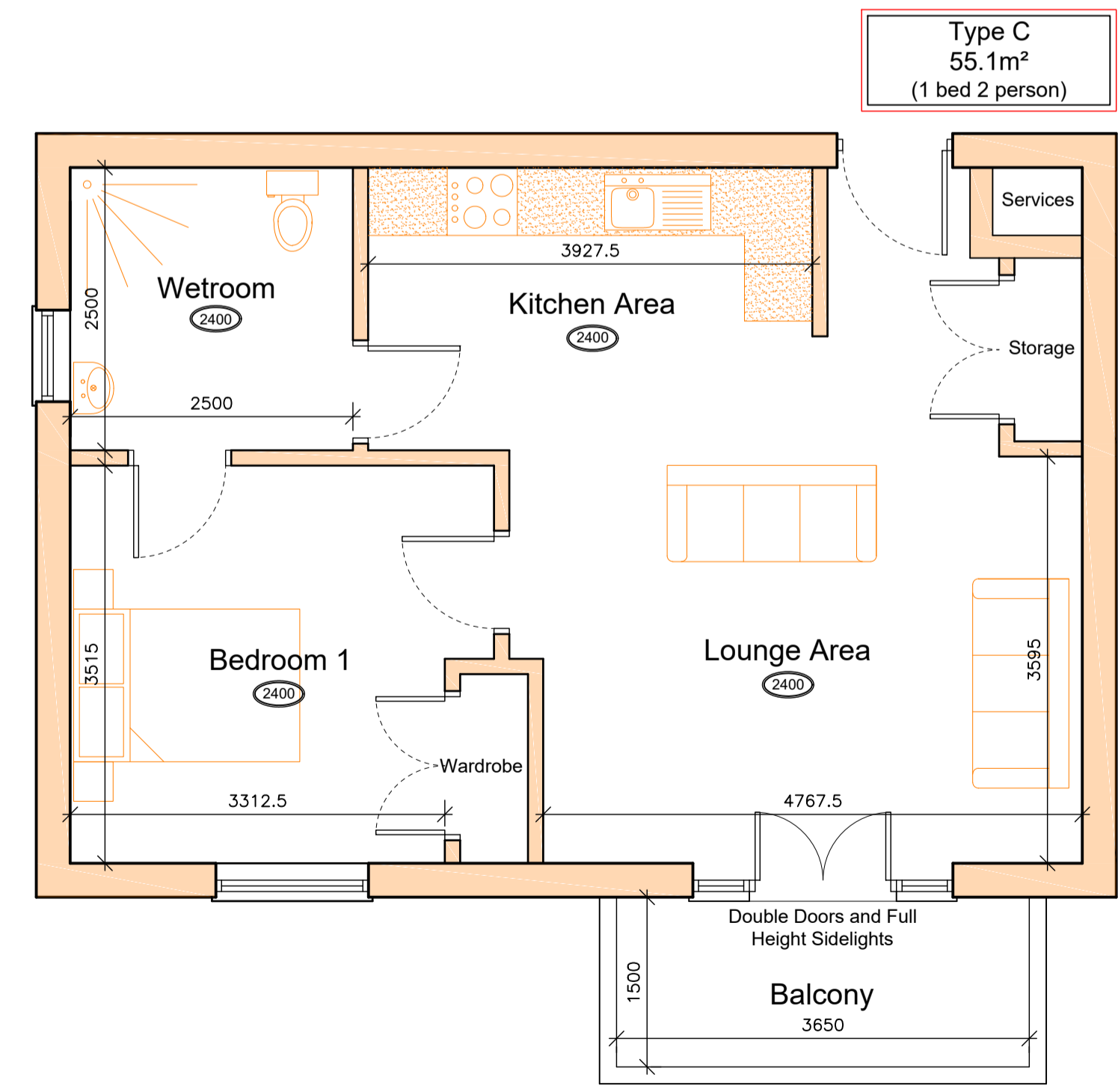
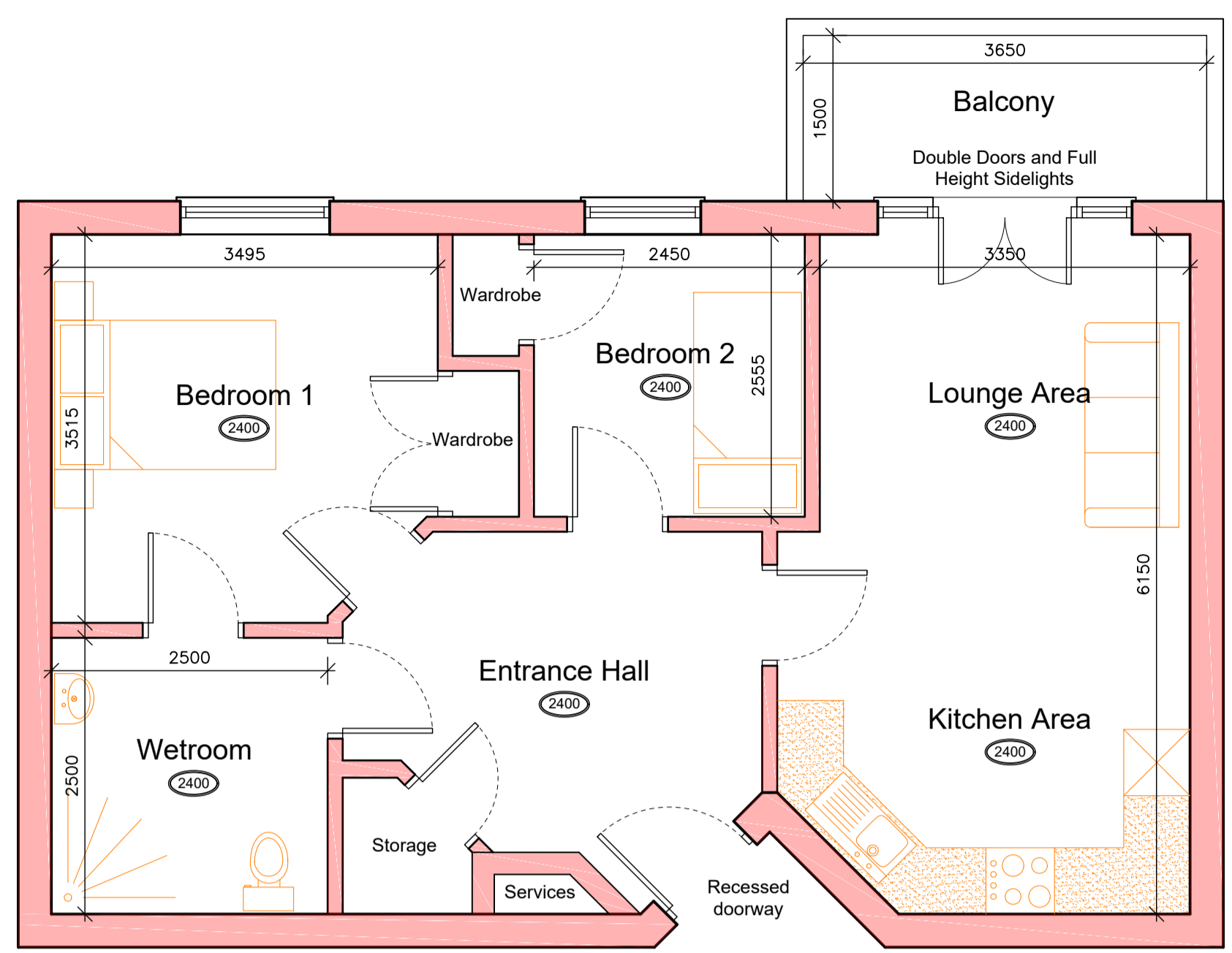
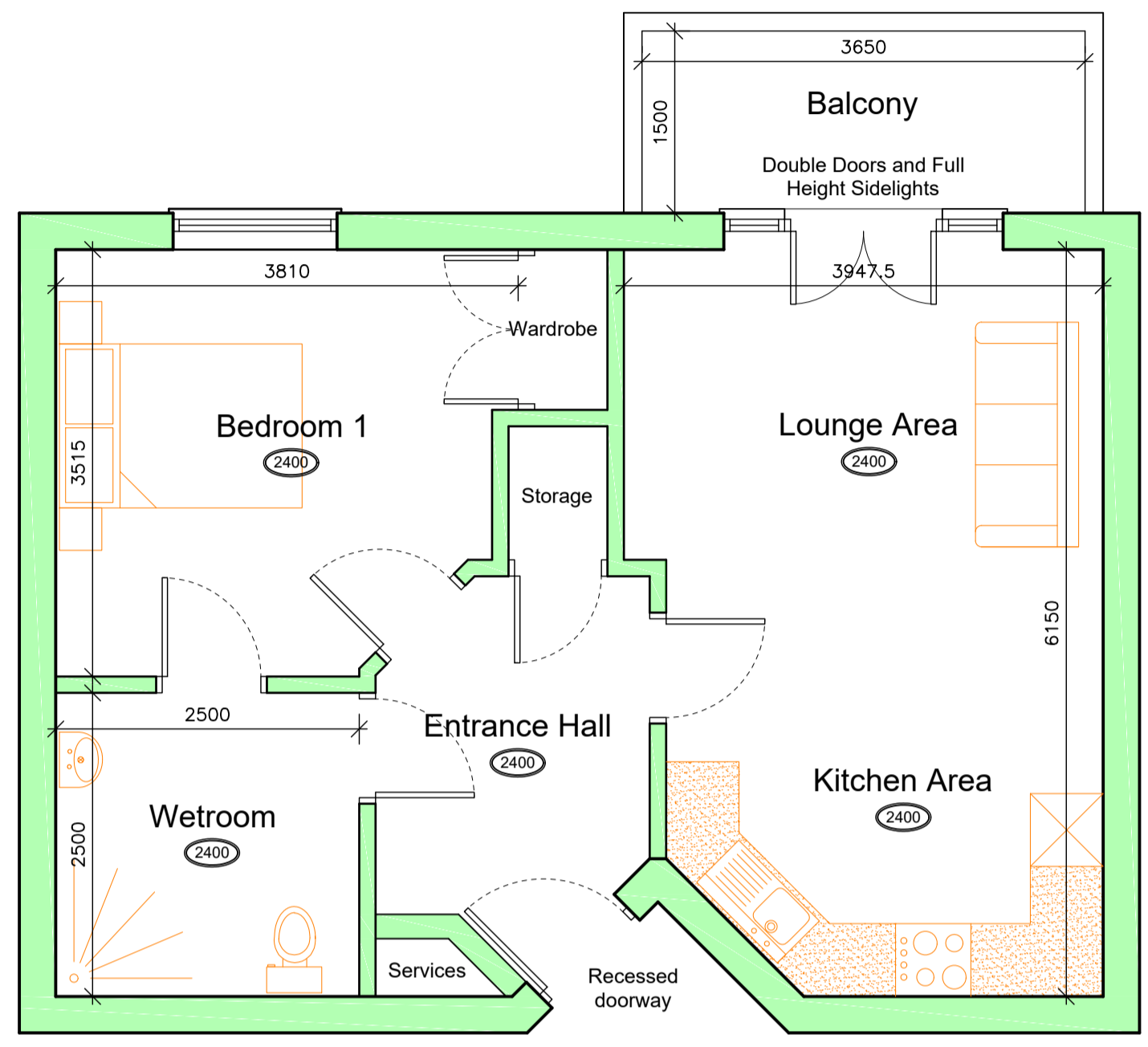
PROJECT DETAILS: Proposed Residential Development
DRAWING NO: PM75-04
SITE ADDRESS: Former Highways Depot, The Hoplands, Sleaford, Lincolnshire, NG34 7LZ
DATE: November 2020
SCALE: 1:150 / 1:50
DRAWING TITLE: Extra Care Building Proposed Ground Floor Plan
REVISION: -

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Revision	Description	Date



Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

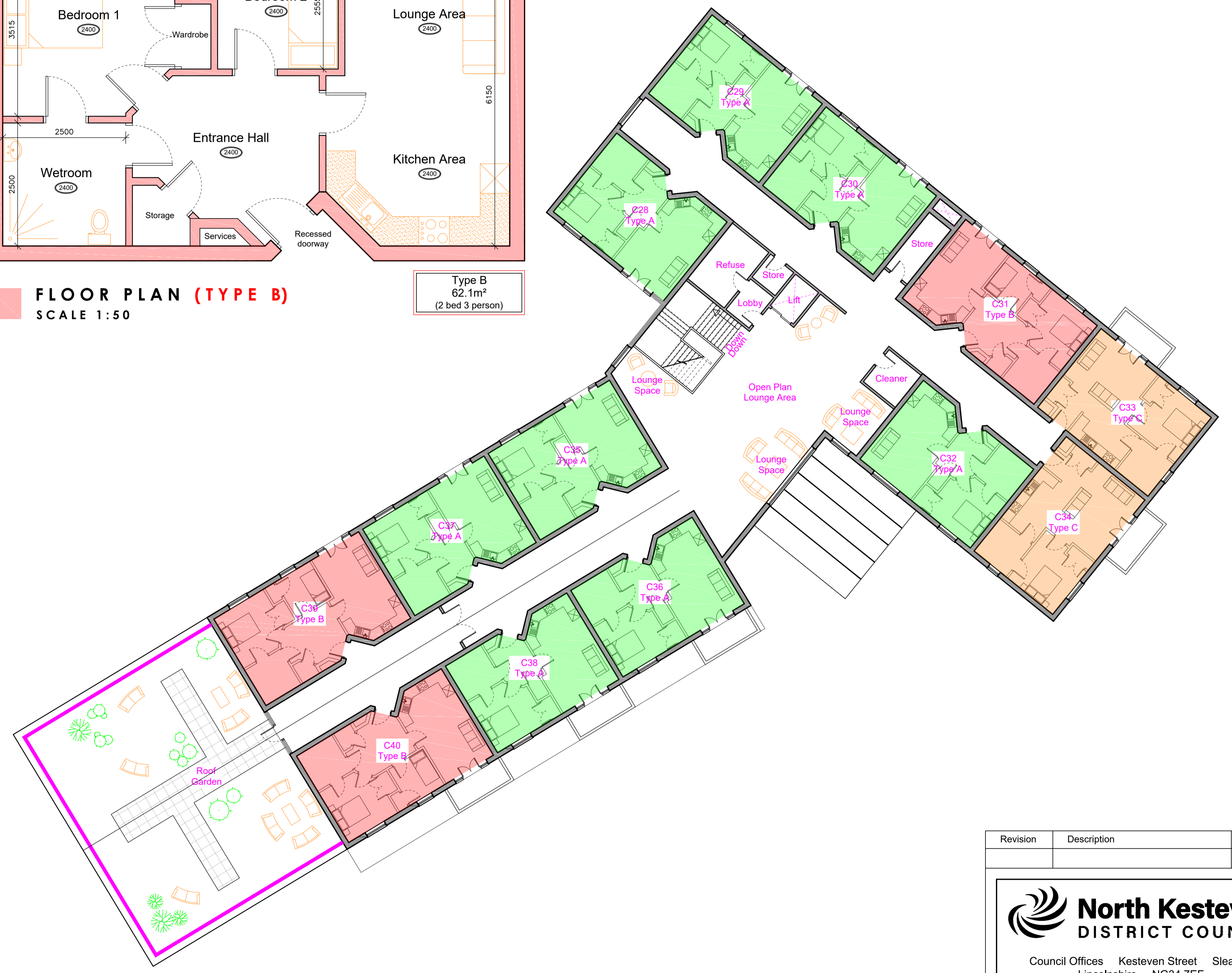
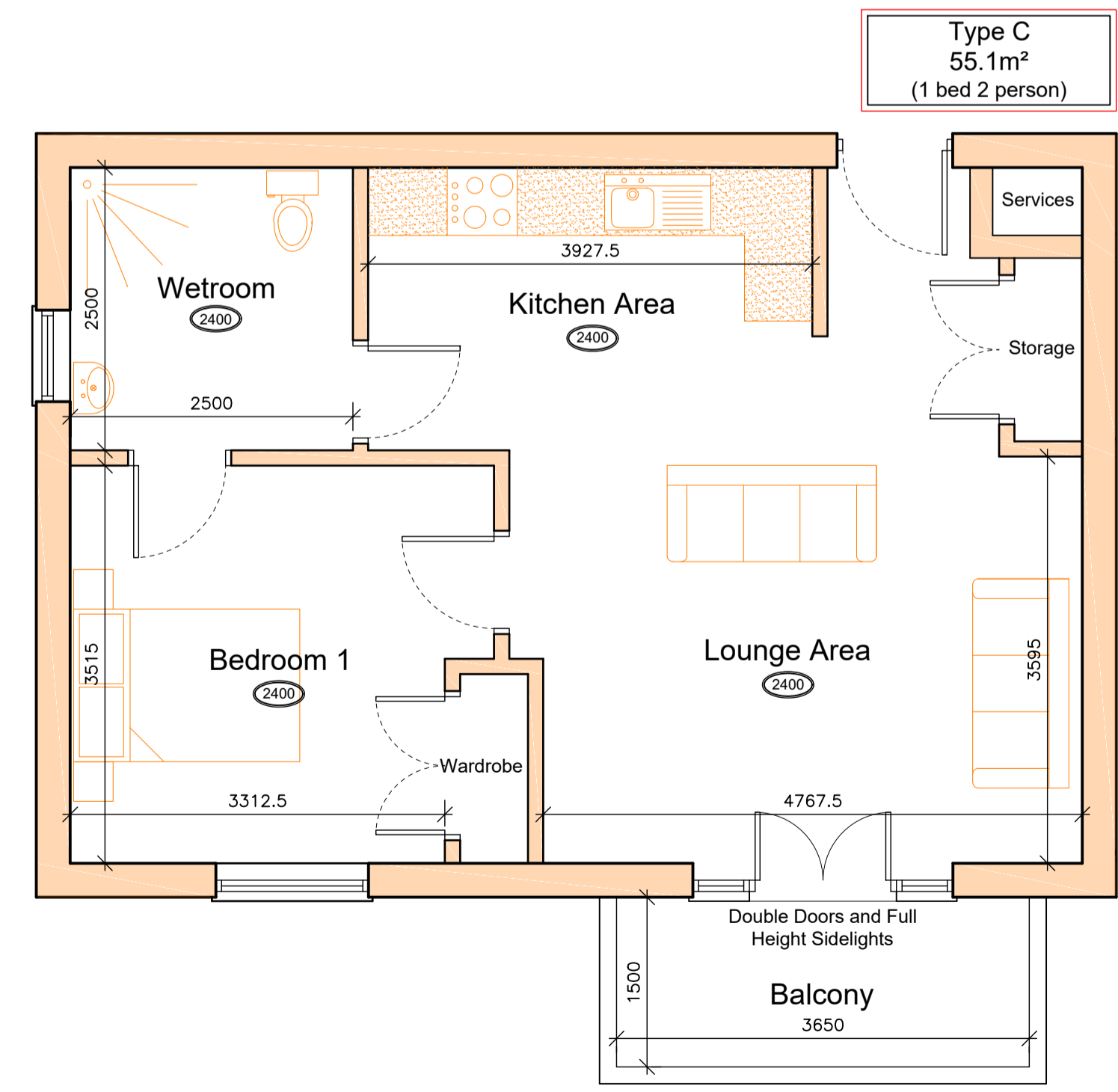
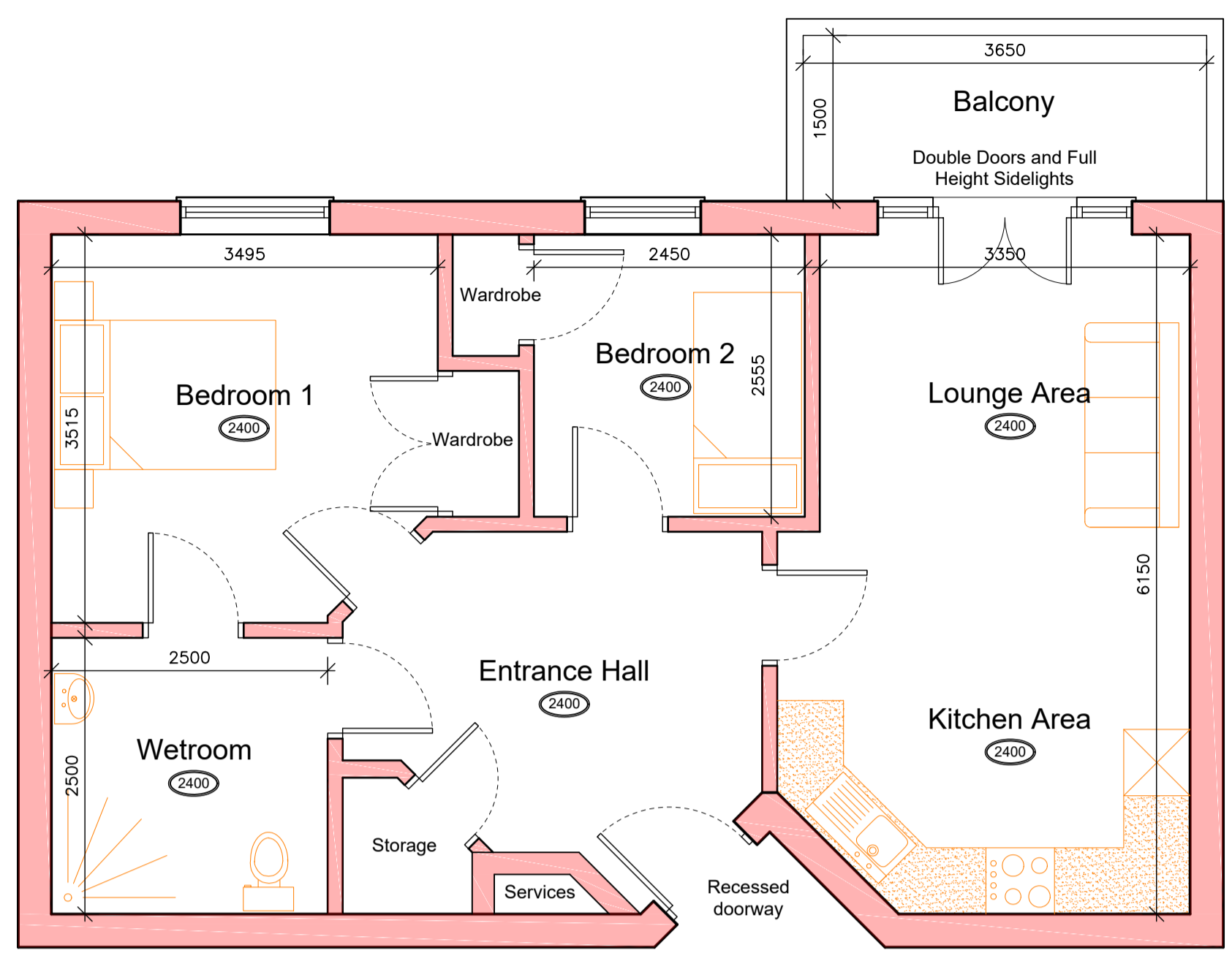
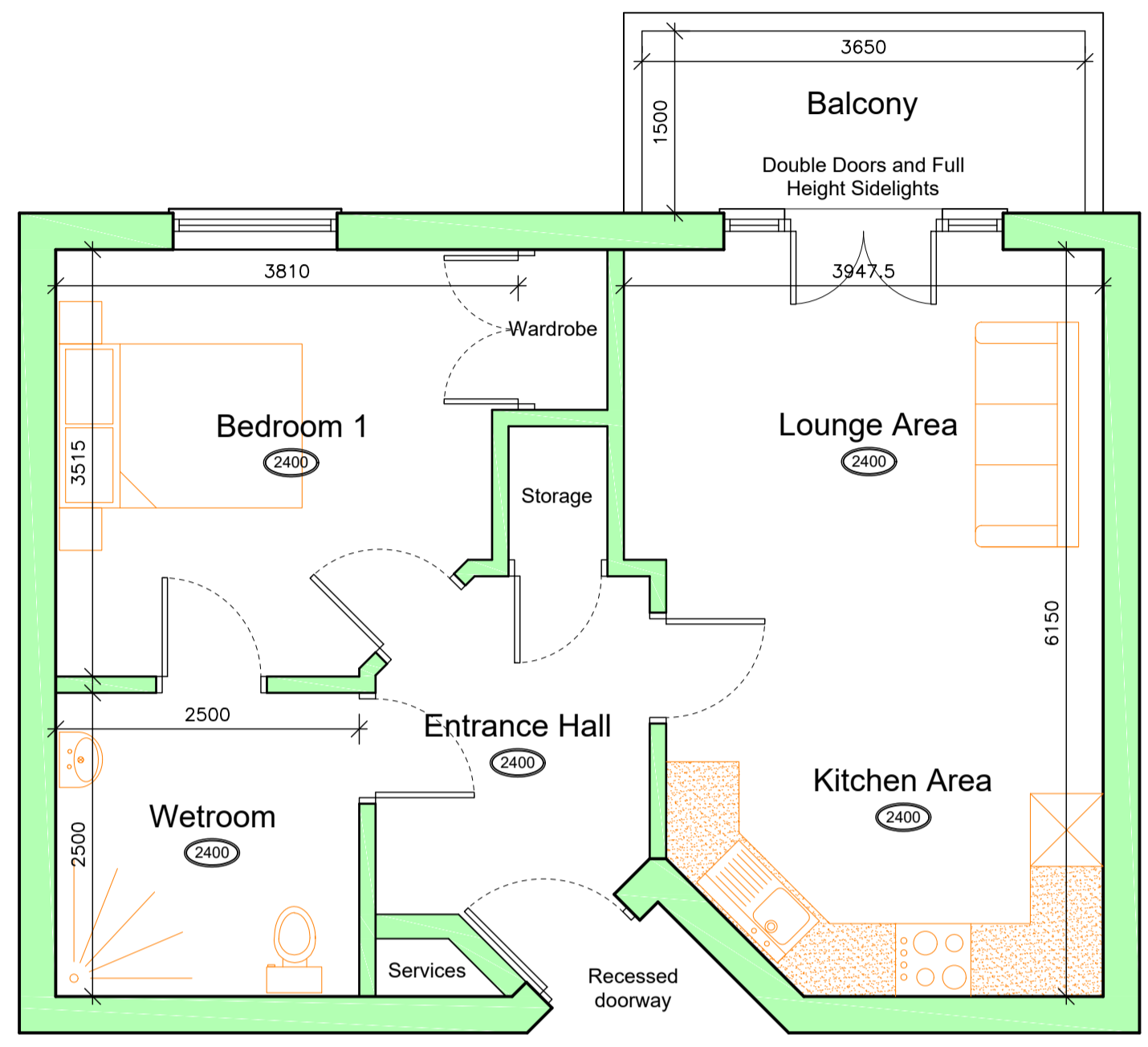
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SITE ADDRESS: Former Highways Depot The Hoplands Sleaford Lincolnshire NG34 7LZ	DATE: November 2020
DRAWING TITLE: Extra Care Building Proposed First Floor Plan	SCALE: 1:150 / 1:50
	REVISION: -

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NKDC - Drawing Control			
Date Issued	09-12-2020	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only	

Revision	Description	Date



Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS:
Proposed Residential Development

DRAWING NO.:
PM75-06

SITE ADDRESS:
Former Highways Depot
The Hoplands
Sleaford
Lincolnshire
NG34 7LZ

DATE:
November 2020

SCALE:
1:150 / 1:50

DRAWING TITLE:
Extra Care Building
Proposed Second Floor Plan

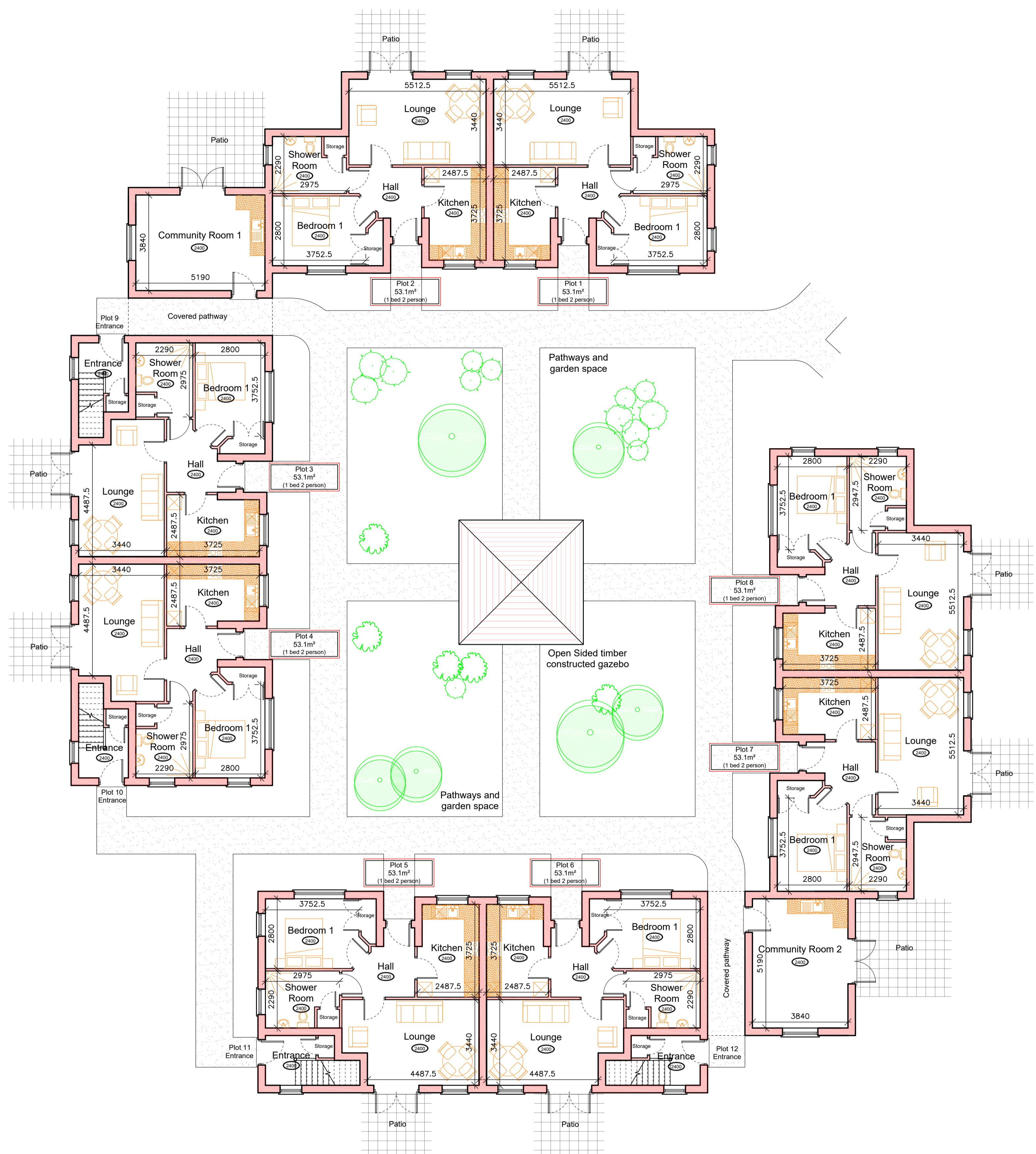
REVISION:
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PROPOSED GROUND FLOOR PLANS
SCALE 1:100

NKDC - Drawing Control			
Date Issued	09-12-2020	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only	

Revision	Description	Date



Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS: Proposed Residential Development
DRAWING NO: PM75-07

SITE ADDRESS: Former Highways Depot, The Hoplands, Sleaford, Lincolnshire, NG34 7LZ
DATE: November 2020

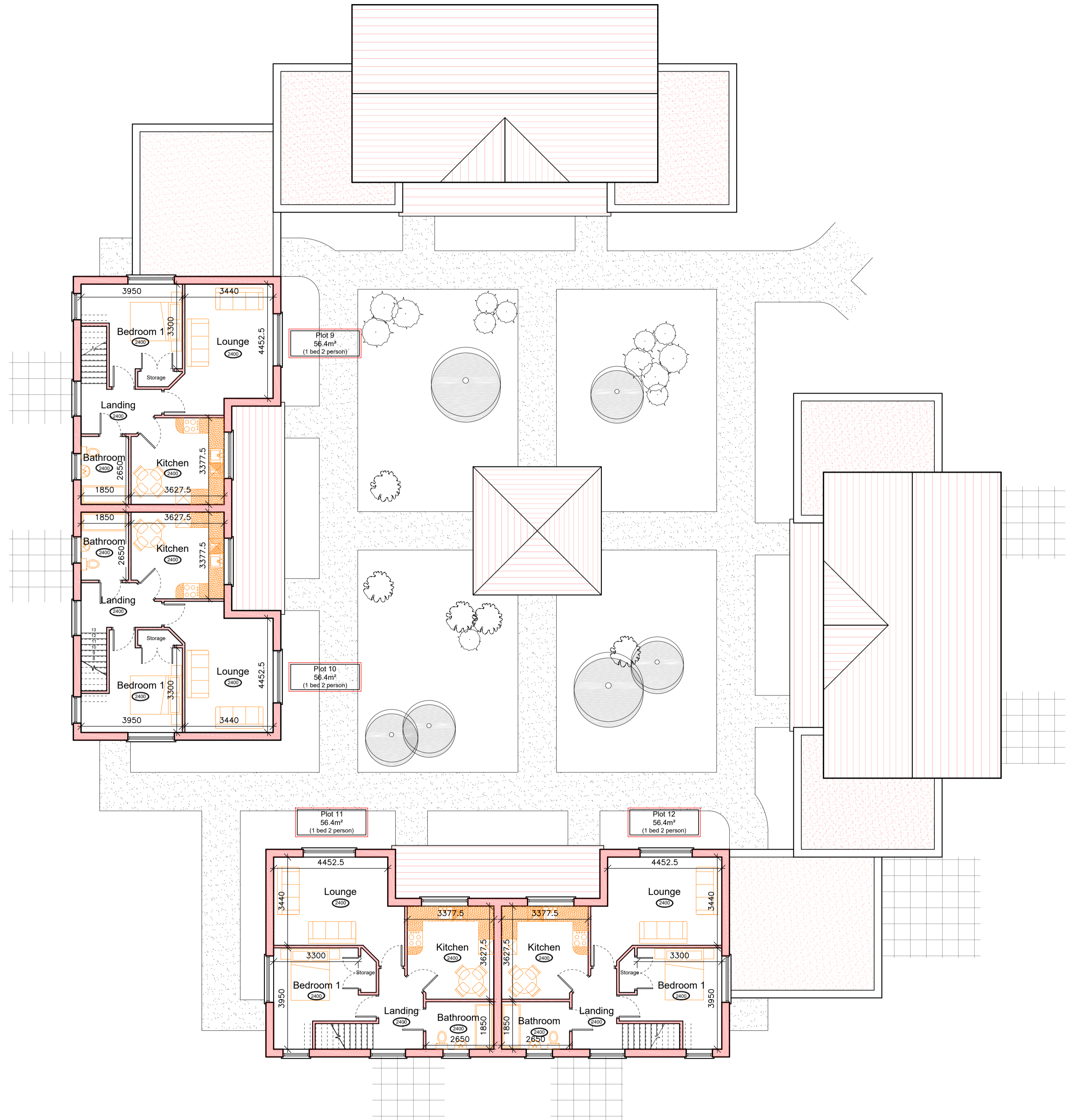
SCALE: 1:100

DRAWING TITLE: Working Age Adults Accommodation
REVISION: Proposed Ground Floor Plans

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Under Regulation 9 of the Construction (Design & Management) Regulations 2015, Designers are required to include the identification and elimination, so far as is reasonably practicable, of foreseeable risks to the health or safety of any person carrying out or liable to be affected by construction work; maintaining or cleaning a structure; or using a structure designed as a workplace. Where it is not possible to eliminate these risks, the designer must, so far as is reasonably practicable take steps to reduce or, if that is not possible, control the risks through the subsequent design process.

All risks associated with the development and evolution of the design detailed can be found within the Designers Risk Assessments document.



PROPOSED FIRST FLOOR PLANS
SCALE 1:100

NKDC - Drawing Control			
Date Issued	09-12-2020	Issued By	SDR
Issue Status	A	Approved For Construction	
	B	Approved But Awaiting Revision	
	C	For Comments / Information Only	✓

Revision	Description	Date

North Kesteven DISTRICT COUNCIL
Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS: Proposed Residential Development
DRAWING NO: PM75-08
SITE ADDRESS: Former Highways Depot, The Hoplands, Sleaford, Lincolnshire, NG34 7LZ
DATE: November 2020
SCALE: 1:100
DRAWING TITLE: Working Age Adults Accommodation
REVISION: Proposed First Floor Plans

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All risks associated with the development and evolution of the design detailed can be found within the Designers Risk Assessments document.

1.117 Ha allocated to Extra Care, Working Age Adult Accommodation and access road

Comprehensive existing screening

Railway Line

- 40x 1&2 Bedroom Flats
- 12x Working Age Adults Flats
- Public Open Space (0.137 Ha)
- Future Residential Development Space (0.467 Ha)

0.137 Ha allocated to Public Open Space

Extra Care

29 One Bed 2 Person Flats (55m ²)	= 1595m ²
11 Two Bed 3 Person Flats (65m ²)	= 715m ²
Communal / Service / Circulation Space	= 1611m ²
Total	40 Extra Care Flats = 3921m²

Working Age Adults Accommodation

12 One Bed 2 person Flats (55m ²)	= 660m ²
Communal / Service / Circulation Space	= 65m ²
Total	= 725m²

Total Development
52 Properties

Revision	Description	Date
A	Site Plan Changed	05-06-18
B	Site Plan Changed	26-06-18
C	Site Plan Changed	23-07-18
D	Site Plan Changed	13-09-18
E	Site Plan Changed	10-03-19
F	Site Plan Changed	07-10-20

North Kesteven DISTRICT COUNCIL
Council Offices Kesteven Street Sleaford
Lincolnshire NG34 7EF

PROJECT DETAILS: Proposed Residential Development
DRAWING NO.: PM75-03
SITE ADDRESS: Former Highways Depot, The Hoplands, Sleaford, Lincolnshire, NG34 7LZ
DATE: October 2015
SCALE: 1:500
DRAWING TITLE: Proposed Site Layout Plan
REVISION: F



SITE LAYOUT PLAN
SCALE 1:500

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The health and social care cost-benefits of housing for older people

A note for Lincolnshire County Council

MAY 2019

Housing Learning and Improvement Network

Introduction

This note outlines the evidence for the health and social care benefits, and specifically cost-benefits, of housing for older people, particularly extra care housing. Overall there is reasonably strong evidence to suggest that housing for older people, particularly extra care housing, provide significant cost-benefits to the NHS and local authority adult social care.

- There is reasonably strong evidence that extra care housing residents **visit a GP less frequently**, most likely due to the support from on-site care staff and the resident community in general.
- There is evidence to suggest that extra care housing residents require **fewer community nurse visits**, for similar reasons as GP visits.
- There is evidence that specialist housing for older people can **reduce the number of ambulance callouts**, particularly in response to **falls** at home, due to the property being better designed and adapted to meet the needs of older people and regular contact with staff and other residents.
- There is reasonably strong evidence that the duration of **unplanned hospital stays** is **shorter** on average for those living in extra care housing. There is also some evidence that living in specialist housing for older people **reduces the frequency of unplanned admissions** overall. Communities where homes are accessible, care support is readily available and existing care needs are understood influence positively these cost-benefits.
- Extra care housing can be viewed as a **preventative alternative** to residential care for many people.
- Those living in extra care housing are **less likely to enter long-term care**, compared to those living in the community in receipt of home care.
- There is strong evidence that residents of specialist housing for older people have **improved wellbeing and quality of life**, including:
 - Reduced loneliness
 - Improved psychological well-being, mental health and memory
 - Higher feelings of autonomy and security
- Overall, the evidence indicates that one older person living in extra care housing generates health and social care cost-benefits of **£2,441 per annum**, not including some savings that are difficult to reduce to a per-person figure due to the nature of the evidence.
- In summary, there is a strong argument for providing more specialist housing for older people, particularly extra care housing, on the basis of the significant cost-benefits that it provides to the NHS and local authority adult social care.

Summary: the health and social care cost-benefits of older people's housing

A review of secondary evidence undertaken by the Housing LIN for a private client indicates that there is a growing body of evidence pointing to the potential health and social care cost-benefits provided by older people's housing, and extra care housing in particular. It is reasonable to conclude that the benefits are in summary:

NHS cost-benefits and savings:

- Fewer GP visits.
- Fewer community nurse appointments.
- Fewer ambulance call-outs.
- Fewer and shorter unplanned hospital admissions.

Savings compared to residential care:

- Delayed moves to a residential or nursing care setting.
- Lower overall health costs.

Reduced care needs/reduced growth in care needs:

- Less costly social care packages (especially for those with higher care needs).

Improved outcomes for individuals:

- Increased sense of autonomy and security.
- Fewer falls.
- Reduced loneliness and depression.
- Higher perceived mental health and quality of life.
- Lower death rate in the period following moving in.

From the evidence reviewed, the specific cost-benefits have been calculated. Table 1 shows financial estimates of potential cost-benefits from extra care housing, drawn from a review of available secondary evidence.

Table 1. Cost-benefits/savings from use of extra care housing.

Area of cost-benefit/savings	Cost benefit/saving (per extra care housing resident per year)
GP visits	£144.78
Community nurse visits	£362.55
Non-elective admissions to hospital	£624.11
Delayed Transfer of Care 'days'	£465.30
Falls	£380.00
Reduction in the number of hours in domiciliary care packages	£427.98
Reduced loneliness	£36.30
TOTAL	£2,441.02

This evidence indicates that an older person living in extra care housing generates health and social care cost-benefits of £2,441 per annum.

Housing with Care Feasibility Model

Appendix D

Project Name: East Lindsey District Council

Local Authority Partner : Lincolnshire County Council

	No of Units	SU Per Unit
Number of OP Properties	40	1

LCC Inflation	2%
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Local Authority Contribution	£2,650,000.00	
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Performance Indicators	Target	Actual
Lincolnshire County Council Payback Year	5	18

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Financial Summary

Financial Outputs dependent upon assumptions:		
Projected cost of extra care to LCC ASC	£	372,573
Current cost of provision to be reprovided	£	516,688
Projected Loss of income due to reprovion	(£	17,055)
These figures together produce:		
Net saving to LCC ASC	£	-127,060
Saving per residential diversion	£	-3,176

Negative figure is a saving

Negative figure is a saving

Assumptions including Activity Outputs and finance outputs already summarised above

	Fixed	Variable per individual	Total all units
Hours per week as part of 24 hour cover	168		
Number of tenancy units	40		
Agreed Occupancy Support (Block)		0.5	20
Care planned share (Day Time)			148
Number of residents per property - tenants			40
Tenants - Number low care needs		33%	13
Tenants - Number medium care needs		33%	13
Tenants - Number high care needs		34%	14
Average hours low care needs		5.00	65
Average hours medium care needs		7.50	98
Average hours high care needs		20.00	280
Total care planned hours			443
Of which part of block			148
Hours bought in addition to block			295

Facility Care Service Unit Price

Assumed hourly rate - day block		£	15.45
Assumed hourly rate day spot		£	15.45

Cost to LCC ASC - Block		£	135,335
Cost to LCC ASC - Spot		£	237,238
Projected Total Cost to LCC ASC		£	372,573

Projected cost to LCC ASC		£	372,573
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Replacement of existing care provision

Residents with low and medium care needs			
Day hours for residents with low care needs		65	
Current cost per hour existing provision	£	15.45	
			£ 52,362
Day hours for residents with medium care needs		98	
Current cost per hour existing provision	£	15.45	
		45	£ 78,542

Residents with high care needs			
Number of residents with high care needs		14	
Calculated cost of residential place			£ 385,784
Average residential cost	£	27,556	

Current cost of provision to be reprovided		£	516,688
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Income change for residential diversions

Number of residents with high care needs		14	
Current expected residential income from assessed charges		-£	48,674
Expected income from diversion to home support		-£	31,618

**Assumes income change from low & medium will be cost neutral*

Projected Loss of income		(£	17,055)
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Net saving to LCC ASC		£	-127,060
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Saving per residential diversion		£	-3,176
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Residential Support Calculations

Average Expected Cost		£528.50
Income %		30%
Gross Cost	£	385,784
Income	£	-115,889
% Proportion of SU Paying Contribution		42%
Total Income	£	-48,674

Homecare Support Calculations

Hourly rate	£	15.45
Number of hours		28
Annual cost	£	22,556
Average income		24%
Total Income	£	-5,377
% Proportion of SU Paying Contribution		42%

Grey Cell = not active

Green cell = formula do not overtype

Clear cell = assumption you can amend

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LCC Initial Investment
£2,650,000.00

Year	Revenue Savings	Cumulative Savings	Repayment Year
1	127,059.87	127,059.87	
2	129,601.07	256,660.94	
3	132,193.09	388,854.03	
4	134,836.95	523,690.98	
5	137,533.69	661,224.67	
6	140,284.36	801,509.04	
7	143,090.05	944,599.09	
8	145,951.85	1,090,550.94	
9	148,870.89	1,239,421.83	
10	151,848.31	1,391,270.14	
11	154,885.27	1,546,155.42	
12	157,982.98	1,704,138.40	
13	161,142.64	1,865,281.04	
14	164,365.49	2,029,646.53	
15	167,652.80	2,197,299.33	
16	171,005.86	2,368,305.19	
17	174,425.98	2,542,731.16	
18	177,914.49	2,720,645.66	18
19	181,472.78	2,902,118.44	
20	185,102.24	3,087,220.68	
21	188,804.29	3,276,024.97	
22	192,580.37	3,468,605.34	
23	196,431.98	3,665,037.32	
24	200,360.62	3,865,397.94	
25	204,367.83	4,069,765.77	
26	208,455.19	4,278,220.95	
27	212,624.29	4,490,845.24	
28	216,876.78	4,707,722.02	
29	221,214.31	4,928,936.33	
30	225,638.60	5,154,574.93	
31	230,151.37	5,384,726.30	
32	234,754.40	5,619,480.70	
33	239,449.49	5,858,930.18	
34	244,238.48	6,103,168.66	
35	249,123.24	6,352,291.90	
36	254,105.71	6,606,397.61	
37	259,187.82	6,865,585.44	
38	264,371.58	7,129,957.02	
39	269,659.01	7,399,616.03	
40	275,052.19	7,674,668.22	
			18

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REPORT AND VALUATIONS

PROPERTY:

**The Former Highways Depot, The Hoplands,
Sleaford, Lincolnshire NG34 7LZ**

PREPARED FOR:

**Mr Rob Butler
Kier Specialist Services
County Offices
Newland
Lincoln
LN1 1YL**

DATE OF VALUATION:

5 November 2020

CUSTOMER:

Lincolnshire County Council

PREPARED BY:

James R Butcher BSc (Hons) MRICS

EXECUTIVE SUMMARY

ADDRESS	The Former Highways Depot, The Hoplands, Sleaford, Lincolnshire NG34 7LZ	
LOCATION	Established residential location to the east of Sleaford town centre	
DESCRIPTION	Cleared development site – to be developed with a mix of private and extra car housing	
SITE AREA	Approximately 1.80 hectares (4.44 acres)	
TENURE	Freehold	
VALUATION	Market Value – Red Land - to be transferred to NKDC	£650,000 (Six Hundred and Fifty Thousand pounds)
	Market Value – Blue Land – to be transferred to Lafford Homes	£250,000 (Two Hundred and Fifty Thousand pounds)

CONTENTS

EXECUTIVE SUMMARY

1.0	Instructions.....	1
2.0	Basis of Value	2
3.0	Subject of the Valuation.....	2
4.0	Type and Classification	2
5.0	Location	2
6.0	Description	2
7.0	Accommodation.....	3
8.0	Tenure.....	3
9.0	Services	3
10.0	Rating.....	3
11.0	Planning and Statutory Enquiries	3
12.0	Environmental Considerations.....	4
13.0	General Market.....	5
15.0	Valuation Consideration and Analysis	7
16.0	Valuation	8
17.0	Confidentiality.....	8

APPENDICES

1. Client Instructions / Terms of Engagement
2. Location / Site Plan
3. Site layout Plan
4. Photographs

20 November 2020

JRB/YL/10101 (V1)

Mr Rob Butler
Kier Specialist Services
County Offices
Newland
Lincoln
LN1 1YL

Email: Rob.Butlet@kier.co.uk

Dear Mr Butler

Property: The Former Highways Depot, The Hoplands, Sleaford, Lincolnshire NG34 7LZ
Customer: Lincolnshire County Council

1.0 Instructions

In accordance with your recent instructions dated 12 October 2020, we have now inspected the above site and have made all of the relevant enquiries in order to provide you with our opinion of the current Market Value of the Freehold The Former Highways Depot, The Hoplands, Sleaford, Lincolnshire NG34 7LZ.

We understand that the valuation is required for Disposal purposes and as requested by way of our instructions we have provided valuations of the separate parts of the site. Our Report and Valuations have been prepared in accordance with your instructions, our own standard Conditions of Engagement, copies of which are incorporated within Appendix 1 of this report, together with the requirements of the RICS Valuation Global Standards (which incorporate the International Valuation Standards) and the UK National Supplement.

The property was inspected by James R Butcher BSc (Hons) MRICS who is also an RICS Registered Valuer. The inspection took place on the 5 November 2020. The weather at the time of the inspection was sunny and dry.

The Valuer has knowledge of the particular market for this property and the skills and understanding to undertake the valuation competently. Banks Long & Co act as external Valuers and we are not aware of any previous material involvement in the property. We confirm that we are not aware of any conflict of interest or potential conflict of interest that may arise as a result of us undertaking this valuation on your behalf. Appropriate Professional Indemnity Insurance is available in respect of the service provided.

In arriving at our valuation we may have taken reliance on information provided by a third party. Where this is the case, it will be brought to the reader's attention. Whilst we will use reasonable endeavours to validate this information no warranties can be given as to its accuracy.

The valuation is prepared in pounds sterling (GBP).

The date of the valuation is 5 November 2020.

2.0 Basis of Value

Market Value as defined in VPS4 of the RICS Valuation Global Standards being:

“The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's-length transaction after proper marketing where the parties had each acted knowledgeably, prudently and without compulsion.”

3.0 Subject of the Valuation

The Former Highways Depot, The Hoplands, Sleaford, Lincolnshire NG34 7LZ.

4.0 Type and Classification

Freehold development site situated in an established residential location which is to be transferred to North Kesteven District Council and developed with a mix of private and extra care housing.

5.0 Location

The property is situated on the eastern side of Sleaford town centre on the north eastern edge of an established residential location, with its eastern border running parallel to the main railway line in to and out of Sleaford from the south east.

To the south and west are areas of established housing, to the north there are open fields running down to the River Slea and to the east of the railway line is Sleaford Town Football Club. The town centre is situated about half a mile to the north west.

Sleaford is a popular Lincolnshire Market Town and is the administrative/main commercial centre for the district of North Kesteven. The town has a population of circa 20,000 and enjoys good road links to the rest of the County and beyond, via the A17/A15 trunk roads that run along the north and western border of the town respectively. Lincoln is situated about 20 miles to the north and Peterborough a similar distance to the south.

Plans showing the location of the property in both a regional and local context are included in Appendix 2.

6.0 Description

The subject property comprises a predominately level and irregular shaped former highways depot site, which has been cleared, save as to a number of areas of concrete hard standing, ready for future development. We understand that the intention is that the site will be developed with a mix of specialist extra care and private/affordable housing, which will be developed by North Kesteven/Lafford Homes, the Council's own housing arm.

A site layout plan showing the anticipated proposals for the site are shown to the rear of this report at Appendix 3 and we have also incorporated within Appendix 4 photographs of the site as existing.

Vehicular access into the site is off The Hoplands, in its south western corner.

7.0 Accommodation

The approximate dimensions and area of the site, which have been scaled from the Ordnance Survey Plan, detail the site occupying an area of 1.8 hectares (4.44 acres).

8.0 Tenure

We understand the property is held Freehold by the County Council with the intention being to dispose of the property into two parts, to North Kesteven and Lafford Homes respectively, subject to vacant possession.

We have not inspected any documents of Title and for the purposes of this valuation we have assumed that the subject interest is unencumbered and free from any unduly onerous or unusual easements, restrictions, outgoings, covenants or Rights of Way. We have also assumed that it is not affected by any Local Authority proposals. We would however highlight that the property does not directly adjoin the public highway and access is therefore taken over a small strip of land off The Hoplands, which we understand to be owned by North Kesteven District Council. This does have implications from a Valuation perspective, for alternative uses to the former use as a Highways Depot, which we have gone into later in this report. We recommend that solicitors be instructed to verify the position in full, if this has not already been done.

We confirm that we have not yet had sight of the solicitor's Report on Title, however upon receipt of a copy, we would be pleased to separately confirm whether the content of this has an impact on the advice provided in this appraisal.

9.0 Services

We understand that all mains services are connected in the vicinity of the site although we have not made enquiries with respective service supply companies.

It should be noted that none of the services or appliances have been tested and no warranty can be given as to their condition or use.

10.0 Rating

Not applicable.

11.0 Planning and Statutory Enquiries

We have made enquiries of the Planning Department at North Kesteven District Council and understand that the property has a valid planning consent for its former use as a Highways Depot. There are currently no outstanding applications or consents made with respect to the subject site. The former use of the site as a highways depot will have fallen within Use Class B2 (Industrial) and B8 (Storage or Distribution) of the Town and Country Planning (Use Classes) Order 1987 (amended

2020). We further understand that the site is not Listed and is not situated within a Conservation Area.

We further understand that the proposed residential use of the site is likely to be looked at favourably by the Local Planning Authority and we have reflected this in our valuations.

We have made enquiries of the Highways Department at Lincolnshire County Council and it has been confirmed that The Hoplands is an adopted highway maintainable at public expense.

In England and Wales the Government has implemented the Energy Performance of Buildings Directive requiring Energy Performance Certificates (EPC) to be made available for all properties (with limited exceptions), residential and commercial when bought, sold or rented. The Certificate is valid for ten years and includes an Energy Efficiency Rating between A (Most Efficient) and G.

We have not been provided with an up to date EPC rating for this property, which is expected as it is a cleared site.

The Energy Act 2011 applies to both residential and commercial property and stipulates that properties with an energy efficiency rating falling in bands F and G of the Energy Performance Certificate (EPC) are no longer permitted to be let, as of April 2018, without improvement works being undertaken. There may be an adverse impact on the value of these properties that do not meet the minimum standards, together with their marketability.

12.0 Environmental Considerations

We have not been instructed to make any investigations in relation to the presence or potential presence of contamination in land or buildings, and to assume that if investigations were to be made, then nothing would be discovered sufficient to affect value.

Our brief enquiries have provided no evidence that there is a significant risk of contamination affecting the property or neighbouring property which would affect our valuation. We would stress, however, that we have not carried out, nor are we qualified to carry out an environmental audit. Our comments therefore, should be used as a guide only and should not be relied upon. If you require confirmation of the position then we strongly recommend that an initial environmental audit is carried out. Our inspections were only of a limited visual nature and we cannot give any assurances that previous uses on-site or in the surrounding areas have not contaminated sub-soils or ground waters. In the event of contamination being discovered, then further specialist advice should be obtained.

We have detected no evidence to suggest that further deleterious or hazardous materials or techniques have been used in the construction or subsequent modification of the building.

At the time of the inspection we did not identify any invasive plant or shrub species. Should it be established that they are apparent on the subject property, or any neighbouring land or boundaries, we would reserve the right to re-inspect or revise the report as this may adversely affect the valuation.

We have made enquiries of the Environment Agency website, which identifies the property at postcode NG34 7LZ as being in an area that has a very low chance of flooding from rivers and seas. The chance of flooding in this location is detailed as less than 0.1%. Enquiries into the risk of surface water flooding reveal that the area has a low chance of flooding. The chance of flooding from surface water each year is detailed as between 0.1% and 1%.

The Public Health England (PHE) website has identified that the property is situated in an area where between 1% and 3% of properties are at or above the radon gas action level. Further advice should be taken to establish whether action is required on this property, although we do not consider this is appropriate in this instance.

We have also referred to the Public Health England website for further information on Environmental matters. From our informal enquiries, there is no indication that the site or its immediate locality:

- is on or near landfills
- is located within a mining area
- is in an area that has been identified as having a risk of subsidence or landslip
- is subject to water or land pollution
- has been used for the manufacture, storage or sale of hazardous/toxic materials such as chemicals, petroleum products, pesticides, fertilisers, acids, asbestos, explosives, paint or radioactive materials
- is close to incinerators or chimneys giving off heavy emissions

13.0 General Market

The subject property comprises a large irregular level parcel of land in line with the outskirts of Sleaford town centre running parallel to the railway line running between Sleaford and Spalding. The surrounding area is a mix of open countryside and to the south and west established residential areas.

The latest UK Commercial Property Market Survey conducted by the RICS pointed to further deterioration in the market conditions over Q2 2020 as the economic fallout from the Global Pandemic continues to take its toll on demand across both occupier and investment markets.

The decline in tenant demand has been most pronounced within the retail and office sectors, with the near term outlook for rents being the poorest since 2008. Many businesses are looking to scale back their office space requirements over the next 2 years, on account of the increase in home working during the pandemic. The retail sector had already been experiencing structural challenges for some years due to the shift towards online shopping, which has been further exacerbated during the pandemic. Consequently, the availability of space is expected to continue to grow as well as the availability and size of incentive packages. On the back of this, twelve-month capital value expectations are firmly negative for both prime and secondary retail and office units.

Over the first half of 2020 commercial property investment totalled £13.8 billion pounds. This represents a 34% reduction on the equivalent period in 2019. Whilst confidence in the economy and markets has undoubtedly had some impact, this has primarily been due to the practicality and logistics of lockdown measures which were imposed. Since the lockdown restrictions have been eased, there have been encouraging initial signs within the transactional market. There is a risk however that persistent uncertainty around the continuing health risks from Covid-19 and the steps imposed by the Government to counter these, could hold back a recovery in consumer spending in the coming months, which in turn will have an impact on the wider economy and in turn the property market particularly within those sectors already under pressure.

The industrial and logistics sector has been the least effected by the pandemic, with prime industrial capital values posting marginal gains for the year ahead. At a regional level the picture for capital values mirror the expectations for rental values with industrial values expected to grow modestly in

all parts of the UK, retail and offices values to fall across the whole country. The outlook for secondary industrial values appears strongest in the south and midland regions.

From a residential perspective the latest house price index (October 2020) from Nationwide shows that UK house price growth rose as the housing market recovery continues. House prices rose 0.8% in October, after an increase in September of 0.9%. Prices are now 5.8% higher than at the same time last year. The average house price in the country is now £226,129.

House prices have now reversed the losses recorded in May and June and are now at a new all-time high. The bounce back in prices reflects the unexpectedly rapid recovery in housing market activity since the easing of lockdown restrictions. These trends look set to continue in the near term, further boosted by the stamp duty holiday. However, most forecasters expect labour market conditions to weaken significantly in the quarters ahead as a result of the after effects of the Pandemic and as Government support scheme wind down.

Prospects for house prices will depend on developments in the wider economy and the ability to recover from the COVID-19 pandemic, over the next 12 months, and in what form our new relationship with the EU will take over the coming years, once the 'transition period' expires at the end of 2020.

To reduce the effects of the pandemic the Bank of England Monetary Policy Committee lowered interest rates to 0.1% on 19 March 2020, the lowest base rate on record and in order to enable businesses and households to get through the economic uncertainty created by the pandemic, rates are expected to remain at these historically low levels for the foreseeable future.

The past decade, initially saw a marked decline in home ownership rates amongst young adults. Traditionally this sector contained the most first time buyers, however in recent years there has been a recovery in this sector with first time buyer transactions, now broadly in line with pre-crisis levels. The improvement in credit availability (including the introduction of schemes such as Help to Buy), historically low interest rates (especially on fixed rates deals) and a steady improvement in labour market conditions over recent years, have all helped boost activity.

Demand within the private rented sector remains strong, however in recent years Stamp Duty changes and changes to the tax deductibility of Landlord's expenses introduced will affect investor demand in the years ahead, although there was a peak in activity prior to their implementation. It will also be difficult to gauge how sentiment from overseas buyers, particularly in London, will be impacted by increased economic uncertainty and the sharp decline in Sterling which, if sustained, reduces the cost of UK property in foreign currency terms. These concerns had prompted the Bank of England's Monetary Policy Committee (MPC) to implement a range of stimulus measures at the start of August 2016, which will provide support to economic activity and the housing market. Although these measures have now ended, the MPC are unlikely to reverse these measures if interest rates rise.

The decision in the Budget to abolish Stamp Duty for first time buyers, within certain criteria, is only likely to have a modest impact on overall demand. In most regions, first time buyers already paid little or no Stamp Duty.

We would expect that in the event that the site was to be offered to the open market, then provided the access issues could be resolved with North Kesteven District Council, then in our view the site would generate interest from the private sector for continuation of the existing industrial use and also potentially for some form of residential development.

15.0 Valuation Consideration and Analysis

In accordance with our instructions, we have assessed the market value of the site in two parts, reflecting the proposed transfer to North Kesteven District Council and Lafford Homes respectively.

Dealing first with the land to be transferred to North Kesteven District Council. We understand the intention is it will be developed out to provide an extra care housing scheme of 52 units. In order to arrive at a valuation for this site we have adopted a residual land valuation approach, under which we have valued the two bed plots at £25,000 per plot and the one bed plots at £20,000 per plot, to give a gross site value of £1,095,000.

The second smaller site to be transferred to Lafford Homes extends we understand to 1.16 acres so based on a density of 15 units per acre, the site will accommodate around 17 units. Based on affordable plot values, we've adopted £25,000 for each plot to arrive at a gross land value of £425,000. We have then deducted from these 2 gross site values, utility servicing costs of £2,500 per unit, which reduces the overall gross site values by the sum of £170,500. We have then deducted from the gross site values the cost of constructing the access road into the site, which we have assumed is to be an adopted highway due to the density of development. We have assumed the cost of this to be around £1,750 per liner meter, which based on the length of road of around 150 meters, provides for a cost for the construction of the roadway of £262,500. This has then been apportioned between the three sites based on the respective site areas and provides for further reductions in the gross land values of £151,734 from the land to be transferred to NKDC, £71,315 for the land to be transferred to Lafford Homes and finally £39,451 for the public open space.

Based on these various reductions, we have arrived at the net market value for each of the sites of £815,000 and £310,000 respectively. However there is a ransom access strip to consider in our valuations, which is owned by North Kesteven District Council. This therefore needs to be reflected in the calculation of the market values, as taking the proposed transfers out of the equation, and assuming a hypothetical disposal scenario, NKDC would still require payment in order to utilize the access into the land to permit development on it. We understand from the legal advice the Council have taken, that a continuation of the former use would be permitted under the existing access arrangements, as rights have been acquired by prescription for this purpose over many years, however a formal agreement would need to be reached with NKDC in the event of the land being used for any other high value use – such as the residential use now proposed.

In order to assess the value of this access strip, we have considered the value of the land on the basis of a continuation of existing use, which as stated above, we understand can be continued, without a further payment as the rights for this use have been acquired by prescription over many years. We have then compared this against the value of the land for more valuable residential uses, which are being proposed and we understand is likely to be approved in planning terms, to arrive at an uplift in value between the 2 uses/

Based on industrial land values in Sleaford we would value the land for continuation of the existing industrial use at around £100,000 per acre which produces a site value for this use of £450,000. The total value of the site for a residential based scheme proposed will be £1,125,000 and therefore the uplift in value is £675,000.

Applying the ruling in *Stokes V Cambridge*, which gives the owner of an access a right to claim a third of the uplift in value, between the value of the site with the access and the value of the site without it, would see NKDC as the owner of the access strip be entitled to 1/3 of £675,000, equating to £225,000.

This will therefore need to be deducted from the Market Values set out above for the purpose of this exercise, which means that apportioning this payment based on the Market Values above, gives the following net site values to NKDC as follows:

NKDC Red Land - £650,000

Lafford Blue Land - £250,000

16.0 Valuation

Market Value – Red Edged Land – To be transferred to North Kesteven District Council

We are of the opinion that the Market Value of the Freehold interest of the site as at the 5 November 2020, subject to vacant possession and reflecting the existence of a ransom strip in favour of North Kesteven District Council, as described above for Disposal purposes, is:

£650,000

(Six Hundred and Fifty Thousand pounds)

Market Value – Blue Edged Land – To be transferred to Lafford Homes

£250,000

(Two Hundred and Fifty Thousand pounds)

Taking into account the evidence set out, for valuation purposes we have adopted the market approach using the comparable and residual land methods. We do not foresee any substantial increase in the value of the property other than as a result of any general improvement in market conditions. We do not consider that there is likely to be any significant decrease in the valuation figure stipulated provided that current market conditions prevail and significant contamination is identified on the site at some later date.

We do not consider that there are any environmental or contamination issues at the property or on adjoining land which would materially affect our valuation figures.

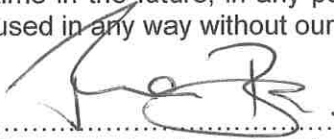
We do not consider that there is any Hope, Marriage or Special Purchaser Value attached to the property now, or likely to arise in the future.

We can confirm that our Firm carries current Professional Indemnity Insurance of £5,000,000 for any one claim plus legal fees. There is an excess of £10,000 for each and every claim.

17.0 Confidentiality

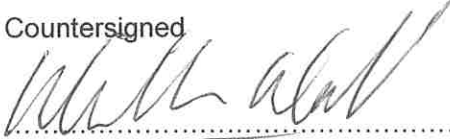
In accordance with the recommendations of the RICS, we would state that this report is provided solely for the purposes stated above. It is confidential to and for the use only of the party to whom it is addressed and no responsibility whatsoever is accepted to any third party for the whole of any part of its contents. Any such parties rely upon this report at their own risk.

Neither the whole nor any part of this report or any reference to it may be included now, or at any time in the future, in any published document, circular or statement, nor published, referred to or used in any way without our written approval of the form and context in which it may appear.



.....
James R Butcher BSc (Hons) MRICS
RICS Number: 0844159

Countersigned



.....
William Wall BSc (Hons) MRICS
RICS Number: 1100653

For and on behalf of Banks Long & Co

Date 20th November 2020

APPENDIX 1

Standard Conditions of Engagement

CONDITIONS OF ENGAGEMENT Appraisal and/or Valuation Instructions

In accordance with formal procedures set out by the RICS Valuation Global Standards 2017 - including the International Valuation Standards ("The Red Book"), we confirm our Conditions of Engagement for the work undertaken on behalf of clients in connection with the preparation of formal Reports and Appraisals/Valuations for all types of commercial and residential property.

Purpose of Valuation or Appraisal	Each Report we provide to our clients will confirm the purpose of the Valuation or Appraisal. If there are special circumstances which require this to be confidential, then we will make appropriate assumptions which will be specified in our Report in order that clients can clearly see the way in which we have approached the Valuation or Appraisal.
Nature of Property Interest	Our Report will clearly confirm the interest in the property which is the subject of the Valuation or Appraisal, for example: freehold with vacant possession; freehold subject to a specified Lease; or a leasehold interest. With regard to any leasehold interest we will clearly confirm our summary of the principal terms and any assumptions which have been made where there is no formal Lease documentation available for our inspection.
Scope and Nature of Valuation	Our Report will clearly state whether or not we have valued or appraised a property on a "bricks and mortar" only basis or whether we have included fixtures, fittings, plant and/or machinery in our Valuation or Appraisal figures, being that present within the property at the date of our inspection. Unless otherwise stated, our Valuation or Appraisal of a property will normally exclude any element of value attributable to specialist trade fixtures, fittings and equipment and will not include any element of value attributable to any goodwill which may exist in connection with an established Business or Company occupying the property.
Basis of Valuation and Market Value (MV)	<p>We will confirm the basis of our Valuation or Appraisal figures provided and each Report will include (unless otherwise agreed) our opinion of the property's Market Value (MV). This is defined in the RICS Valuation Global Standards 2017 as:</p> <p>"The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's-length transaction after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."</p>
Valuation as an Operational Entity	With regard to certain properties, it may be appropriate to provide an opinion of Value on the basis of a fully equipped operational entity having regard to trading potential. This does not include a Valuation of the goodwill which is specific to a certain owning party and which would not pass with the property on a sale with vacant possession, but will take into account value which is attributable to the property for its ongoing business use inclusive of all trade fixtures, fittings, equipment, furnishings and/or floor coverings present within the property at the date of valuation. In such cases it will be assumed that any Justices/Statutory Licences, Certificates or other approvals which are required for the operation of the business from the property will for the foreseeable future be readily capable of renewal and that the property will for the foreseeable future continue to comply with all required Statutory Consents and Regulations. Any consumable stocks will, however, be excluded from any Valuation on this basis. No equipment or fixtures have been tested in respect of Electrical Equipment Regulations and Gas Safety Regulations and it is assumed that where appropriate all such equipment meets the necessary legislation. Unless otherwise specifically mentioned the valuation excludes any value attributable to plant and machinery.

<p>Depreciated Replacement Cost (DRC)</p>	<p>Certain properties of a specific and specialised nature will by definition be required to be valued on the basis of Depreciated Replacement Cost. This is defined in the RICS Valuation Global Standards 2017 as:</p> <p>"The current cost of replacing an asset with its modern equivalent asset less deductions for physical deterioration and all relevant forms of obsolescence and optimisation."</p> <p>DRC should not be confused with net current replacement cost as by definition it has been reduced to reflect the physical characteristics and factors affecting the specific property (such as age, condition, construction and nature of design). It is also specific to the particular building or buildings which comprise the property at the valuation date and should not be construed as an estimate to erect a building or buildings in the future.</p> <p>When providing an opinion of the DRC, we will qualify our valuation figure as being subject to the adequate potential profitability of the business compared with the value of the total assets employed. It will be for the Directors or Owners to decide if the business is sufficiently profitable to be able to carry the property in the balance sheet at the full DRC or whether some lower figure should be adopted. In the case of leasehold land, we will draw our client's attention to the amount of rent payable both in the present and (where foreseeable) future and any unusual or onerous covenants which could affect the Directors' or Owners' judgement on the adequacy of profits.</p> <p>In the case of specialised properties in public ownership or not occupied primarily for profit, where the test of adequate potential profitability is not available, we will confirm our opinion of DRC as being subject to the prospect and viability of the continuance of the occupation and use.</p> <p>As and when required we can confirm separately in further detail the specific assumptions and procedures adopted with regard to the land and buildings elements when confirming our opinion of DRC.</p>
<p>Market Rent (MR)</p>	<p>Where required we are able to provide our opinion of Market Rent (MR) and this is defined in the RICS Valuation Global Standards 2017 as:</p> <p>"The estimated amount for which an interest in real property should be leased on the valuation date between a willing lessor and a willing lessee on appropriate lease terms in an arm's-length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."</p> <p>MR will vary significantly according to the terms of the assumed lease contract. The appropriate lease terms will normally reflect current practice in the market in which the property is situated, although for certain purposes unusual terms may need to be stipulated. Matters such as the duration of the lease, the frequency of rent reviews, and the responsibilities of the parties for maintenance and outgoings, will all impact on Market Rent. In certain countries or states, statutory factors may either restrict the terms that may be agreed, or influence the impact of terms in the contract. These need to be taken into account where appropriate.</p>
<p>Reinstatement Valuation</p>	<p>If we have prepared a Reinstatement Valuation we will not have carried out a detailed cost appraisal and the figure should therefore be considered for guidance purposes only.</p>
<p>The Nature of Inspection</p>	<p>Unless otherwise specifically agreed, our inspection of the property will be undertaken externally from ground level only and internally from the main accommodation areas where accessible to us. If our internal or external inspections have been unduly restricted then this will be confirmed in our Report. For example, where a property is situated in a narrow street amongst other abutting or connecting buildings, it may not be possible to visually inspect all the walls and roof slopes as these may not be capable of being seen from the Public Highway or from within the curtilage of the property.</p> <p>Any other restrictions limiting our inspection of the property will be specifically referred to in our Report and where known prior to our inspection will have been agreed with our client.</p> <p>With regard to land considered suitable for development, we will assume that there are no onerous ground conditions and that normal construction methods relative to the proposed development can be used without any material increase in cost as a result of the condition of the land which is the subject of our Report and Valuation/Appraisal. We will not have undertaken any on-site ground condition tests and where appropriately accessible to us we will have only undertaken a visual surface inspection of the land and its immediate surroundings. If information on ground conditions and the resulting additional construction costs is made available to us by our instructing clients, then this will be appropriately referred to and reflected in our Valuation/Appraisal.</p> <p>Where a property is occupied and/or contains fixtures, fittings, trade equipment, stock, furnishings and/or floor coverings, the existence of such items and/or the property's occupation (where applicable) will restrict the nature of our internal inspection and we will confirm in our Report whether or not this has been the case.</p> <p>Unless specifically instructed to do so, we will not have undertaken a full Structural or Dilapidations Survey but will, subject to the limitations of our inspection, reflect the general apparent condition and state of repair of the property at the date of our inspection in our Appraisal or Valuation figures. In this regard, those parts of the property which are hidden, inaccessible or otherwise unexposed cannot be inspected and we would not therefore be able to reflect any defects in these areas in our Appraisal or Valuation figure(s).</p>

	<p>If a Structural or Dilapidations Survey is required then this can be provided by our in-house Chartered Building Surveyor and where required can be reflected in our valuation figure(s).</p>
Tenure, Lettings and Reports on Title and/or Tenancies	<p>Unless otherwise stated, we have not inspected the title deeds, leases and related legal documents and, unless otherwise disclosed to us, we have assumed that there are no onerous or restrictive covenants in the titles or leases which would affect the value.</p> <p>Where we have not been supplied with leases, unless we have been advised to the contract, we have assumed that all the leases are on a full repairing and insuring basis and that all rents are reviewed in an upwards direction only, at the intervals notified to us, to the full market value.</p> <p>We have assumed that no questions of doubt arise as to the interpretation of the provisions within the leases giving effect to the rent reviews.</p> <p>We have disregarded any inter-company lettings and have arrived at our valuations of such accommodation on the basis of vacant possession.</p> <p>If a solicitors' Report on Title and/or Tenancies has been provided to us, our valuation will have regard to the matters therein. In the event that a Report on Title and/or Tenancies is to be prepared, we recommend that a copy is provided to us in order that we may consider whether any of the matters therein have an effect upon our opinion of value.</p>
Environmental Matters and Contamination	<p>In each Report we will confirm our assumptions and/or qualifications with regard to environmental factors. A formal Environmental Assessment will not be provided or implied and this would only be available where separately commissioned. Our Report and Valuation/Appraisal will be provided on the assumption that there are no environmental or contamination issues which materially affect the value of the property as confirmed.</p> <p>Subject to the limitations of our inspection we will, however, draw to our client's attention any issues which give rise for concern and as a result of which it may be prudent to separately commission an environmental audit, land quality statement or similar environmental report prepared by a specialist advisor. Where such is required we reserve the right to vary our valuation figure(s), or where such is already available and forwarded to us we can (where applicable) reflect the contents of such specialist report in our Report and Valuation/Appraisal.</p>
Third Party Enquiries	<p>Where a client has specifically asked us to rely on certain information which limits the scope of our normal enquiries or inspection of the property then our valuation figures will be totally dependent on the adequacy and accuracy of the information supplied and/or the assumptions made and such will be specified in our Report.</p>
Date of Inspection and Conflicts of Interest	<p>Our Report will confirm the date of our inspection and the name and qualifications of the person who inspected the property. We will also confirm that such person has the necessary experience and expertise to value a property of this particular nature in the subject location. We will further confirm to the best of our knowledge that neither this firm nor the individual Valuer has any conflict of interest in the matter. All valuations will be prepared by a suitably qualified valuer as defined by Valuation Practice Statement 1 of the RICS Valuation Global Standards 2017.</p>
Date of Valuation	<p>Unless otherwise specifically stated, the assumed date of valuation will be the date of our inspection. Where instructed by our clients we can confirm a specific date of valuation and the assumptions which have been taken into account in this regard.</p>
Currency	<p>Unless otherwise specifically stated, all valuation figures will be confirmed in pounds sterling (GBP).</p>
Taxation	<p>Whilst we have had regard to the general effects of taxation on market value, we have not taken into account any liability for tax which may arise on a disposal, whether actual or notional, and neither have we made any deduction for Capital Gains Tax, Value Added Tax or any other tax.</p>
Descriptions and Area Calculations	<p>Subject to the limitations of our inspection, our Report will confirm an appropriate description of the property, commenting on its age, nature, use, accommodation, construction, general state of repair and condition, amenities and services.</p> <p>Subject to the limitations of our inspection, our Report will confirm a description of the locality in which the property is situated, commenting on the characteristics of the locality, neighbouring uses, availability of highway and other relevant communications, together with any other apparent matters affecting value.</p> <p>Our description of the property will include a summary schedule of the approximate floor areas of the main accommodation and comment on any specific areas of accommodation which are not accessible to us at the date of our inspection. Such schedules of accommodation will confirm the approximate area in square metres and in square feet. Where applicable we will also confirm an approximate calculation of the site area and site coverage of any buildings thereon.</p> <p>All measurements of land and buildings will be undertaken in accordance with the current edition of the RICS Code of Measuring Practice and any departures therefrom will be drawn to the attention of our client. With regard to site areas, we will confirm whether or not these have been calculated from on-site measurements or scaled from the Ordnance Survey or such other plans as are available to us.</p>

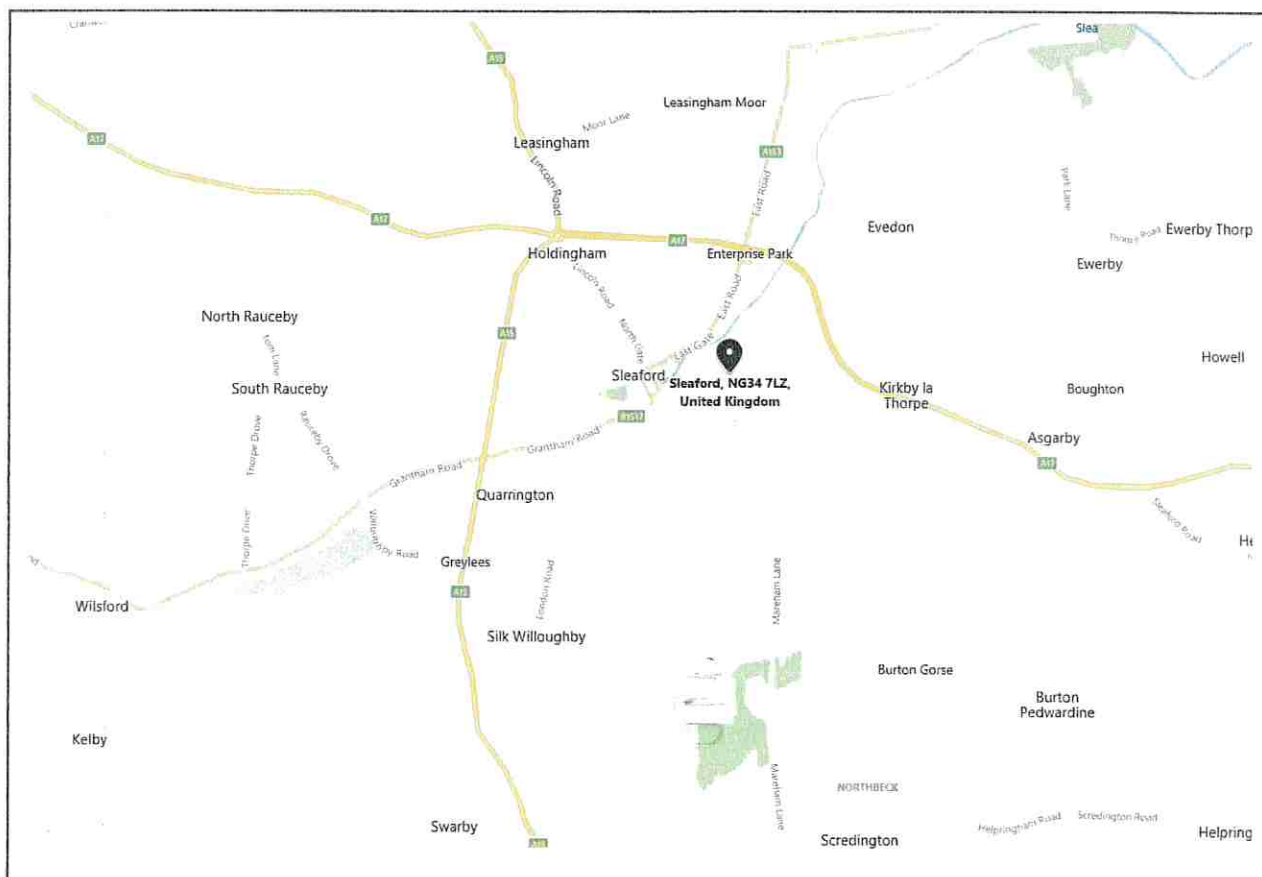
Local Authorities, Statutory Undertakers and Legal Searches	<p>We have not made any formal searches or enquiries in respect of the property and are therefore unable to accept any responsibility in this connection. We have, however, made informal enquiries of the local planning authority in whose areas the property is situated as to whether or not they are affected by planning proposals. We have not received a written reply and, accordingly, have had to rely upon information obtained verbally.</p> <p>We have assumed that all consents, licences and permissions including, inter alia, fire certificates, enabling the property to be put to the uses ascertained at the date of our inspection have been obtained and that there are no outstanding works or conditions required by lessors or statutory, local or other competent authorities.</p>
Utility Services	<p>We will confirm, subject to the limitations of our inspection, which mains utility services are connected to the property or, where appropriate, those which in our opinion are available for connection. However, unless specifically instructed, we cannot confirm the ongoing suitability of any existing or anticipated services or connections and will have assumed they are connected and/or available for the purposes of our valuation figures. Unless separately commissioned, no specific tests will be undertaken of the service installations within the property but, subject to the limitations of our visual surface only inspection, we will endeavour to draw to the attention of our clients any issues which give rise for concern to the extent that a specialist report should be obtained.</p>
Rating	<p>We will make verbal enquiries of the Billing Authority to ascertain the Rateable Value of the property (or with regard to residential property the Band for Council Tax purposes). We will not comment on the appropriateness of the Rateable Value confirmed to us unless we are specifically instructed to do so and in which circumstances we will be able to provide specialist Rating Advice from our in-house Rating Surveyors.</p>
Mortgages	<p>We have disregarded the existence of any mortgages, debentures or other charges to which the property may be subject.</p>
Arrears	<p>We have assumed that all rents and other payments payable by virtue of the leases have been paid to date. If there are rent or other arrears, we recommend that we should be informed in order that we may consider whether our valuation should be revised.</p>
Defective Premises Act, Health & Safety at Work Act and Disability at Work Act	<p>Our valuations do not take account of any rights, obligations or liabilities, whether prospective of accrued, under the Defective Premises Act, 1972. Unless advised to the contrary, we have assumed that the properties comply with, and will continue to comply with, the current Health & Safety and Disability legislation.</p>
Insurance	<p>In arriving at our valuation we have assumed that the building is capable of being insured by reputable insurers at reasonable market rates. If, for any reason, insurance would be difficult to obtain or would be subject to an abnormally high premium, it may have an effect on value.</p>
Duty of Care	<p>Unless specifically agreed, our Report and Valuation/Appraisal will be prepared for the sole reliance of the instructing party for the purpose(s) confirmed and should not be relied upon by any other party, or by the instructing party for any other purpose, without our prior written consent.</p>
Publication and Circulation	<p>With the exception of valuations prepared for commercial or residential mortgage/ loan purposes neither the whole nor part of our Report, nor published references thereto, including references in company accounts and/or directors' reports, chairmen's or other statements or reviews or any company statement or circular, should be published without our prior written consent.</p> <p>Valuations prepared for Accounting and/or Balance Sheet purposes will be specifically stated as being prepared for such purpose and will therefore be deemed to have our consent for such publication and use.</p>
Fees	<p>Unless a client has established fee arrangements the fee will be agreed in advance for each commission.</p> <p>Our Scale of Charges leaflet is available on request.</p> <p>Fees for professional services are payable within twenty-eight days of issue of our fee account.</p>

We would be pleased to provide clarification of any of our conditions of engagement and enquiries should be addressed to the Directors or senior staff.

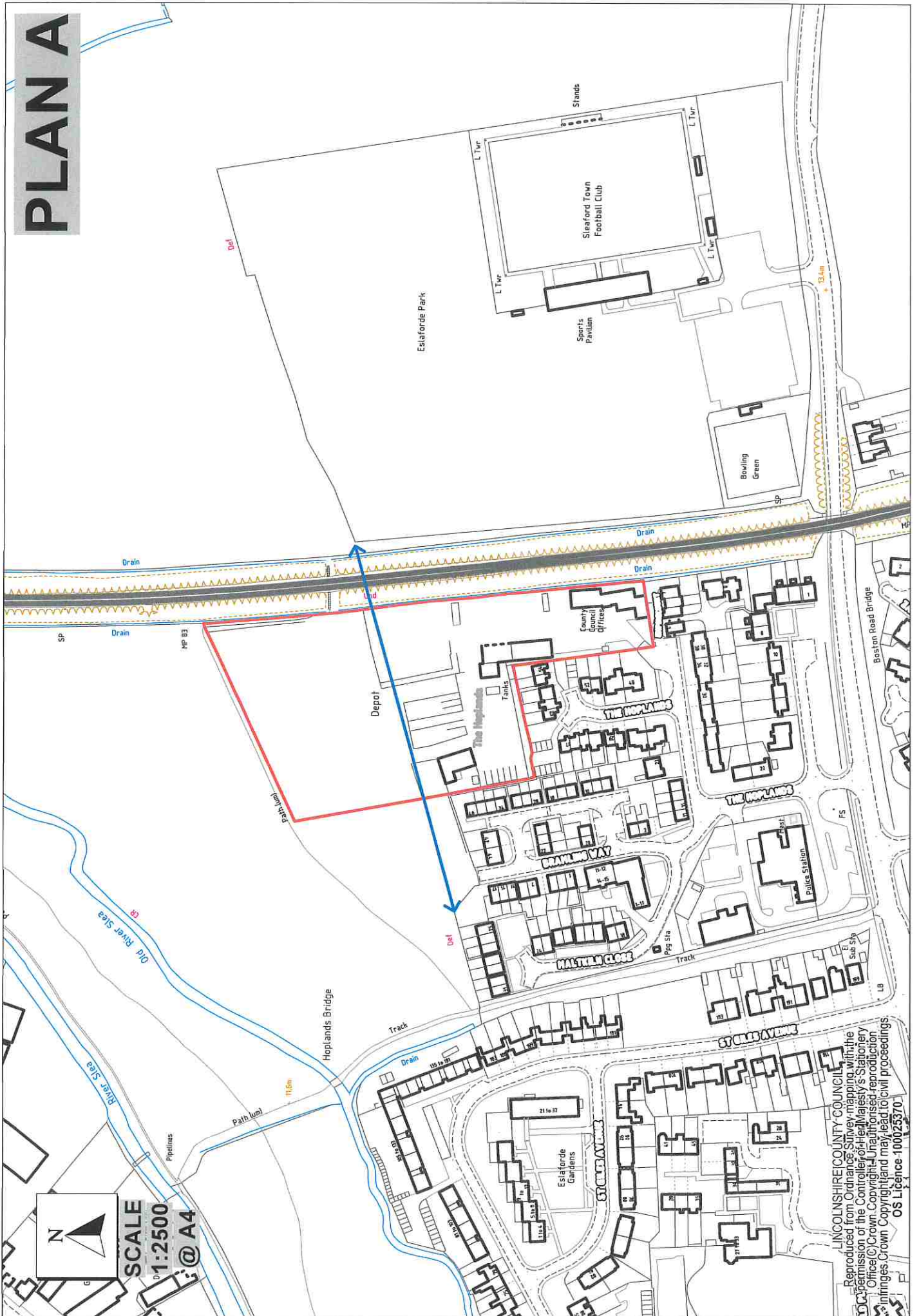
APPENDIX 2

**Location Plan
Ordnance Survey Extract**

LOCATION PLAN



PLAN A





SCALE

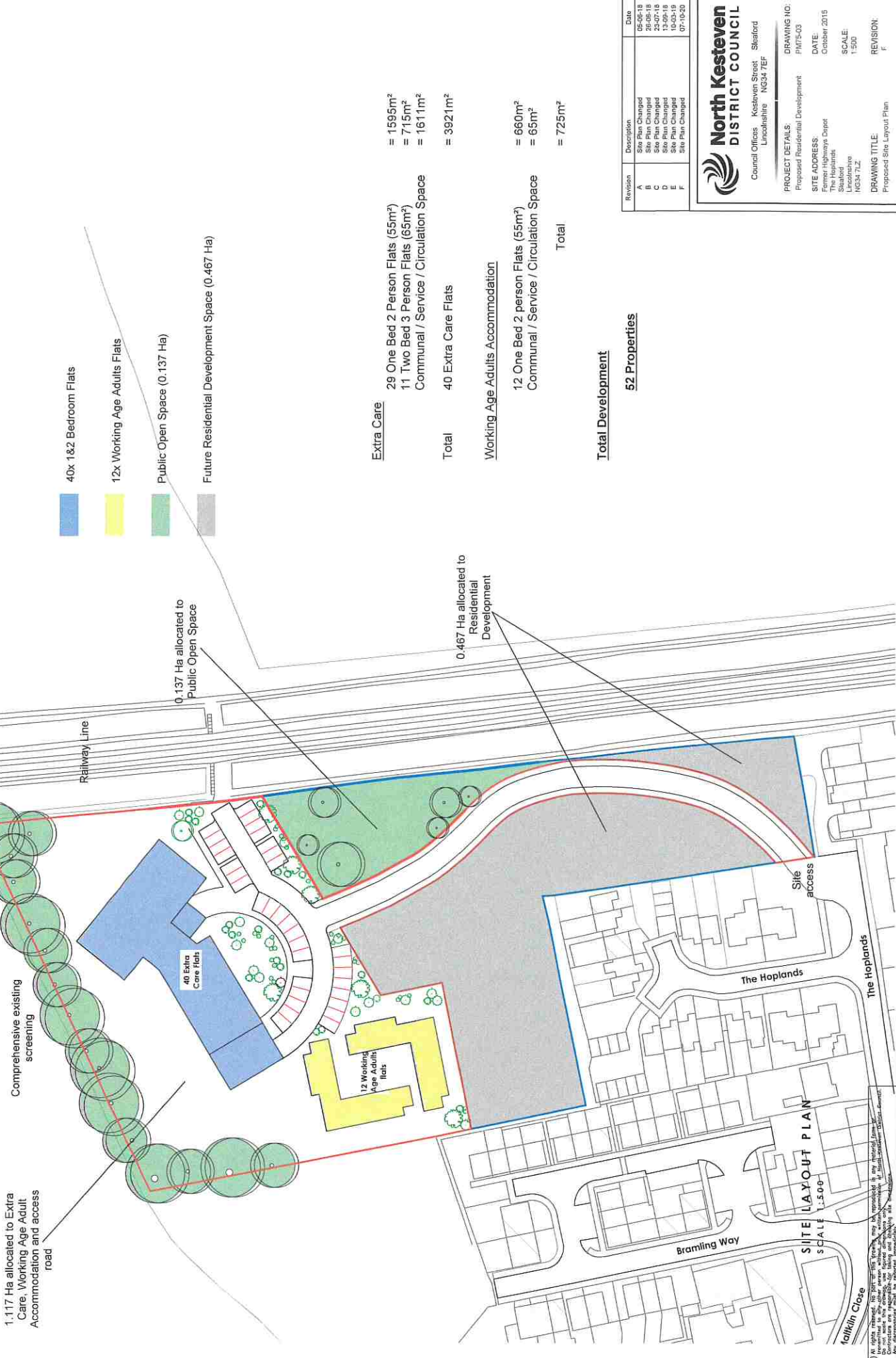
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APPENDIX 3
SITE LAYOUT PLAN

Under Regulation 8 of the Construction (Design & Management) Regulations 2015, Developers are required to include the identification and determination of the health and safety risks to the construction workers, the public and the environment in the site plan. It is not possible to remove these risks, the developer must, as far as is reasonably practicable, take steps to avoid, reduce or control the risks. The site plan must be approved by the Council. All risks associated with the development and evolution of the design submitted can be found within the Designers Risk Assessment document.



Revision	Description	Date
A	Site Plan Changed	05-06-18
B	Site Plan Changed	26-06-18
C	Site Plan Changed	23-07-18
D	Site Plan Changed	13-08-18
E	Site Plan Changed	01-09-18
F	Site Plan Changed	07-10-20

North Kesteven DISTRICT COUNCIL
 Council Offices, Kesteven Street, Skefford, Lincolnshire, NG34 7EF

PROJECT DETAILS:
 Proposed Residential Development
 DRAWING NO: PM75-03

SITE ADDRESS:
 Former Highways Depot
 Skefford, Skefford, Lincolnshire, NG34 7LZ





DATE: October 2015
 SCALE: 1:500
 REVISION: F





DRAWING TITLE:
 Proposed Site Layout Plan

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APPENDIX 4

PHOTOGRAPHS

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Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Adult Care Capital Programme – Extra Care Housing and Community Supported Living for Working Aged Adults with learning disabilities, mental health and/or physical disabilities at The Hoplands Sleaford, in partnership with North Kesteven District Council	Person / people completing analysis	Gareth Everton/Emma Rowitt/Louise Olley
Service Area	Adult Care and Community Wellbeing	Lead Officer	Gareth Everton and Louise Olley
Who is the decision maker?	Glen Garrod	How was the Equality Impact Analysis undertaken?	Desktop exercise updated after engagement and consultation
Date of meeting when decision will be made	02/02/2021	Version control	1.0
Is this proposed change to an existing policy/service/project or is it new?	New	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Commissioned
Describe the proposed change	<p>In order to alleviate the long term pressure for the provision of residential care and hospital admissions within the county, and to increase the availability of supported living accommodation generally, LCC has committed to working with partners to deliver Extra Care Housing (ECH) facilities and Community Supported Living (CSL) for Working Aged Adults (WAA) with learning disabilities, mental health and/or physical disabilities.</p> <p>As part of the Adult Care and Community Wellbeing Capital Programme, Lincolnshire County Council's (LCC) intention is to partner with North Kesteven District Council (NKDC) to deliver a 40no unit extra care scheme, and 12no CSL units for WAA with learning disabilities, mental health and/or physical disabilities, at the former Hoplands Highways depot site Sleaford. £11.886m has been allocated as part of the Adult Care Capital Programme to ECH and CLS to enable development of such accommodation. Each specific scheme will require a detailed Equality Impact Assessment to be undertaken by the District Council or Housing Association, leading on the development of the specific scheme.</p> <p>Both types of accommodation will help to encourage independence, allowing service users to remain in their home for as long as</p>		

possible, and access services close to their local community and support circles. The projects aim is to aid Lincolnshire residents to have further housing choice which matches their individual needs. It will enables them to exercise much more choice and control in key aspects of their life, such as where they live, and the type of support package they receive. ECH and CSL also promotes inclusivity within the local community for vulnerable people, improving their health and well-being, providing opportunities to develop skills and knowledge, helping to build confidence and, overall, enhancing their quality of life.

LCC's contribution to the scheme will provide Adult Care with nomination rights for a proportion of the units; this number is dependent on each specific scheme. The basis of which will be via a process of first right of refusal; with no void risk liability for LCC.

This Equality Impact Analysis addresses the equalities implications of the proposed new ECH and CSL development at The Hoplands.

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

<p>Age</p>	<p>The demographic trends for Lincolnshire indicate that there will be greater need for supported accommodation, both in forms of ECH and CSL as the demand for social care increases.</p> <p>ECH is aimed at older people, with CSL aimed at WAA under 66 with learning disabilities, mental health and/or physical disabilities, however, because ECH is preventative and CSL for WAA is progressive, it attracts people of varying ages, allowing individuals to remain independent for as long as possible and avoiding admission to residential care and hospital. Evidential research indicates that supported accommodation is a cost effective way to deliver care in comparison to residential and domiciliary care, and promotes increased wellbeing and independence. The positive impacts for this cohort are;</p> <ul style="list-style-type: none">- The ability to stay within their local communities close to friends and family;- The ability to remain independent through having their own property, with their own front door;- Be supported in an environment where there is additional care and support should it be required and their needs develop and change, however, still remain with their own home for as long as possible;- Access services closer to their home and network;- The benefit of creating a social life and community, with social activities and events on offer, and the opportunity to make new friends;- The flexibility to be able to request additional support and care Improve the choice of housing options available within the county;- Multiple care needs can be managed on one site;- Benefit from new energy efficient accommodation;- The encouragement and opportunity for active lifestyles and social contact with other tenants;- The offer of a living and care environment which has a positive effect on people's health and well-being and prevents or reduces the need for health care interventions; and- Couples can avoid being separated as they can live together in extra care accommodation even if only one is in need of care.
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Disability	<p>Supported accommodation for older people (ECH) and WAA as a model is available to people with a range of needs including those with both physical, learning disabilities, mental health, which means the positive impacts of supported accommodation are also available to people with a disability where the nature of the scheme allows.</p> <p>The positive impacts are outlined below.</p> <ul style="list-style-type: none"> - The ability to stay within their local communities where they friends and family are; - Remain independent through having their own property, with their own front door; - Be supported in an environment where there is additional care and support should it be required; - Access services closer to their home and network; - The benefit of creating a social life and community, with social activities and events on offer, and the opportunity to make new friends; - The flexibility to be able to request additional support and care should their needs develop and change and still remain with their own home for as long as possible; - Improve the choice of housing options available within the county; - Multiple care needs can be managed on one site; - Benefit from new energy efficient accommodation; - The encouragement and opportunity for active lifestyles and social contact with other residents; - The offer of a living and care environment which has a positive effect on people's health and well-being and prevents or reduces the need for health care interventions; and - Couples can avoid being separated as they can live together in extra care accommodation even if only one is in need of care. <p>The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.</p>
Gender reassignment	<p>No positive impact</p> <p>The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.</p>
Marriage and civil partnership	<p>No positive impact</p> <p>The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.</p>

Pregnancy and maternity	No positive impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Race	No positive impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Religion or belief	No positive impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Sex	No positive impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation
Sexual orientation	No positive impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

The Hoplands scheme could assist in providing community capacity, which encourages a variety of different providers and promote a market which supports the offer of a sustainable and diverse range of care and support, along with different types of service. It provides genuine choice to meet the needs and reasonable preferences of local people. It provides part of the response to the care options for those who self-fund or who arrange and manage their own care through Direct Payments. In addition, it creates further employment opportunities within the district.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Age	No negative impact identified. No mitigating action required.
Disability	ECH and CSL for WAA with learning disabilities, mental health and/or physical disabilities must be designed suitability to meet needs of disabled people. The mitigation is that the design of scheme will be in line with the Equalities Act i.e. Disability Discrimination.
Gender reassignment	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Marriage and civil partnership	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Pregnancy and maternity	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.

Race	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Religion or belief	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Sex	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.
Sexual orientation	No perceived adverse impact The Hoplands scheme will be available to potential residents regardless of this protected characteristic. The Funding and Nomination agreements which NKDC and LCC will enter into as part of this project into will oblige both parties to comply with the Equality Act 2010 in the delivery of ECH and CSL accommodation.

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Any successful developer or partner will be expected to develop their own Equality Impact Assessment and in doing so identify whether their actions would have any negative impacts. This will provide evidence that developers are actively engaging the local community and potential future users.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

Engagement to be undertaken with various groups about likely impacts to inform this Equality Impact Analysis as the programme progresses.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

<p>Age</p>	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and • People's Partnership.
<p>Disability</p>	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and <p>People's Partnership.</p>

Gender reassignment	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and <p>People's Partnership.</p>
Marriage and civil partnership	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and <p>People's Partnership.</p>
Pregnancy and maternity	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties);

	<ul style="list-style-type: none"> Lincoln and Lindsey Blind Society; Carers FIRST; and People's Partnership.
Race	<ul style="list-style-type: none"> LCC staff Carers Network; LCC Corporate Diversity Steering Group; LCC Black and Ethnic Minority Staff Engagement Group; LCC LGBT staff Group; LCC Disability staff engagement Group; Age UK; University of the Third Age (U3A) network; JUST Lincolnshire; Lincolnshire Independent Living; Pelican Trust (adult disability/learning difficulties); Lincoln and Lindsey Blind Society; Carers FIRST; and People's Partnership.
Religion or belief	<ul style="list-style-type: none"> LCC staff Carers Network; LCC Corporate Diversity Steering Group; LCC Black and Ethnic Minority Staff Engagement Group; LCC LGBT staff Group; LCC Disability staff engagement Group; Age UK; University of the Third Age (U3A) network; JUST Lincolnshire; Lincolnshire Independent Living; Pelican Trust (adult disability/learning difficulties); Lincoln and Lindsey Blind Society; Carers FIRST; and People's Partnership.
Sex	<ul style="list-style-type: none"> LCC staff Carers Network; LCC Corporate Diversity Steering Group; LCC Black and Ethnic Minority Staff Engagement Group; LCC LGBT staff Group; LCC Disability staff engagement Group;

	<ul style="list-style-type: none"> • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and <p>People's Partnership.</p>
Sexual orientation	<ul style="list-style-type: none"> • LCC staff Carers Network; • LCC Corporate Diversity Steering Group; • LCC Black and Ethnic Minority Staff Engagement Group; • LCC LGBT staff Group; • LCC Disability staff engagement Group; • Age UK; • University of the Third Age (U3A) network; • JUST Lincolnshire; • Lincolnshire Independent Living; • Pelican Trust (adult disability/learning difficulties); • Lincoln and Lindsey Blind Society; • Carers FIRST; and <p>People's Partnership.</p>
<p>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</p> <p>The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	Yes
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	There will be continued Council involvement in ECH development and WAA accommodation through the nominations process and the Council's presence on the Nominations Panel. Evaluation of benefits will be conducted through this process and on-going monitoring of the accommodation.

Further Details

Are you handling personal data?

No
If yes, please give details.

Page 201

Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	Undertake engagement with protected characteristics groups	Emma Rowitt	By 09/12/2020.
Signed off by	Emma Rowitt	Date	19/11/2020

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Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	02 February 2021
Subject:	Lincolnshire County Council's Green Masterplan
Decision Reference:	I021368
Key decision?	Yes

Summary:

This report presents the Draft Green Masterplan to the Executive for approval.

Recommendation(s):

That the Executive approves the Green Masterplan attached at Appendix A.

Alternatives Considered:

1. Not to approve the Green Masterplan.

Reasons for Recommendation:

The Council has committed to achieving net carbon neutrality by 2050, in line with current national targets. The Green Masterplan provides a framework for achieving this ambition, as well as co-ordinating action across the County Council and with partner organisations. Without an approved Masterplan the Council is less likely to achieve the target it has set.

1. Background

In May 2019 Lincolnshire County Council (LCC) determined that it wished to achieve net carbon neutrality by 2050 in line with national objectives. This is reflected in the current Corporate Plan. Subsequent government initiatives have further developed this agenda nationally, most recently in November with a Ten Point Plan for a green industrial revolution, with the aspiration to create 250,000 jobs.

Focusing on clean energy, transport, nature and innovative technologies, the plan emphasises the development of offshore wind power, hydrogen as a fuel for heating, promotion of electric vehicles, decarbonised public transport, carbon capture technologies, protecting and restoring the natural environment, and introducing targets such as 600,000 domestic heat pumps installed by 2028.

In response to this developing national agenda, local authorities have been working through national networks such as ADEPT and Solace to develop common approaches to key elements of the sustainability agenda. Principally these are

- Growing the zero and low carbon economy
- Retrofitting homes and buildings
- Decarbonising transport
- Planning to deliver zero carbon development that protects and enhances nature
- Reducing waste and encouraging sustainable consumption
- Restoring nature for all
- Developing local authority funding, governance and accounting systems that are fit for purpose

In Lincolnshire the Green Masterplan has been developed to take advantage of these opportunities and to set out the Council's approach to achieving long term sustainable objectives. As such, the Green Masterplan is designed to articulate the Council's own future actions to reduce its emissions, and also to provide a co-ordinating framework that will engage partners in LCC's approach, while supporting them to achieve their own ambitions.

The Green Masterplan sets out three broad principles, which are further developed through a series of actions in the immediate, medium and long term. These are:

- Not wasting anything
- Taking advantage of the wider opportunities
- Taking responsibility and pride for our contribution

As a cross-cutting agenda with relevance across LCC's service delivery portfolio, the Green Masterplan is integrated within the corporate transformation programme.

An action plan has also been defined to identify specific projects that will carry forward this agenda while ensuring that actions across service areas can be effectively monitored and co-ordination can be maintained. This is attached with Appendix A. It consists of ongoing and planned actions, as well as opportunities for further development in the medium and longer term.

The Green Masterplan is designed to be easily accessible and open, usable as a paper document but primarily intended to be used as a web-based resource that can be updated rapidly to reflect changing circumstances, and new and emerging opportunities. The intention is that it will remain current, guiding ongoing service planning across the Authority so that the Council can clearly demonstrate its leadership in driving a more sustainable future for Lincolnshire.

Key areas for delivery in the next few years include:

- 20% further reduction in carbon emissions from LCC's operations by 2023 (from 2018 baseline)
- Emissions of carbon from street lighting across Lincolnshire reduced by over 1,000 tonnes a year by 2024
- Increased on-site generation of low carbon electricity through provision of solar panels on Highways depots and through refurbishment of assets such as Orchard House
- Longer term decarbonisation of transport
- Further reductions in LCC staff travel costs and mileage
- Promotion of tree and habitat provision across Lincolnshire, working with the Local Nature Partnership to deliver the Nature Strategy for Greater Lincolnshire
- Supporting partner organisations to achieve their ambitions for sustainable operations
- Developing a suite of adaptation measures, such as improved resilience to flood risk and the impacts of climate change
- Strengthening the role of sustainability in the Council's decision-making processes during 2021-22

In addition there are a range of smaller scale activities, such as reducing use of paper, printing and electricity that can be carried out at work and at home, that will also contribute to the Council's overall sustainability profile while helping to engage individuals personally in promoting changing attitudes towards energy use.

The Green Masterplan will provide a framework to promote co-ordination between services and organisations, while maintaining a clear monitoring regime so that progress can be reported and sustained.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The 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.

While individual projects within the remit of the Green Masterplan will be subject to an equality impact assessment, the plan as a whole aims to provide a framework for achieving greater sustainability and resilience for all people across Lincolnshire. Detailed research exists showing the capacity of sustainable approaches to transport, economics and housing to alleviate inequalities, and this will be reflected in project specific impact assessments.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

The Green Masterplan will support delivery of key elements of the JHWS, including promotion of effective digital technologies and support for mental health and well-being through environmental initiatives that will enhance access to high quality green space. The JSNA formed part of the initial research in developing the main themes within the Green Masterplan.

Crime and Disorder

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.

The Green Masterplan is intended to provide improved quality of life for all people across Lincolnshire. There is evidence to show that access to green space and to a higher quality environment helps to reduce the incidence of crime and disorder and can also reduce the fear of crime.

3. Conclusion

The Green Masterplan is designed to articulate the Council's future actions to reduce its emissions, and also to provide a co-ordinating framework that will engage partners in LCC's approach, while supporting them to achieve their own ambitions. This will support LCC in its ambition to achieve net carbon neutrality by 2050.

4. Legal Comments:

The adoption of the Green Masterplan is lawful. It is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

Development of the Green Masterplan is funded from the Development Fund (an earmarked reserve) approved in the Council's 2020/21 Budget. Although there are no direct financial implications from approval of the Green Masterplan any implications arising from the accompanying action plan will be dealt with, as required, through normal budgetary processes.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes.

c) Scrutiny Comments

At a meeting on 12 January 2021, the Environment and Economy Scrutiny Committee considered the report and unanimously agreed to support the recommendation to the Executive.

Members of the Committee asked a number of questions, when the following points were confirmed:

- The Sustainability team was congratulated on the document, which contained a lot of practical information and was dynamic.
- While the drive for electric vehicles was supported, one important issue would be with selecting the alternative energy source to power large lorries over long distances. Alternative methods of fuel were available, such as bioethanol, but there was a need to modernise technology to run on alternative fuels. A trial had been conducted with Stagecoach buses to run on gas, but the biggest issue identified was refuelling. It was expected that a wide range of solutions and technology would be required for sustainable travel over a broad timeframe.
- Plastic free communities were being established nationally and also across Lincolnshire, where leaders within a local community were invited to lead and work with local communities and businesses to reduce plastic waste. There was growing public pressure to reduce plastic waste and companies would in future become 100% responsible for their waste which should result in a further reduction in plastic waste.

d) Risks and Impact Analysis

Risks and impacts will be undertaken in detail for each project included within the action plan. Existing risk and impact assessments are available relating to activities within the Carbon Management Plan, which forms part of the Green Masterplan.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Text of the Final Draft Green Masterplan
Appendix B	Initial Delivery Plan

8. Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Background Paper	Where it can be viewed
Minutes of the County Council meeting dated 17 May 2019 Item 16 Notices on Motion	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=120&MId=5274&Ver=4
Report to County Council dated 11 December 2019 entitled "Climate Change Update"	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=120&MId=5661&Ver=4

This report was written by David Hickman, who can be contacted on 07919 045257 or david.hickman@lincolnshire.gov.uk .

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Green Master Plan

Our commitments for a zero carbon Lincolnshire

Working for a Better Future

1. DON'T WASTE ANYTHING

This means

1. Following the *Reduce – Reuse – Recycle- Rot* ethos for both domestic and commercial waste. www.recycling-guide.org.uk
2. Thinking about energy usage at home and work and switch off appliances and review timings for heating. www.energysavingtrust.org.uk
3. Thinking about using public transport if possible, also can you cycle or walk to your destination. Reduce business miles by using video conferencing if possible. www.energysavingtrust.org.uk/mileage/reducing
4. Thinking about what you are buying do you need it. Beware of the urge to buy one get one free as often the second one is wasted without proper meal planning. At work before something is procured do you really need the item or can you reduce the amount you are ordering.
5. Collaboration of organisations procuring together can give savings on the scale of economies and also the officer time as the process is streamlined. <https://local.gov.uk/national-procurement-strategy/making-savings>

2. WHAT ARE THE WIDER OPPORTUNITIES?

This means

1. Trying to look at the bigger picture to see if there are opportunities for partnership working.
2. Working with other services within your organisation as in many cases services are being delivering to the same client and joint working can deliver savings.
3. Working with other organisations to deliver savings by avoiding duplication i.e. multiple agencies visiting a client when one agency may be able to visit and provide multiple information.
4. Achieving multiple benefits – making money go further
5. Working together with other Districts/Public Sector bodies to secure funding.
6. Working together to secure funding
7. Is the natural environment in a better condition than at the start – cause no harm

3. TAKE RESPONSIBILITY & PRIDE

This means

1. Leaving the natural environment in a better condition than found.
2. We are custodians for the future - *We do not inherit the Earth from our ancestors; we borrow it from our children.*
3. Doing the right thing as an organisation by setting an example.
4. Causing no harm to the environment and where possible enhancing it.
5. Having a strong Corporate Social Responsibility.

Boxes will drop down when you click on one of the 3 themes

DON'T WASTE ANYTHING – Case Studies

Lincolnshire County Council (LED Street Lighting Upgrade)

In Early 2018 it was decided after a successful previous rollout of LED street lighting a further rollout would proceed to replace just over 25,000 street lights with LED.

LED street lighting is more efficient leading to a reduction in finances and carbon emissions but it also provides a better quality of light and requires less servicing and has a much longer life span than the sodium lamps they replace.

The £3,055,470 project funded through Salix Finance and street lighting involves replacing sodium ballasts of 25,010 street lights with LED replacements over a six year period. The project covers all the purchase and replacement costs leading by year six to annual saving of £407,605 and 1,057.80 tonnes of carbon.

At present the project is in its third year of delivery with all units being replaced by the end of March 2024.

District Councils (Paper and card collection)

Three of the partner Waste Collection Authorities (WCAs) - Boston Borough Council, North Kesteven District Council and South Holland District Council volunteered to run pilots and give an understanding of the feasibility of implementing this two stream collection option countywide.

The trial commenced in September 2019 with the WCAs undertaking the collection of paper and card in a separate dedicated receptacle (bin or bag). 7,500 households were selected to be a part of the trial consisting of a mix of urban, semi-urban and rural properties with the paper and cardboard being collected was sent directly to a paper processor.

Supporting the operational roll out has been a comprehensive set of education, engagement and communication activities and the results of the trial after the 12 months are as follows:

- 444.82 tonnes collected (equivalent to 1.35kg per household per week)
- Presentation (participation rate) - 96.3%
- Of those bins/bags presented - 97% have been collected (i.e. contained the right things)
- Quality levels of 98.5% quality paper and card (newspaper/cardboard/mixed papers)
- Moisture levels of less than 8% - a requirement of the paper mill we send it to

Separate collections of paper and card will now be rolled out on a district-by-district basis and it is anticipated the first authority will begin separated collections in Spring 2021.

Community

Mint Lane Café, Lincoln

Mint Lane Café is a community kitchen that supports Lincoln residents with affordable hot lunches that have been made from supermarket surplus stock. They offer friendship through food and encourage customers to sit and chat with new people while they enjoy a home cooked lunch. This community run project supports food waste by preventing edible food from becoming discarded and

community wellbeing by providing a safe and friendly environment to have an affordable hot lunch four days a week. They also have a small, but growing, shop selling dry, fresh and frozen products that customers can use at home. A number of Lincoln businesses supply the shop and café with their unsold or damaged bakery goods, which don't quite meet their exacting standards for their own customers, but are still perfectly safe and delicious for resale at a much reduced price. Lincoln University's agriculture campus supplies their fresh produce and much of what is for sale in the shop is organic and plastic-free.

The café and shop are available to everyone and currently open Wednesday-Saturday from 10am-3pm. It costs £3 for a three-course hot lunch and if you are able to afford more you can donate or purchase 'pay it forward' vouchers to support other members of the community. The café has space for 20 seated customers, but there are plans to expand and develop an outdoor seating area with room

What are the wider opportunities? – Case Studies

Lincolnshire County Council

Developing Water Catchments Resilience to climate

As the climate changes we are facing some considerable challenges in managing water, we can have too much of it (during flooding events) or not enough (during times of drought). This project is designed to support 20 businesses to reduce their risk of flooding as well as improve the conservation status of some of our fenland habitats.

The project is a partnership between Lincolnshire County Council, Black Sluice Internal Drainage Board and the Environment Agency. The primary goal is to set baseline water catchment data and use it to model the implications of water fluctuations and share that information with those who need to understand water volumes (such as farmers). Ultimately by better understanding water distribution we should reduce the need to move water around. Moving water around is both costly and has a high carbon footprint so the less we need to do it the better for the environment.

District Councils

Sustainability Officers Working Group

In March 2020 Lincolnshire's Council leaders approved the formation of a Lincolnshire wide sustainability officers working group with sustainability representatives from each council. This group are currently working together to share information and identify opportunities to work together. This could save money, time and effort. The group are currently reviewing Lincolnshire wide carbon data and exploring modelling opportunities as well as identifying data sources to contribute to our understanding of Lincolnshire emissions.

Community

In February this year various community groups took the opportunity to get out into nature and plant trees at a former land fill site. The event was hugely successful and over 2000 trees were planting creating new woodland for future generations.

Working for a Better Future

Commitments for Zero-Carbon Lincolnshire

< Links to Front page/homepage >

3. Take Responsibility and Pride

"We do not inherit the Earth from our ancestors; we borrow it from our children"

Everybody needs to take responsibility for their part of the World. Lincolnshire has a lot to offer and there are many reasons to be proud of the county. Being proud of Lincolnshire makes it easier to take responsibility for its protection and improvement.

If every resident pledges to leave their part of Lincolnshire in a better condition than when they found it and act as custodians of the future then the natural environment has the opportunity to thrive. Our natural spaces will have the chance to flourish with new and mature species, and invite a wide range of creatures to make Lincolnshire their home.

Looking after the natural environment is the right thing to do. It is crucial to look after our natural world to minimise the impact of climate change and preserve our way of life. As organisations our responsibility runs deeper. We need to ensure that our activities do not cause harm and that we take responsibility for the sustainability of the whole value chain.

Examples:

Lincolnshire County Council - Low Carbon Lincoln Castle

Lincoln Castle is exploring opportunities so that they can become a low carbon visitor attraction by 2030. They are working with Lincoln based consultants Delta-Simons to understand where their biggest environmental impacts currently are and some of the ways these could be addressed. In conversation with staff, volunteers and visitors they hope to unearth some innovative ideas that can help with the transition to net-zero over time. Museums shape our view of the world and are ideally placed to make a difference. They help us understand who we are and the world in which we live. They influence how we think and the way in which we behave. They are, therefore, key to shaping attitudes towards all sorts of contemporary issues. They are unique in having responsibilities to people of the past, present, and future to ensure that collections remain in good shape and accessible for years to come.

Partners – GLNP, Lincolnshire Records Centre

Community – Plastic Free Communities [Students for Climate (school strikes, email group)]

Plastic Free Communities are popping up all over Lincolnshire (currently Caistor, Keelby, Lincoln, Horncastle, Mablethorpe & Sutton on Sea, Skegness, Grantham, Barrowby, Sleaford, Boston, Spalding, Stamford). This is part of a campaign organised by Surfers Against Sewage that aims to eliminate single-use plastic from our communities and stop the tap of plastic ending up in rivers and seas. The campaign works with businesses, community groups and householders to educate and offer more sustainable alternatives to single-use plastic locally. The groups are run by local leaders who are proud to volunteer in their communities to make a positive difference in their area.

Louise Brown, co-leader for Plastic Free Lincoln, says that she is only able to make a difference in her patch of the world and was inspired to act for the benefit of her children. If every community can act in a similar way, then globally we can make a huge impact.

<Links to SAS website, Facebook pages>

Data

Lincolnshire County Council (Carbon Management Plan 3)

Following on from two previously successful CMP's which have seen a 46% reduction from our 2005/06 baseline by 2017/18 LCC worked with the Carbon Trust in 2017-18 to develop a 3rd carbon management CMP3 (2018-2023). This CMP commits LCC to a target of reducing its 2016/17 baseline of 28,679 by 20% between 2018 and 2023, and underpins potential financial savings to the organisation of around £1.1m over this period. Links for CMP3 and its summary document are below.

[Carbon management plan](#)

[Carbon management plan summary](#)

Lincolnshire Wide Carbon Modelling

Lincolnshire Wide Carbon Baseline – sus officers working group example

A creation of a one off Lincolnshire wide carbon baseline that included LCC & the Districts with potentially other public bodies i.e. Police, NHS and Lincoln University could identify areas of carbon emissions that would benefit from joint working. This has been done for waste where a Lincolnshire wide waste carbon footprint led to the identification of areas of high carbon emissions as well as areas that would benefit from joint working.

District Councils

Links to information on each of the Districts Carbon management plans or other climate documentation is below:

- **Boston Borough Council** (Climate emergency declaration)
 - <https://www.mybostonuk.com/boston-borough-council-declares-climate-emergency/>
- **City of Lincoln Council** (Vision 2025 Strategic Plan)
 - <https://www.lincoln.gov.uk/downloads/file/851/vision-2025-strategic-plan>
- **East Lindsey District**
 - Awaiting a link to their CMP
- **North Kesteven District Council** (Carbon Management Plan)
 - <https://www.n-kesteven.gov.uk/your-council/how-the-council-works/key-plans-strategies-and-policies/policies/climate-emergency-strategy-and-action-plan/>
- **South Holland District Council**
 - Awaiting information
- **South Kesteven District council** (Carbon Management Plan)
 - <http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=26489&p=0>

- **West Lindsey District Council** (Carbon Management Plan)
 - <https://www.west-lindsey.gov.uk/my-services/my-community/sustainability-climate-change-and-environment/carbon-management/carbon-management-plan/>

Lincoln Climate Commission – Find link

The Lincoln Climate Commission emerged from collaboration with the City of Lincoln Council, Siemens, Transition Lincoln and the University of Lincoln with an aim to make Lincoln zero carbon by 2030. The link below

- <https://www.lincolncclimate.org.uk/>

Lincoln University

- <https://estates.lincoln.ac.uk/sustainability/energy-and-carbon-management/>

Lincolnshire NHS

- <https://www.ulh.nhs.uk/about/board-meetings/october-2016/item-9-3-sdmp-trust-format-ver-8-4-to-tb-draft-clean/>

Lincolnshire Police

- **Carbon Management Plan about awaiting approval. If public document link will follow.**

Local Authority and regional Carbon emissions

Data exists at District Council level for per capita carbon emissions and this data historically goes back to 2005. The data has a 2 year lag but is useful as it breaks down emissions into domestic, commercial and transport emissions so it is possible albeit only at fairly high level to see changes over time. The data can be found at the link below:

- <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-to-2018>

Leadership

Individual organisations will have their own project management and strategic boards, but it is important that Lincolnshire activity is coordinated and there is a clear picture of what action is taking place where.

Lincolnshire County Council has established an Environment Programme Board, which oversees the strategic direction for Lincolnshire County Council activity and is accountable for reporting on the organisation's carbon emissions. The sustainability team takes on the coordinating and reporting role at Lincolnshire County Council and will advise services about how they can respond to climate change impacts and bring their service operations to zero-carbon emissions. Key parts of the Lincolnshire County Council organisational scope of the Green Masterplan will be led by separate delivery groups, these will include, but are not limited to, the Lincolnshire Waste Partnership, the corporate transformation programme board, corporate property services, IMT and HR.

At a Lincolnshire local authority level, with all district councils and the county council coordinating effort, the Council Leaders and Chief Executives Group will provide the strategic overview. They have supported the recommendation to re-establish a countywide sustainability officers group. This group will bring together the range of ambition and action happening across the county and find ways to work in collaboration to share workloads and financial contributions as much as possible. There are already many established delivery groups that have membership from variety of public sector partners, these continue to be a crucial way to deliver the ambitions of the Green Masterplan, including; Lincolnshire Waste Partnership, Greater Lincolnshire Nature Partnership, Central Lincolnshire Planning Group, Greater Lincolnshire Local Enterprise Partnership and Flood Risk and Water Management Partnership.

In the community and for Lincolnshire businesses

	Green Masterplan Governance Structure		
	Influence →		
	LCC internal governance for own emissions and environmental impacts	Lincolnshire wide emissions and environmental impacts	Business and communities emissions and environmental impacts
Strategic overview	Corporate Environment Board	Leaders and Chief Executives Group	Climate Commissions?
Co-ordinating group	Sustainability team	Sustainability Officers working groups	
Delivery groups	Lincolnshire waste partnership senior officer working group	Lincolnshire waste partnership senior officer working group	
	Property Services	Greater Lincolnshire Nature Partnership	
	IT	Transport group?	
	HR	Planning groups?	
		Greater Lincolnshire Local Enterprise Partnership	
		Flood risk and water management partnership	

Green Masterplan Actions

Lincolnshire County Council

This page outlines the range of actions that Lincolnshire County Council is considering focusing on for the next 10 years of the Masterplan period from 2020 – 2030. Our aim is to tackle some of the most pressing and urgent actions to reduce carbon and our impacts on the environment. We will focus our activities in 3 broad areas across Lincolnshire County Council:

- **Delivery of the transformation plan to embed GMP commitments across the council**
- **Deliver the carbon management plan**
- **Review Lincolnshire County Council travel policies**

Buildings

- Clear heating policy for all buildings – temperature buildings will all be heated and cooled to
- Explore energy generation making use of building fabric (e.g. solar PV)
- ESPO – explore demand side response opportunities
- Shared and clear building rationalisation plan including:
 - Lincoln campus
 - Horncastle site
 - Review of bases to tie in with OPE and use of office 365
- Review R&M policy to allow for ambitious/ innovative low carbon technologies to be installed.
- Establish a clear minimum design standard for all new builds (e.g. Passivhaus)

Resources

- Responsible procurement of supplies (whole life costings, ability to reuse)
- Waste management
 - Minimise the waste produced by staff
 - Centrally manage old IT equipment to minimise wastage and appropriately dispose broken electronics
 - Have a standard recycling approach across all buildings
- Paper
 - Reduce to a minimum all paper in council meetings
 - Monitor and reduce printing across the authority
- Pensions – explore opportunities to make low carbon investment opportunities
- Support staff to make positive low carbon decisions at home (salary sacrifice for home energy efficiency installations)
- Explore county farms opportunities eg tree planting.

Carbon Management Plan

- Insert CMP actions

Travel and Transport

- Reduce the requirement for staff to travel, make full use of Office 365 and video conferencing facilities.

- Clear policies to ensure travel is reduced and VC tools are the preferred method of holding meetings.
- Review staff parking passes
- Review commuting – look to promote rail and train transport (travel cards, incentives, working times/hours to accommodate public transport time tables)
- Pool cars/bikes
- Flexible working review to ensure consistency of approach across the council. Cost of working from home? Etc.
- Fleet vehicles must all be ultra-low emissions by 2050. A minimum target for 2030 should be 20% however 50% should be achievable.
- Review the car lease scheme
 - Remove carbon intensive vehicles from the lease scheme, and replace with electric vehicles.
 - Review the mileage requirements for the lease scheme (as we are trying to encourage staff to travel less for work)

Partnerships

This page details the actions Lincolnshire County Council will take with our partners focusing on for the next 10 years of the Masterplan period from 2020 – 2030. Our aim is to tackle some of the most pressing and urgent actions to reduce carbon and our impacts on the environment. We will focus our activities in 3 broad areas across Lincolnshire

- Develop the actions of the sustainable officers working group to generate new joint projects
- Reducing the environmental impacts of Transport in Lincolnshire
- Reducing the environmental impacts of Waste Services

Green Masterplan Actions

Communities and businesses

This page details the actions Lincolnshire County Council will take within our communities and across local business focusing on for the next 10 years of the Masterplan period from 2020 – 2030. Our aim is to tackle some of the most pressing and urgent actions to reduce carbon and our impacts on the environment. We will focus our activities in 3 broad areas across Lincolnshire.

- Settling up a Lincolnshire Environmental Fund
- Support the emerging Lincoln Climate Commission

Why a Green Masterplan?

Imagine a world where solutions to reduce carbon and adapt to a changing climate align with the wider aims of businesses, communities and large organisations. Until recently this might have seemed unlikely, however the announcement by the Prime Minister Theresa May in May 2019 to cut UK carbon emissions to net zero by 2050 set a stringent and pressing target focusing efforts in sectors such as waste, transport and energy. Theresa May stated there was a "moral duty to leave this world in a better condition than what we inherited".

The question now is what might a zero carbon future look like and how might we leave the world in a better condition? Of course we don't have all the answers here and now in 2020, but there are many opportunities to use existing and new technology to give an idea of what it might look like. Undoubtedly future solutions will be integrated within a region's economy and environmental characteristics, making best use of the resources available and working in partnership with public and private and 3rd sectors.

In Lincolnshire we are well placed to rise to the challenge of net zero, with a broad depth of knowledge across multiple sectors including agri-tech, energy, and education. The Green Masterplan will focus our collective actions on reducing our impacts on the environment and supporting the individual goals of Lincolnshire's communities, businesses and organisations, as well as Lincolnshire County Council's own impacts.

At the heart of the Green Masterplan are our 3 commitments to deliver a greener future. They are:

- Don't waste anything
- Consider wider opportunities
- Take responsibility and pride

These commitments will steer our actions to achieving net zero. By not wasting our time, energy, money we will reduce the need for earth resources and ultimately save carbon. By considering the wider opportunities we'll be able to identify areas where we can work with others to make the most of our actions. Encouraging partners to work together can achieve multiple benefits and is an efficient use of time and money. By taking responsibility and pride we are carrying out our moral obligation to leave Lincolnshire a better place acting as custodians for the future.

Aside from our commitments, within the Green Masterplan you'll find data on carbon emissions across Lincolnshire, a look at what's happening across Lincolnshire and an action plan detailing climate actions across Lincolnshire. The principles of the Green Masterplan will remain the same however as new information, policy or events happen we will review the plan and adapt if necessary.

Measuring Success

<Links to data pages>

Each action plan will be developed by the individual organisation, but shared here so that the areas of collaboration and project succession can be seen as part of the whole picture. Some projects will be easier to set targets and report tangible results for. Others, which are more holistic and cultural or behavioural in nature, will have less verified results, but more narrative to articulate how they are progressing.

Lincolnshire County Council has a number of timelines for reporting success and keeping up momentum for the Green Masterplan. Individual projects will be reported on annually to track progress and highlight areas where more activity is needed. Reporting will be completed by project managers and an annual update will be available here gathering all information together.

Every three years, a thorough action plan review will take place. It is expected that this will enable future-planned projects to be started and the medium term landscape to be reviewed so that the next phase of pipeline projects can be added to the action plan and prepared accordingly.

A strategic review will take place every five years. It is anticipated that the legislative horizon will evolve at this pace, so that we can make sure that activity is aligned with national policy. This timeframe also supports engagement with national leaders so that we can articulate and evidence what is needed at a local level to continue moving Lincolnshire towards to a zero-carbon economy.

We propose working in three priority areas in each 10-year phase of the Green Masterplan. These pillars of activity will help to structure where the greatest gains are and focus activity in a manageable number of strategic areas. As we move nearer to the zero-carbon target for 2050, the priority areas will change and the Green Masterplan will adapt to meet the evolving priorities. Ten year horizons for the key pillars of activity with a mid-term strategic review of these priority areas should keep the action plan on track and make sure that the strategic direction is still the right one.

We will update and include carbon emissions baselines and projections to support the development of project plans and evidence the activity that is taking place. Lincolnshire County Council is working on their third carbon management plan (2018-2023), and may adjust the period of the next plan so that it aligns more closely with the strategic reviews of the Green Masterplan.

Green Masterplan: Initial Delivery Programme

Action	Comments	Benefit	Timescales
Reducing carbon emissions by 20%	Outlined in the Carbon Management Plan	5,700 tonnes of CO2 avoided	2023
Replacement of streetlights with LED lamps	Project underway and funded from the Salix Fund	1,057 tonnes of CO2 avoided	2024
Heat Decarbonisation Plan	Bid to BEIS/Salix Decarbonisation Fund. Likely to be future funding opportunities	200 tonnes of carbon saved – assumes 10% of buildings upgraded Upgraded heating systems Lower maintenance costs	2023
Assessment of buildings for PV solar	Systematic assessment of each building for solar PV installation. PV prices rapidly falling – low payback levels. Could be funded by Salix SEELS bid	Related to the size of the opportunity. Would reduce running costs and potentially generate income.	Assessment in 2021 Initial projects in 2021/22
Sustainability Decision Making Tool	A simple checklist of sustainability considerations	Ensure that the sustainability implications are considered in major decisions and purchases	May 2021
Demonstration Electric Vehicles	Highways looking at EVs with Balfour Beatty. Other funding opportunities to get EVs. Allows LCC to assess technical issues, maintenance, charging infrastructure. Experience before 2030 phase out of petrol & diesel	Reduced emissions Air quality improvements	2021 and on-going as funding opportunities arise
Smarter Working	Change in the way the Council operates to take advantage of improvements in connectivity. Energy savings due to smarter working being monitored	Reduced operational costs Estate rationalisation Reduced travel and business mileage	2020/21 initial phase
Climate Change Risk Assessment	National CCRA updated for 2022. LCC update to run alongside	Identification of current risk. Updates a document that is currently out of date	2022

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Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	02 February 2021
Subject:	Review of the Lincolnshire Minerals and Waste Local Plan
Decision Reference:	I021361
Key decision?	Yes

Summary

A provisional review of the Lincolnshire Minerals and Waste Local Plan (LMWLP) has recently been undertaken by officers in accordance with the statutory procedure ("the Review") (Appendix A). This concludes that the following policies are not fully effective and should be updated:

- Policy M1 (Recycled and secondary aggregates)
- Policy M4 (Proposals for sand and gravel extraction)
- Policy M5 (Limestone)
- Policy M11 (Safeguarding of Mineral Resources)
- Policy M13 (Associated Industrial Development)
- Policy W1 (Future requirements for new waste facilities)
- Policy W3 (Spatial strategy for new waste facilities)
- Policy W4 (Locational criteria for new waste facilities in and around main urban areas.
- Policy W6 (Landfill)
- Policy W7 (Small scale waste facilities)
- Policy SL3 (Waste site and area allocations)

In addition, it concludes that the other policies would benefit from being updated in order to:

- improve the clarity and focus of the policies;
- ensure greater consistency between the policies;
- allow any subsequent changes to legislation/national policy to be incorporated into the updated plan;
- ensure account is taken of any new social, economic and environmental priorities (including those arising from the pandemic); and
- enable greater public involvement in the process.

Subject to the Executive's endorsement of the Review, the approval of the full County Council will be sought to update the LMWLP. Work on the update would primarily be undertaken by the in-house Minerals and Waste Policy Team, but with some supporting documents prepared by external consultants.

The process would be carried out in accordance with the programme set out in the proposed Lincolnshire Minerals and Waste Development Scheme (Appendix B) involving a number of stages - each requiring public consultation.

Recommendation(s):

1. That the Executive endorses the Review of the Lincolnshire Minerals and Waste Local Plan (Appendix A) and recommends to the full County Council that the whole Lincolnshire Minerals and Waste Local Plan is updated in accordance with the programme set out in the proposed Lincolnshire Minerals and Waste Development Scheme (Appendix B)
2. That the Executive authorises the Head of Planning Services to make any minor amendments to the Review of the Lincolnshire Minerals and Waste Local Plan (Appendix A) and the Lincolnshire Minerals and Waste Development Scheme (Appendix B) before they are considered by the full County Council, which may be necessary to allow them to be published on the County Council's website.

Alternatives Considered:

- | | |
|----|---|
| 1. | Not to update the Lincolnshire Minerals and Waste Local Plan. |
| 2. | To undertake a partial updating of the Lincolnshire Minerals and Waste Local Plan restricted to those policies where the review has identified specific issues. |

Reasons for Recommendation:

The first alternative was dismissed because the evidence indicates that a number of policies are not effective and need to be updated.

The second alternative was dismissed because restricting the update to specified policies would lose an opportunity to improve the content of the overall plan.

In addition, both of the above options would require full public consultation, which could lead to legal challenge from any aggrieved parties.

1. Background

- 1.1 The County Council is the mineral and waste planning authority for the county of Lincolnshire and is responsible for the production, monitoring, review and updating of a minerals and waste local plan. The current plan, the Lincolnshire Minerals and Waste Local Plan (LMWLP), was produced in two parts:
- the Core Strategy and Development Management Policies (CSDMP) document adopted on 1 June 2016 – which 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, together with the development management policies against which applications will be considered; and
 - the Site Locations document (SLD) adopted on 15 December 2017 - which identifies specific sites and preferred areas for mineral extraction and for the location of waste facilities.
- 1.2 Under regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), the County Council is required to review its local plan at least every five years from the date of adoption. The term "review" relates specifically to the limited process of assessing whether the policies in the plan remain relevant and effective. Where this is the case, the County Council simply needs to provide evidence of this and can keep the existing plan unchanged. On the other hand, if the policies are found to be deficient in some respect, the County Council needs to consider moving onto the next stage, which is the formal updating of the plan.
- 1.3 Under current procedures both parts of the plan would need to be reviewed and, if necessary, updated as a single document. As a result the review needs to be carried out within five years from the date of the adoption of the first part of the plan (i.e. by 1 June 2021). National Planning Practice Guidance (PPG) states a review should be proportionate to the issues in hand, but that most local plans are likely to require updating in whole or in part at least every five years. It does not provide specific guidance on how a review of a minerals and waste local plan should be carried out, but does provide some general guidance, albeit focussed on the review of district council local plans.
- 1.4 In preparation for meeting the deadline the plan has been reviewed by officers and the provisional findings set out in the report attached as Appendix A, referred to in this report as "the Review". This considers a number of issues, which in part have been adapted from the guidance in the PPG to make them relevant to minerals and waste development. These issues together with the findings are summarised below.

Issue 1: Whether the policies of the LMWLP are performing successfully against the indicators set out in that plan (as assessed each year in the county council's Annual Monitoring Reports (AMRs))

1.5 The most significant concerns identified in the Review relate to the following policies:

- **Policy M4 (Proposals for sand and gravel extraction)** - the policy does not appear to provide sufficient flexibility for determining applications. In particular, the policy does not specifically allow the extraction of sand and gravel from small areas of land adjacent to existing quarries, which would otherwise become sterilised if not worked as part of the existing operations. As a result three applications have been granted planning permission which did not strictly accord with the policy.
- **Policy M11 (Safeguarding of mineral resources)** - this policy aims to safeguard important mineral resources for potential future use by preventing incompatible forms of development, such as housing, from sterilising the mineral deposits. Under the safeguarding procedure, the district councils of Lincolnshire (the planning authorities for most forms of non-minerals/waste development) are required to consult the County Council with respect to planning applications falling within Mineral Resource Safeguarding Areas, other than those exempted by the policy. Where applications are caught by this policy, they should be accompanied by a mineral resource assessment. Unfortunately, in practice this has included a large number of applications (225) where in the opinion of officers it would be unreasonable to ask the applicants to commission a mineral resource assessment due to the limited nature of the proposed development. This, however, represents a pragmatic approach to the implementation of the policy, rather than strict adherence to it. In addition eight applications have been granted planning permission by the district councils despite safeguarding objections from the County Council. The policy is therefore not considered to provide an efficient approach to safeguarding mineral resources.
- **Policy M13 (Associated Industrial Development)** - this policy deals with planning applications for industrial development within or in proximity to mineral sites. To comply with the policy the development must have close links with the minerals development. However, contrary to this policy, the County Council has granted four planning permissions for industrial development where the links with the associated mineral site are more tenuous. Therefore the policy may either be too restrictive or the close link criterion may need to be given greater emphasis.
- **Policy W6 (Landfill)** - sets out a strict approach to landfill, which only allows planning permission to be granted where several criteria are met. This includes a requirement to demonstrate that current capacity within the county is insufficient. Two applications have, however, been granted

where this criterion was not met, which may indicate that the policy is too restrictive or that the criterion needs to be given greater emphasis.

Issue 2: Whether the County Council's decisions are being upheld on appeal

- 1.6 Appeals have been made against two decisions to refuse planning permission for the extraction of limestone that were considered to be contrary to **Policy M5 (Limestone)**. One appeal for a site at Denton was dismissed whilst another at Dunston was allowed.
- 1.7 Given that Lincolnshire has sufficient permitted reserves of limestone for the plan period, Policy M5 is a very restrictive policy which requires a "need" to be demonstrated. In practice, however, the appeal decision at Dunston has demonstrated the difficulties of assessing whether there is a "need". The policy also lacks flexibility to allow small extensions to existing quarries, which would otherwise maintain jobs and competition.

Issue 3: Whether any other concerns have come to light over the implementation of the policies, which are not identified through the policy indicators

- 1.8 The Review has identified concerns with a number of policies, but the most significant are considered to relate to the following:
- **Policy M1 (Recycled and secondary aggregate)** is linked to policy W4 which restricts such development to locations in and around the main urban areas, other than small scale development. The County Council has, however, been prepared to grant planning permission for such facilities at quarries not meeting the criteria of policy W4.
 - **Policy M11 (Safeguarding of mineral resources)** – in addition to the concerns identified under Issue 1, the policy is generating too many consultations that fall within the exemptions to the policy, and could be considered too extensive in terms of the areas covered.
 - The interlinked **Policies W3 (Spatial strategy for new waste facilities)** and **W4 (Locational criteria for new waste facilities in and around main urban areas)** are considered to be too complicated and difficult to interpret.
 - **Policy W7 (Small scale waste facilities)** is limited to small scale facilities, but does not define "small scale". Although the supporting text provides indicative scales, in practice planning permissions are being granted that exceed these scales.

Issue 4: Whether the LMWLP makes sufficient provision for a steady and adequate supply of aggregates

- 1.9 Based on evidence set out in the County Council's latest Local Aggregate Assessment (December 2019), it is considered that the LMWLP has made sufficient provision for a steady and adequate supply of aggregate over the plan period ending in 2031. However, if the plan is updated, the level of provision will need to be increased to cover the extended period of the updated plan.

Issue 5: Whether there are likely to be any significant changes to the assumptions and forecast waste management capacity gaps set out in the County Council's Waste Needs Assessments that underpin the LMWLP

- 1.10 Work on a new Waste Needs Assessment is currently being commissioned. If the County Council sanctions the updating of the LMWLP, it will be underpinned by the new Waste Needs Assessment and will need to plan for the capacity gaps identified in that document.

Issue 6: Whether any issues have arisen that may impact on the deliverability of key site allocations

- 1.11 Only one mineral site allocated in the SLD has not been delivered by the anticipated date: an extension to the North Kelsey Road Quarry (MS09-CL). This, however, is a very small site containing 0.15mt of building sand. Whilst this might affect the availability of building sand in the area, overall it will have a negligible impact on the plan's delivery of sand and gravel. No other issues have been identified over the deliverability of key site locations for mineral working.
- 1.12 The approach to waste management is largely criteria driven. The SLD has allocated large areas of "employment land" (as defined in the relevant district council local plans) that would also be suitable for waste management under **Policies W1 (Future requirements for new waste facilities) and SL3 (Waste site and area allocations)**. However, most sites that have been granted to date, whilst meeting the criteria of the CSDMP, are not located within the allocated areas. Consequently, whilst the criteria based approach is delivering the waste management facilities needed, the fact that most of these sites are not allocated has cast doubt over the value of Policies W1 and SL3.

Issue 7: Whether the LMWLP conforms with the policies of the National Planning Policy Framework and the National Planning Policy for Waste

- 1.13 The changes made to the NPPF since the adoption of the CSDMP and SLD have made little impact on national minerals and waste policy. However, updating the LMWLP would provide an opportunity to consult on this issue and, if necessary, amend any policies to ensure the plan remains sound.

Issue 8: Whether plan-making activity by other authorities impacts on the level of future provision that the county council needs to make for mineral working and waste management having regard to the statutory duty to cooperate procedures

- 1.14 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

Issue 9: Whether any other "drivers of change" are impacting on the LMWLP

- 1.15 The Review has considered new social, environmental and economic priorities that have arisen since the LMWLP was adopted, but has concluded that none are of such significance as to require an updating of the plan. However, if the plan is updated it will provide an opportunity to take into account any new priorities that emerge during plan preparation (including any arising from the pandemic).

2. Legal Issues

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. 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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others. The 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.

An Equality Impact Analysis has been carried out and is attached to this report as Appendix C. No positive or adverse impacts have been identified.

Should the full County Council sanction the updating of the LMWLP, this would be carried out in several stages in accordance with the programme set out in the proposed Lincolnshire Minerals and Waste Development Scheme (Appendix B). Each stage would be subject to public consultation in accordance with the adopted Statement of Community Involvement (SCI). This seeks to ensure that all sections of the community with an interest in a particular area will be engaged. In particular, it requires effort to be made to identify and engage under-represented and seldom heard groups in Lincolnshire, including those with the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. The SCI recognises that within a sparsely populated county such as Lincolnshire it is important to ensure the involvement of groups including rural communities suffering from isolation. Challenges encountered by the above groups range from accessibility to venues, language barriers, social differences and types of media being used. Specific organisations aimed at targeting these groups, would be identified with assistance from the Council's Community Engagement Team for consultation purposes. Appropriate locations and a variety of media would also be employed.

Comments received through the consultation procedures relating to protected characteristics would be reviewed at each stage of plan preparation.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

It is considered that the updating of the whole LMWLP would contribute to the aims of the JSNA and JHWS by providing an opportunity to consult/publicise on policies relating to the environmental impacts of mineral/waste development (and how these would be mitigated) and to the beneficial reclamation/after use of such sites.

Crime and Disorder

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.

3. Conclusion

3.1 The Review has concluded that 11 of the policies in the LMWLP need to be updated. Furthermore, while no significant issues were identified with the other policies, the Review has concluded that it would still be appropriate to update them in order to:

- improve the clarity and focus of the policies;
- ensure greater consistency between the policies;
- allow any subsequent changes to legislation/national policy to be incorporated into the updated plan;
- ensure account is taken of any new social, economic and environmental priorities (including those arising from the pandemic); and
- enable greater public involvement in the process.

- 3.2 In contrast to the existing LMWLP (which in the earlier stages was largely prepared by external consultants), the updating of the plan would primarily be undertaken by the in-house Minerals and Waste Policy Team. This would reduce costs and allow considerable refinement of the plan by officers with more knowledge of the county and with experience of the existing plan's shortcomings. Some specialised documents would, however, need to be prepared externally. These include a new Waste Needs Assessment and documents associated with the Sustainability Appraisal/Strategic Environmental Assessment.
- 3.3 The decision to proceed with an update rests with the full County Council. The Executive is therefore being asked to endorse the Review and to recommend to the full County Council that the LMWLP is updated in accordance with the programme set out in the proposed Minerals and Waste Development Scheme attached to this report as Appendix B.

4. Legal Comments:

The recommendation is in accordance with the statutory obligations of the Council under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Minerals and Waste Local Plan forms part of the Policy Framework and the decision whether to review the Plan is therefore within the remit of the full Council having regard to the recommendation of the Executive.

5. Resource Comments:

The majority of the work necessary to update the LMWLP is expected to be undertaken by the LCC Minerals and Waste Policy Team. However, consultancy support is envisaged being required for some specialised documents, the cost of which will be met from within the Place directorate's existing budgets.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

At a virtual meeting on 12 January 2021, the Environment and Economy Scrutiny Committee considered the report and unanimously agreed to support the recommendation to the Executive.

Members of the Committee asked a number of questions, when the following points were confirmed:

- The County Council has objected to the Draft Nottinghamshire Minerals Local Plan due to the low level of provision made for sand and gravel which is based on past sales. Nottinghamshire's past sales had been suppressed due to sites being mothballed, and sand and gravel had instead been imported from Lincolnshire sites. There were therefore implications and concerns for Lincolnshire from the proposed levels, as these might result in the need for additional quarries in Lincolnshire to meet the shortfalls in Nottinghamshire.
- There had been a move away from landfill sites in Lincolnshire, with most household waste now taken to the Energy from Waste site, and it was expected that there would be even less reliance on landfill sites in the future. Any proposals for waste sites would be subject to public consultation. Councillor E Poll advised that only about 5000 tonnes of household waste goes to landfill each year which cannot be disposed of by other means.
- There were specific sites allocated in the current plan for sand and gravel extraction as operators had submitted sites during the preparation of the plan for consideration. However, there was little interest from the waste industry in identifying waste sites and only one specific site had been allocated.
- Policy W5 had not been identified as needing to be updated but would be reviewed with all the other policies. Concerns were raised about the inconsistency of policy W5 which meant some planning applications would be considered by the relevant district council and others by the County Council depending on the origin of the waste. It was suggested that it would be more consistent to have one council deal with planning applications in relation to policy W5.

d) Risks and Impact Analysis

See the body of the report and Appendix C.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Review of the Lincolnshire Minerals and Waste Local Plan
Appendix B	Lincolnshire Minerals and Waste Development Scheme (Proposed)
Appendix C	Equality Impact Analysis

8. Background Papers

Core Strategy and Development Management Policies (2016)	www.lincolnshire.gov.uk
Site Locations document (2017)	www.lincolnshire.gov.uk
Authority Monitoring Reports (January-December) 2017/2018/2019	www.lincolnshire.gov.uk
Lincolnshire Local Aggregate Assessment (December 2019)	www.lincolnshire.gov.uk
Statement of Community Involvement (September 2019)	www.lincolnshire.gov.uk

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**Review of the Lincolnshire Minerals
and Waste Local Plan**

February 2021

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PROVISIONAL

Contents

1.	Introduction	5
2.	Overview of the plan	8
3.	Monitoring of the plan	9
4.	Drivers of change	10
	National drivers	10
	Local and regional drivers	13
5.	Assessment of the plan policies	15
	Policies of the CSDMP	15
	Policies of the SLD	93
6.	Conclusion	103

Tables

Table 1:	District council local plans	14
Table 2:	Delivery of CSDMP planned annual provision of sand and gravel	19
Table 3:	Planning permissions for sand and gravel extraction granted on non-allocated land (1 June 2016 to 31 December 2019)	22
Table 4:	Sand and gravel landbanks (2014 to 2018)	25
Table 5:	Planning permissions granted for sand and gravel extraction from 1 June 2016 to 31 December 2019	27
Table 6:	Delivery of CSDMP planned annual provision of limestone aggregate	32
Table 7:	Consultations where the Council considered the requirements of policy M11 excessive ("unreasonable")	42
Table 8:	Decisions on applications subject to consultation under policy M12 (1 June 2016 to 31 December 2019)	44
Table 9:	Net changes in waste management capacity and the effect on the waste management capacity gap projections	50
Table 10:	Delivery of mineral site allocations (as at September 2020)	96

Figures

Figure 1:	The county of Lincolnshire	7
Figure 2:	Sand and gravel production areas in Lincolnshire	18

Appendices

Appendix 1:	Policy related indicators and targets	107
Appendix 2:	The strategic objectives of the Lincolnshire Minerals and Waste Local Plan	110
Appendix 3:	Sustainability Appraisal objectives	112

PROVISIONAL

1. Introduction

- 1.1 Lincolnshire County Council ("the Council") is the Mineral and Waste Planning Authority for the county of Lincolnshire (figure 1). As such it is responsible for the preparation of a minerals and waste local plan, setting out its detailed policies and locations for future minerals extraction and for the development of waste management facilities.
- 1.2 The Council's current plan, the Lincolnshire Minerals and Waste Local Plan (LMWLP), forms part of the statutory development plan for Lincolnshire. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications for minerals and waste development in the county must be determined in accordance with this development plan unless material considerations indicate otherwise.
- 1.3 Due to the importance of the LMWLP in decision making, the Council is required to monitor its performance against the performance indicators set out in the plan. The results of this on-going exercise are published each year in the Council's Authority Monitoring Reports (AMRs).
- 1.4 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), the Council is also required to undertake a more in depth review of the LMWLP within five years from its date of adoption (i.e. by 1 June 2021 - see Section 2). This needs to take into account the findings of the AMRs and any changing circumstances that may affect the relevance and effectiveness of the policies.
- 1.5 A review may conclude that either:
- the plan/policies do not need updating; or
 - that one or more policies need updating, and that the plan should be updated in whole or in part.

However, national Planning Practice Guidance (PPG) advises that most plans are likely to require updating in whole or in part at least every five years.

- 1.6 To meet the requirement of the above regulations, the LMWLP has been reviewed and the findings set out in this document. In accordance with the PPG this review has been kept proportionate to the issues in hand, which are considered to be:
- whether the policies are performing successfully against the indicators set out in the plan (as assessed each year in the Council's Annual Monitoring Reports (AMRs));
 - whether the Council's decisions are being upheld on appeal;

- whether any other concerns have come to light over the implementation of the policies, which are not identified through the policy indicators;
- whether it makes sufficient provision for a steady and adequate supply of aggregates;
- whether there are likely to be any significant changes to the assumptions and forecast waste management capacity gaps set out in the Council's Waste Needs Assessments that underpin the plan;
- whether any issues have arisen that may impact on the deliverability of key site allocations;
- whether the plan conforms with the policies of the National Planning Policy Framework and the National Planning Policy for Waste;
- whether plan-making activity by other authorities impacts on the level of future provision that the Council needs to make for mineral working and waste management having regard to the statutory duty to cooperate procedures; and
- whether any other "drivers of change" (such as changes in legislation and national policy) are impacting on the plan.

1.7 There are five further sections to this document dealing with the following:

- Section 2 provides more details on the LMWLP and the associated Lincolnshire Minerals and Waste Development Scheme (the "project plan" for the preparation of the LMWLP);
- Section 3 provides an overview of the monitoring undertaken on the LMWLP;
- Section 4 provides details of the drivers of change referred to above;
- Section 5 assesses each policy of the LMWLP in turn and identifies the relevant issues referred to in paragraph 1.6 that impact on each policy; and
- Section 6 sets out the final conclusion on whether the plan needs to be updated either in whole or in part.

Figure 1: The county of Lincolnshire



2. Overview of the plan

- 2.1 The **Lincolnshire Minerals and Waste Local Plan (LMWLP)** forms part of the statutory development plan for Lincolnshire and is composed of two Development Plan Documents (DPDs).
- 2.2 The first part of the plan, the **Core Strategy and Development Management Policies (CSDMP)** document, was adopted on 1 June 2016. This sets out the Council's 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 includes core policies, development management policies and restoration policies against which planning applications for minerals and waste development are considered.
- 2.3 The second part of the plan, the **Site Locations** document (**SLD**), was adopted on 15 December 2017. This allocates specific sites for the winning and working of sand and gravel and for waste management, and more general areas that are suitable for waste management. In addition it safeguards the allocated sand and gravel sites from other forms of development.
- 2.4 As set out in the Introduction, a local plan must be reviewed within five years from its date of adoption, and this may give rise to a need to update the plan either in whole or in part. Although the LMWLP was prepared in two parts, under current regulations a new minerals and waste local plan would need to be prepared as a single document. As a result, the review needs to be completed within five years of the adoption of the first part of the LMWLP (i.e. by 1 June 2021) because the findings may indicate that the whole plan needs to be updated.
- 2.5 Under Section 16 of the Planning and Compulsory Purchase Act 2004 (as amended), the Council is required to prepare and maintain a minerals and waste development scheme, which amongst other things sets out a timetable for the preparation and revision of the LMWLP. A new Lincolnshire Minerals and Waste Development Scheme (2020) has therefore been prepared to reflect the findings of this review document.

3. Monitoring of the plan

- 3.1 Under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, the Council is required to periodically produce an Authority Monitoring Report (AMR). These are normally produced annually and, amongst other things, provide information on the performance of the Council's policies set out in the LMWLP.
- 3.2 The performance of the policies are assessed against targets linked to output indicators set out in the LMWLP, which provide a benchmark for measuring policy implementation. This monitoring framework also includes provision to monitor the strategic objectives of the LMWLP and the objectives of the associated Sustainability Appraisal (SA), which the policies seek to deliver. Details of the indicators and targets for the policies in the CSDMP and SLD are included in Appendix 1. The strategic objectives of the LMWLP and the Sustainability Appraisal objectives are listed in Appendices 2 and 3 respectively.
- 3.3 In addition, to assist in the monitoring of policies, the CSDMP requires the Council to routinely monitor other matters, such as the take-up in allocated sites and areas for both minerals and waste development.
- 3.4 For minerals, the CSDMP requires the monitoring of the number and nature of applications that involve the extraction of mineral types which are not covered by specific policies. However, at the end of 2020 no such applications had been made.
- 3.5 For waste, the Council is required to monitor, as far as possible, existing stock and changes in stock and capacities; waste arisings; and the amounts of waste recycled, recovered or going for disposal. This information is reported in the AMRs and in Section 5 of this document under the relevant Core Policies.
- 3.6 The AMRs report on the effectiveness of the policies and help to identify any changes needed if a policy is not working, or the targets are not being met. They are therefore an integral part of the review process.

4. Drivers of change

- 4.1 In addition to assessing the performance of the LMWLP policies through the findings of the AMRs, another important part of the review process involves identifying whether there are any relevant national, regional or local drivers of change that may affect the objectives of the plan or impact upon the policies directly. This could include, for example, changes to national policy and legislation, or the publication of new guidance, plans and strategies by other relevant organisations.
- 4.2 At the time of their adoption (June 2016 for the CSDMP and December 2017 for the SLD), both parts of the LMWLP were found to be sound and legally compliant. This review will therefore focus on any changes to policy, legislation and other drivers of change (relevant to minerals and waste) that have taken place since the adoption of both parts of the LMWLP.

National drivers

- 4.3 The paragraphs below identify any relevant changes to national legislation, policy and guidance that have taken place since the adoption of both parts of the LMWLP, and which have the potential to impact upon the soundness and legal compliance of the policies within the plan. Where required, further analysis of the implications of these changes is included in the assessment of individual policies in chapter 5.

National Planning Policy Framework (NPPF)

- 4.4 The NPPF was first published in 2012, and has been updated twice since the adoption of the LMWLP: firstly in July 2018, and secondly in February 2019. The most substantial changes made to the framework relate to planning for housing which falls outside of the scope of the LMWLP. These changes may, however, affect any updates to the housing provision in the district councils' local plans. In turn, these will need to be taken into account in any future forecasts of aggregate provision and waste management needs underpinning the LMWLP. In addition, other changes have been made that are of more direct relevance to the plan, including:
- greater emphasis on conserving and enhancing the natural environment, including delivery of measurable net gains in biodiversity;
 - increased emphasis on flood risk assessment and mitigation;
 - increased emphasis on the effects of climate change;
 - updates in relation to the conservation of heritage assets; and
 - updates in relation to energy security and oil and gas development.

- 4.5 Other relevant updates to the NPPF include the introduction of a requirement for Statements of Common Ground (SOCG) to be produced to demonstrate compliance with the duty to co-operate. As this is a procedural requirement related to the plan-making process, it does not affect the existing policies and objectives of the adopted LMWLP.

National Planning Practice Guidance (NPPG)

- 4.6 The NPPG was first published in 2014 and provides guidance to support the NPPF. This 'live' web-based guidance is subject to regular and on-going updates. Relevant updates to the NPPG that have been made since adoption of the LMWLP predominantly reflect and build upon the changes to the NPPF outlined above.

The 25 Year Environment Plan

- 4.7 The government's '25 Year Environment Plan' was published in January 2018. The plan sets out the government's strategy for managing and improving the environment to leave it in a better condition for the next generation. To help meet this aim, the strategy sets out a number of goals:

- clean air;
- clean and plentiful water;
- thriving plants and wildlife;
- a reduced risk of harm from environmental hazards such as flooding and drought;
- using resources from nature more sustainably and efficiently;
- enhanced beauty, heritage and engagement with the natural environment;
- mitigating and adapting to climate change;
- minimising waste;
- managing exposure to chemicals; and
- enhancing biosecurity.

- 4.8 Each of the above goals is supported by associated targets and objectives. In May 2019 a framework of outcome indicators was published to accompany the 25 year environment plan.

Resources and Waste Strategy for England

- 4.9 The government's 'Resources and Waste Strategy for England' was published in December 2018. This strategy aims to preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy. To this end, it sets out a number of ambitious commitments, milestones and targets which will have a significant impact on waste generation and the way that it is managed and planned for in the coming years.

4.10 Key ambitions set out in the strategy include:

- doubling resource productivity by 2050;
- elimination of avoidable waste of all kinds by 2050;
- elimination of avoidable plastic waste over the lifetime of the 25 year environment plan;
- working towards eliminating food waste to landfill by 2030; and
- working towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025.

4.11 The strategy also proposes the following waste management targets:

- 50% recycling rate for household waste by 2020;
- 75% recycling rate for packaging by 2030 (subject to consultation);
- 65% recycling rate for municipal solid waste by 2035; and
- municipal waste to landfill 10% or less by 2035.

Changes to legislation, regulations and case law

4.12 There have been a number of changes and updates to relevant regulations and case law in the period following the adoption of the LMWLP. These have included, for example:

- amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012;
- updates to the Strategic Environmental Assessment Regulations;
- updates to the Conservation of Habitats and Species Regulations; and,
- European Court of Justice Ruling (People Over Wind and Sweetman v. Coillte Teoranta) 2018 and the associated implications for Habitats Regulations Assessments.

4.13 Many of the changes that are of direct relevance to the LMWLP relate to the procedures to be followed during the plan-making process, and so whilst they may impact upon any future updates to the plan, they do not affect the existing adopted policies.

Emerging policy and legislation

4.14 At the time of publication of this review report, the Draft Environment Bill was progressing through parliament. The Bill is likely to receive royal assent in 2021, and will have a number of significant implications for the LMWLP that will need to be taken into consideration by the Council.

- 4.15 The Bill will provide the legislative underpinnings for many of the commitments in the 25 Year Environment Plan and the Resources and Waste Strategy discussed above. Relevant provisions proposed in the Bill include a strengthened duty to conserve and enhance biodiversity, including a mandatory requirement for measurable net-gains in biodiversity. Significant provisions are also proposed in relation to waste and resource efficiency.

Local and regional drivers

Minerals and Waste Local Plans

- 4.16 Planning for mineral extraction and the provision of waste management infrastructure are both strategic matters which require cross-boundary co-operation between different minerals and waste planning authorities and other relevant organisations. The minerals and waste local plans of other authorities therefore have the potential to have a significant impact on the LMWLP. Through the duty to co-operate, and in responding to formal consultations, the Council engages with other minerals and waste planning authorities on a regular basis in relation to the above matters.
- 4.17 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

District Council Local Plans

- 4.18 As part of the two-tier system of local government in Lincolnshire, the district councils are responsible, either individually or in partnership, for the production of local plans for their respective administrative areas. Local plans are currently in place for all districts within Lincolnshire and table 1 below identifies the date of adoption for each of these local plans.

Table 1: District council local plans

Local Plan	Date of Adoption
Central Lincolnshire Local Plan	April 2017
East Lindsey Local Plan	July 2018
South East Lincolnshire Local Plan	March 2019
South Kesteven Local Plan	January 2020

- 4.19 As shown in the above table, all of the current district local plans within Lincolnshire were adopted after the Council had adopted the CSDMP (the first part of the LMWLP), and all but one were adopted after the Council adopted the SLD.
- 4.20 As Minerals and Waste Planning Authority, the Council has followed the progress of these local plans closely, making representations and co-operating with the district councils where appropriate. As a result, no significant implications have been identified in relation to the performance and effectiveness of the LMWLP as a result of the adoption of the above local plans.
- 4.21 As elements of the adopted LMWLP align with the provisions of the district local plans, for example the siting of waste allocations on employment land, any changes that have been made to the policies and associated policies maps of the district local plans will be considered as part of any future updates to the LMWLP.

Other relevant local and regional publications and strategies

- 4.22 Any other relevant local and regional publications and strategies are included in the assessment of the individual policies in chapter 5.

5. Assessment of the plan policies

5.1 This section identifies each policy of the adopted LMWLP and provides an assessment against the following factors (which incorporate the issues identified in paragraph 1.6 of Section 1):

- summary of performance in relation to the indicators and targets set out in the plan – based on the findings of the AMRs (see Appendix 1 for a list of indicators and targets for each policy);
- any other issues with the implementation of the policy that have not been identified by the indicators and targets; and
- whether there are any relevant national, regional or local drivers of change that affect the underlying objectives or impact upon the policy directly.

A summary is included at the end of each assessment setting out how the policy has performed overall and whether any issues have been identified that may indicate the need for the policy to be updated.

Policies of the CSDMP

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.

Performance based on the indicators and targets of the CSDMP

5.2 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M1.

Target: 100%

Result: 90%

5.3 Information set out in the AMRs for 2016 to 2019 indicates new recycling facilities have been permitted in appropriate locations in accordance with the sustainable waste management aspirations of policy M1. Ten planning decisions for aggregates recycling were issued during the 2016 – 2019 period, nine of which were approved in accordance with the policy.

Other issues with implementation

- 5.4 Policy M1 sets out the Council's positive approach for the provision of recycled and secondary aggregate waste management facilities. The policy is, however, reliant upon applications being in accordance with other policies in the plan – particularly policy W4 (Locational Criteria) and the development management policies which are referenced in the policy.
- 5.5 In 2016 one application was granted planning permission contrary to officer recommendation. This was an application at Dunston Quarry which failed the criteria of policy W4 and, by implication, policy M1. In this case the Council's Planning and Regulation Committee took the view that greater weight should be afforded to paragraph 28 of the National Planning Policy Framework which supports the sustainable growth and expansion of all types of business and enterprise in rural areas. They also considered the nature of the development, the fact that the same recycling operations had previously benefited from planning permission, and that the environmental and amenity impacts would be limited.
- 5.6 The above case was not picked up as being contrary to policy M1 in the AMR for 2016. It has, however, been included in this review of the policy in order to increase the accuracy of the assessment.

Drivers of change

- 5.7 The Waste Management Plan for England (2014) sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management and by driving waste management up the waste hierarchy. The plan incorporates the principles set out in the EU Waste Framework Directive, 2008/98/EC, which requires waste management authorities to plan on the basis that, over time, there should be a significant reduction in the amount of Construction, Demolition and Excavation waste that is sent for disposal to landfill.
- 5.8 The NPPF 2018 sets out in paragraph 204, that planning policies 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".

Policy M1 therefore sets out a positive approach for the delivery of new recycling and secondary aggregate facilities to meet the county's needs.

- 5.9 Since the CSDMP was adopted in 2016, the government's 25 year Environment Plan has been published (January 2018). The plan sets out a strategy which includes minimising waste and reusing materials, working toward a key target of zero avoidable waste by 2050. This plan was shortly followed by the publication of the Resources and Waste Strategy for England (December 2018) which builds upon these key milestones for waste management. Of particular relevance to policy M1 is the key milestone for the sustainable use of natural resources, which aims to double the productivity of recycled resources as a substitute for primary aggregate. The strategy also promotes the elimination of avoidable waste of all kinds by 2050.

Summary

- 5.10 It is considered that the positive approach of policy M1 toward the provision of development for recycled and secondary aggregates accords with the aims of current legislation and guidance, and has generally performed well. However, the decision of the Council's Planning and Regulation Committee to approve an application contrary to the linked policy W4, indicates that the policy may need to be modified.

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, 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.

[See figure 2 below]

Figure 2: Sand and gravel production areas in Lincolnshire



Performance based on the indicators and targets of the CSDMP

5.11 The performance of the policy since the adoption of the CSDMP is measured against five indicators, which are discussed in turn below.

Indicator 1: Delivery of the identified annual provision by production area.

Target: 100% accordance with policy M2.

Result: Lincoln/Trent Valley Production Area (111%); Central Lincolnshire Production Area (70%); South Lincolnshire Production Area (91%).

5.12 Indicator 2 was set up as a means of assessing whether the Council is on course to deliver the planned provision of sand and gravel within each production area for the plan period. This is achieved by comparing the average annual sales with the planned provision rate for that part of the plan period which has lapsed, and for which sales data is available. The results are set out in table 2 and can be interpreted as:

- results around 100% - the plan is on course to deliver the planned provision;
- results less than 100% - the plan is less likely to deliver the planned provision, which may indicate problems with supply or could simply be the result of low demand; and
- results over 100% - demand may exceed the planned provision over the plan period.

Table 2: Delivery of CSDMP planned annual provision of sand and gravel

Sand and gravel production area	CSDMP planned annual provision (mt)	2014 sales (mt)	2015 sales (mt)	2016 sales (mt)	2017 sales (mt)	2018 sales (mt)	Average annual sales (mt)	Planned annual provision delivered up to 31.12.18
Lincoln/Trent Valley	1.00	1.07	1.02	1.13	1.18	1.13	1.11	111%
Central Lincolnshire	0.5	0.36	0.41	0.35	0.26	0.34	0.35	70%
South Lincolnshire	0.87	0.72	0.76	0.69	0.94	0.85	0.79	91%
Lincolnshire	2.37	2.15	2.19	2.17	2.38	2.32	2.24	95%

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.13 The table shows that the Lincoln/Trent Valley Production Area has exceeded the annual provision rate set in the CSDMP. This appears to be due to the increasing demand from Nottinghamshire and other counties rather than from demand arising within the county. Nevertheless, the CSDMP appears to be on course to deliver all of the planned provision in this Production Area, and potentially more. This should not, however, present a problem within the short to medium term, given that the SLD has allocated an additional 9.24mt of sand and gravel in excess of the planned level of provision needed during the plan period. In effect this should provide a considerable buffer should production levels continue to exceed the planned provision rate.
- 5.14 In contrast to the Lincoln/Trent Valley Production Area, sales in the South Lincolnshire Production Area have been lower than the planned level of provision, but are within 10% of that figure. These lower production levels are due to the low demand for sand and gravel in this part of Lincolnshire, although this has been partly offset by higher demand from the East of England.
- 5.15 Sales in the Central Lincolnshire Production Area have been significantly below the planned levels of production. This is due to the lower demand for sand and gravel and is not attributable to any problems with productive capacity. Unlike the other two production areas, the quarries within Central Lincolnshire are not well placed to serve the more buoyant markets beyond the county boundaries. Notwithstanding this, the provision level set for this production area is not considered excessive as it allows for an anticipated recovery in sales.
- 5.16 It is therefore considered that the policy has delivered a sufficient supply of sand and gravel in each Production Area to meet the level of demand and, as a result, the policy objectives are being met.

Indicator 2: Type of Sites: extensions/new.

Target: Priority to extensions.

Result: Target met through the adoption of the SLD.

- 5.17 Policy M2 makes provision for the release of sand and gravel reserves and gives priority to the allocation of extensions to Active Mining Sites through the SLD. Policy SL1 of the SLD allocates nine extensions to existing active mining sites and one new quarry, and is considered to have met this objective of the policy.

Indicator 3: Location of new quarries by Production Area.

Target: 100% location within Areas of Search.

Result: Target met through the adoption of the SLD.

5.18 Where new quarries are allocated in the SLD, policy M2 specifies that they should be located within an area of search. Only one new site is allocated in the SLD, known as Manor Farm, Greatford (MS25-SL), which is located in an area of search.

5.19 It is therefore considered that this aspect of the policy objectives has been met.

Indicator 4: Allocation of sites meeting the required annual and plan period provision.

Target: Through adopted Sites Location Plan.

Result: Target met through the adoption of the SLD.

5.20 Policy SL1 of the adopted SLD allocates sufficient sites to meet the annual and plan period provision for sand and gravel set out in policy M2. Some of the allocations are not required until well into the plan period, and as a result will only be partially worked during this period. The overall allocation in each production area therefore exceeds the requirements of policy M2 and provides a degree of flexibility should demand exceed forecast levels. The delivery of allocated sites is considered in detail under policy SL1.

Indicator 5: Permissions for non-allocated sites.

Target: Zero

Result: Five

5.21 Table 3 lists five planning permissions for mineral extraction granted on non-allocated land.

5.22 The first of these applications PL/0042/15 was subject to a committee resolution on 11 April 2016 to grant planning permission subject to the completion of a Section 106 Planning Obligation, prior to the adoption of the CSDMP. It was therefore excluded from the allocation process as the reserves had already been taken into account in the drafting of policy SL1 of the SLD. Planning permission was subsequently granted in September 2017, prior to adoption of the SLD. Although this application did not contravene policy M2, it was technically at odds with this indicator.



Table 3: Planning permissions for sand and gravel extraction granted on non-allocated land (1 June 2016 to 31 December 2019)

Planning permission	Application details
PL/0042/15	Western and Eastern extensions to Woodhall Spa (Kirkby on Bain) Quarry, providing 3.5mt of sand and gravel
PL/0126/17	To extract 183,000 tonnes of sand and gravel at Tithe Farm Pastures, Tithe Farm, Langtoft
(E)S176/189/0443/16	Woodhall Spa (Kirkby on Bain) Quarry, S73 application to reduce the standoff between the extraction area and the adjacent banks of the Old River Bain, releasing an additional 50,000 to 70,000 tonnes of sand & gravel
PL/0016/19	For the extraction of 35,821 tonnes of sand and gravel, for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kesley Road, Caistor
PL/0015/19	For the extraction of 350,000 tonnes of sand and gravel as an extension to West Deeping Quarry

- 5.23 The second application was for an agricultural irrigation reservoir, which involved the "incidental" extraction of sand and gravel. As such it was determined under policy M14. This type of application arises where there is a need for an irrigation facility rather than specifically to contribute to the provision of a steady and adequate supply of aggregate mineral. As a result, while such applications do not contravene policy M2, they will inevitably conflict with this indicator.
- 5.24 The remaining applications were considered against policy M4 (Proposals for sand and gravel extraction), which under certain circumstances allows the granting of planning permission for non-allocated sites. While in both cases it was considered that the proposals do not undermine policy M4, as non-allocated sites they also conflict with this indicator.
- 5.25 It is therefore concluded that the low performance of this policy as measured by this indicator is misleading. This is because the objective of policy M2 is to ensure the provision of an adequate supply of sand and gravel through the allocation of sites in the SLD. It is not to prevent the granting of planning permission for non-allocated sites that would otherwise meet the criteria of other policies of the CSDMP. On this basis it is considered that this indicator

is flawed and should be disregarded as a means of assessing the performance of policy M2.

Other issues with implementation

- 5.26 No other issues have been identified.

Drivers of change

- 5.27 The NPPF(2019) and Planning Practice Guidance require Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA). The LAAs for Lincolnshire are prepared to meet this requirement and should therefore be read in conjunction with this review document. The latest LAA (incorporating 2018 data) has taken into account the following factors when determining the future provision rate for sand and gravel:

- evidence for population projections;
- housing provision set out in the Lincolnshire district councils' adopted and emerging local plans;
- delivery of net additional housing stock over the preceding 10 year period;
- proposals for infrastructure delivery; and
- the prevailing economic climate.

The LAA concludes that Lincolnshire has made adequate provision for sand and gravel production to meet the projected demand over the plan period.

- 5.28 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

Summary

- 5.29 With the exception of Indicator 5 (which is considered unreliable), the policy indicators have demonstrated that over the period 2016 to 2018 policy M2 has provided for the delivery of a steady and adequate supply of sand and gravel to meet the county's needs. However, when the CSDMP is updated it will need to cover a period going beyond the plan's current end date, so the level of provision will need to be increased. In addition, if neighbouring authorities fail to make adequate provision for a steady and adequate supply of sand and gravel from their own indigenous deposits, this may have implications for the level of provision that the LMWLP will need to make.

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.

Performance based on the indicators and targets of the CSDMP

- 5.30 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.
- Indicator:** Level of landbank for sand and gravel aggregate within each Production Area.
Target: Minimum landbank of 7 years to be maintained within each Production Area as calculated in accordance with the latest LAA.
Result: Landbank has exceeded 7 years in all production areas based on the Local Aggregate Assessments.
- 5.31 Table 4 sets out the landbank of permitted reserves for each year from 2014 (the base year of the plan) to 2018 (the latest year for which published information is available) – as calculated at the end of each calendar year. That is, how long the permitted reserves of sand and gravel were anticipated to last (measured in years' supply).
- 5.32 The table demonstrates that the landbank has consistently exceeded the 7 year minimum target in each production area, meeting the objectives of policy M3.

Table 4: Sand and gravel landbanks (2014 to 2018)

Sand and gravel production area	Landbank as at 31.12.14 (years)	Landbank as at 31.12.15 (years)	Landbank as at 31.12.16 (years)	Landbank as at 31.12.17 (years)	Landbank as at 31.12.18 (years)
Lincoln/Trent Valley	10.9	13.0	9.6	8.0	8.5
Central Lincolnshire	8.4	7.5	7.3	15.9	15.7
South Lincolnshire	7.9	10.8	10.6	8.7	7.8
Lincolnshire (Total)	9.3	11.0	9.5	9.8	9.6

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.33 In addition, the 2020 LAA reports that two planning permissions for sand and gravel extraction were granted in 2019 and two further applications were pending final determination at the end of the year (which have subsequently been granted) that will further increase the reserves/landbanks by:
- 7.29 years in the Lincoln/Trent Valley Production Area;
 - 0.1 years in the central Lincolnshire area; and
 - 0.62 years in the South Lincolnshire Production Area.

Other issues with implementation

- 5.34 No other issues have been identified.

Drivers of change

- 5.35 All of Lincolnshire's Local Aggregate Assessments have taken into account the following factors when determining the method for calculating the level of landbanks for sand and gravel:
- evidence for population projections;
 - housing provision set out in the Lincolnshire district councils' adopted and emerging local plans;
 - delivery of net additional housing stock over the preceding 10 year period;
 - proposals for infrastructure delivery; and
 - the prevailing economic climate.

The latest LAA (2018 data) shows that the landbank within each production area continues to exceed the minimum 7 years supply.

- 5.36 The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to Policy M3.

Summary

- 5.37 No issues have been identified with the performance of policy M3 in maintaining an adequate landbank of sand and gravel to meet the county's needs.

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.

Performance based on the indicators and targets of the CSDMP

- 5.38 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M4.

Target: 100%

Result: 25%

- 5.39 Four planning applications have been granted planning permission for the extraction of sand and gravel under policy M4, as set out in the AMRs for 2016 to 2019 (table 5).

Table 5: Planning permissions granted for sand and gravel extraction from 1 June 2016 to 31 December 2019

Planning permission	Application details
(E)S176/189/0443/16	Woodhall Spa (Kirkby on Bain) Quarry, S73 application to reduce the standoff between the extraction area and the adjacent banks of the Old River Bain, releasing an additional 50,000 to 70,000 tonnes of sand & gravel
PL/0097/17	Extension to Norton Bottoms Quarry, Stapleford to provide an additional 7 million tonnes of sand and gravel located on site allocation MS05-LT
PL/0016/19	For the extraction of 35,821 tonnes of sand and gravel, for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kesley Road, Caistor
PL/0015/19	For the extraction of 350,000 tonnes of sand and gravel as an extension to West Deeping Quarry

- 5.40 The first planning application was a section 73 application (ref: E)S176/189/0443/16) to vary a condition of an existing planning permission at Kirkby on Bain Quarry. This sought to reduce a standoff from the river and allow the extraction of sand and gravel from this margin. As such the general principle of working sand & gravel at this site had already been established by the previous permission, the main issue for consideration was whether the standoff was still needed. In this case it was found that the standoff was not needed. In granting planning permission, it was considered that this relatively minor application did not undermine the policy, although strictly speaking it did not comply with it.

- 5.41 The second application was for an extension to Norton Bottoms Quarry, Stapleford which is allocated in the Site Locations document ref: MS05-LT. This permission was therefore granted in accordance with policy M4 following completion of a Section 106 agreement.
- 5.42 The third application (PL/0016/19) was for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kelsey Road, Caistor. The application was treated as a County Matter application as it involved the extraction of 35,821 tonnes of sand. The site was located next to the North Kelsey Quarry, but was not under the control of that quarry operator. Furthermore, it was neither allocated for extraction in the SLD nor did it meet the other criteria of policy M4. However, it was noted in the officer report that reserves within the North Kelsey Quarry were nearing exhaustion. An extension to that quarry had been allocated as site MS09-CL under policy SL1 of the SLD, which was expected to be delivered in 2019. However, no application had been made for the site and, given that the site had changed ownership since allocation and was not under the control of the existing quarry operator, it was considered that an application may not be forthcoming. It was therefore considered that the proposal could potentially contribute to a short-fall in production capacity within this locality. Planning permission was therefore granted as it was not considered to undermine the core aspirations of policy M4.
- 5.43 The fourth application (PL/0015/19) was for the extraction of 350,000 tonnes of sand and gravel from a relatively small area of land adjacent to West Deeping Quarry. The site was surrounded on three sides by the quarry and it was proposed that it would be worked as a natural extension to that quarry. The site was not allocated in the SLD and also failed to meet the other criteria of policy M4. Despite this, it was concluded that the mineral in the land would only be economically viable to work, if worked in the near future as part of the existing operations. It was therefore considered to accord with the aims of policy M4, although technically it was not fully compliant with that policy. As a result planning permission was granted.
- 5.44 In summary, of the four applications submitted, only one was for an allocated site. The other three sites did not strictly meet the criteria of policy M4, which was not fully picked up in the AMRs, but has been reassessed to ensure the accuracy of this review. Despite this, in each case there were significant material considerations that would have outweighed strict adherence to policy M4.

Other issues with implementation

- 5.45 No other issues have been identified.

Drivers of change

- 5.46 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M4.

Summary

- 5.47 The determinations referred to above tend to indicate that the policy does not provide sufficient flexibility. In particular, it does not specifically allow the extraction of sand and gravel from small areas of land within or adjacent to existing quarries, which would otherwise become sterilised if not worked as part of the existing operations. This is an issue which could be explored further if the policy is updated.

Policy M5: Limestone

Proposals for extensions to existing 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 in the plan.

Performance based on the indicators and targets of the CSDMP

- 5.48 The performance of the policy since the adoption of the CSDMP is measured against two indicators.

Indicator 1: Percentage of relevant planning applications determined in accordance with policy M5.

Target: 100%

Result: 75%

- 5.49 Four planning applications were assessed against policy M5 during the review period. However the decisions need to be set in context to fully assess the performance of the policy.
- 5.50 The first decision under this policy was for a proposed new quarry at Gorse Lane, Denton (ref S26/1611/15) to extract 5.9 million tonnes of limestone and to backfill the land with around 3.3 million tonnes of inert waste to create the restoration landform. This application was refused because it was considered that the applicant had failed to demonstrate a proven need to release further reserves. An appeal was lodged against the Council's decision, but the

appeal was dismissed in 2018 and the Council's decision found to be fully in accordance with policy M5.

- 5.51 Two further planning applications for limestone extraction were submitted to extract 400,000 tonnes of limestone as an extension to Dunston Quarry (ref N26/1212/16 and N26/0437/17). Both applications were refused by the Council, firstly in 2016 and following resubmission in 2017.
- 5.52 As in the Denton decision, the proposed development at Dunston was considered contrary to policy M5, which requires that planning applications for limestone extraction have to demonstrate that the stone is required to meet a proven need that cannot be met by existing sites or sources. The planning officer's committee reports set out that at the time of the applications the county's landbank of permitted reserves of limestone stood at around 20 years' supply, well above the recommended 10 year minimum set out in the NPPF. As no need had been demonstrated, both applications were refused.
- 5.53 The second refusal was subject to an appeal to the Secretary of State. Following a hearing, the Planning Inspector took a different view to the Council and concluded that a need for the limestone had been demonstrated. In his view, without the extension, the Lincoln urban market would have to largely rely upon aggregates (crushed Lincolnshire limestone) from one other aggregate quarry and aggregates derived from building stone quarries. The Inspector took the view that the amount of aggregate available from building stone quarries could be inconsistent as they are wastes and so not a reliable source. He therefore decided that the proposal did accord with policy M5, and gave weight to the economic benefits of allowing the continuation of operations and maintaining competition in the market. The appeal was therefore allowed granting planning permission for the development.
- 5.54 While it is considered the Inspector came to a reasonable decision based on the evidence available to him, in practice that evidence did not paint a full picture of the situation. This is because over the past 20 years or so a number of inactive quarries that were historically worked for aggregate have re-opened as "building stone quarries". These produce substantial quantities of aggregate - with at least one of them producing it as a primary product (i.e. not as a waste product of building stone extraction). Unfortunately, the Council was unable to demonstrate this to the satisfaction of the Inspector because all the published data on aggregate sales both in the LAAs and in the East Midlands Aggregate Working Party reports has been collated to protect the commercial confidentiality of individual operators. As a result the output from each individual quarry in terms of the quantity of stone removed and its end-use is not identified. This is therefore considered to be a potential weakness in how applications can be adequately assessed against this policy.

- 5.55 A further planning application for limestone extraction was determined during the monitoring period (2018) for South Witham Quarry (east), (ref S/17/0563) near Grantham. The application proposed a western extension to the quarry, the completion of operations in the existing quarry together with the relinquishment of a permitted area to the north of Mill Lane granted under an old ministerial ironstone consent.
- 5.56 The proposed extension contained an additional 1.7 million tonnes of limestone reserves that would extend the life of the quarry by a further 8 to 11 years. As with the previous applications, given the significant landbank of permitted limestone reserves, there was no quantitative need to release new limestone reserves at that time. However, in this case the applicant offered to "swap" an extant planning permission to work land north of Mill Lane, which if worked could have had significant environmental impacts, for permission to work the proposed extension with lower impacts.
- 5.57 Although this has resulted in a net increase of around 500,000 tonnes of limestone reserves being added to the permitted reserves, it was considered that on balance the environmental and amenity benefits gained from the proposal were such that this application could be supported as an exceptional circumstance in line with the supporting text of policy M5 of the CSDMP. Planning permission was therefore granted. Although not explicit in the officer report, it is considered that the proposal was a legitimate exception to policy M5, which does not undermine the policy.
- 5.58 The performance of this policy has therefore been mixed. At one end of the spectrum the Council's decision at Denton is considered to have been made fully in accordance with the policy, as attested by the Inspector's decision. On the other hand, the decision at Dunston was less clear cut with the Council and Inspector taking opposite views on whether the proposal accorded with policy M5. In that case, however, the main issue was the interpretation of the limited data available on alternative sources rather than a fundamental issue with the policy itself. Finally, the application at South Witham did not strictly accord with Policy M5, but was a legitimate exception that does not undermine the policy.

Indicator 2: The delivery of the identified annual provision.

Target: 100%

Result: 119%

- 5.59 Indicator 2 was set up as a means of assessing whether the Council is on course to deliver the planned provision of limestone aggregate for the plan period. This is achieved by comparing the average annual sales with the planned provision rate for that part of the plan period which has lapsed, and for which sales data is available. The result can be interpreted as:
- a result around 100% - the plan is on course to deliver the planned provision;

- a result less than 100% - the plan is less likely to deliver the planned provision, which may indicate problems with supply or could simply be the result of low demand; and
- a result over 100% - demand may exceed the planned provision over the plan period.

The actual result is set out in table 6.

Table 6: Delivery of CSDMP planned annual provision of limestone aggregate

CSDMP planned annual provision (mt)	2014 sales (mt)	2015 sales (mt)	2016 sales (mt)	2017 Sales (mt)	2018 Sales (mt)	Average annual sales (mt)	Planned annual provision delivered up to 31 December 2016
0.62	0.38	0.43	0.76	0.85	1.28	0.74	119%

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.60 The table demonstrates significant variations in production, with average annual sales exceeding the annual provision made in the CSDMP over the last three years. The LAA states that whilst the production spike seen in the latest figures may only be a consequence of short term highway projects within the County, including the A15 Lincoln Eastern Bypass development which commenced in 2016, there is some evidence of increasing exports of limestone to markets outside the county.
- 5.61 To reflect the higher level of demand, the method for calculating the landbank has been adjusted in the latest LAA (reporting 2018 data). Instead of dividing the permitted reserves (in tonnes) by the average sales over the past 10 years (as in previous LAAs), the use of the 10-year average has been replaced by the higher 3-year average (2016 – 2018). Using this approach, the permitted reserves of limestone (20.86mt) provide a landbank of 21.73 years. Although no sites have been allocated in the Site Locations Document, these reserves should last well beyond the period of the Lincolnshire Minerals and Waste Local Plan.

Other issues with implementation

- 5.62 No other issues have been identified with the implementation of the policy.

Drivers of change

- 5.63 The NPPF(2019) and Planning Practice Guidance require the Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA). The LAAs for Lincolnshire are prepared to meet this requirement and should therefore be read in conjunction with this review document. The latest LAA (incorporating 2018 data) concludes that Lincolnshire has made adequate provision for limestone production to meet the projected demand over the plan period.
- 5.64 The NPPF and PPG have been updated since the adoption of the CSDMP; however, no changes have been made to these documents which are relevant to policy M5.
- 5.65 The Department of Transport, Road Investment Strategy 2020 – 2025 was published in March 2020 and sets out the strategic vision for focusing investment to improve transport links over the next five years. The strategy incorporates nationwide maintenance projects and the replacement of concrete pavement road surfaces. Most significantly, improvements to the A46 'Trans-Midlands Trade Corridor' between the M5 and the Humber Ports, proposes to create a continuous dual carriageway from Lincoln to Warwick. This work will incorporate the three mile gap between the upgraded section of the A46 dual carriageway and Newark and upgrading of the A46 Newark Bypass and A1 access to improve capacity.
- 5.66 Whilst it is accepted that Lincolnshire limestone products are not generally produced to the technical specifications required for road building, they are suitable for other associated works e.g. bulk fill, compound surfaces, land raising applications and as such there may be some additional demand for aggregates over this period.

Summary

- 5.67 Although the latest LAA indicates that the county has sufficient permitted reserves for the plan period, the Dunston appeal has highlighted the potential challenges of assessing the main criteria of policy M5 (i.e. demonstrating whether or not there is a particular need for additional reserves).
- 5.68 Furthermore, where such a need cannot be demonstrated, the policy lacks flexibility to allow small extensions to existing quarries, which could otherwise maintain jobs and competition. This is an issue which could be explored further if the policy is updated. In particular, this would allow an opportunity to consider the amount of provision to be made over the period of the new plan and how that would be delivered. This could involve taking a more proactive approach by allocating specific sites for the extraction of limestone.

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.

Performance based on the indicators and targets of the CSDMP

- 5.69 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M6.

Target: 100%

Result: N/A

- 5.70 No planning applications were assessed against this policy during the monitoring period 2016 to 2019. The CSDMP does not make specific provision for chalk extraction as it is considered that there are more than sufficient reserves to meet the low demand for chalk over the plan period. This position has been further qualified in the annual LAA reports. Accordingly policy M6 requires any proposals for extensions to existing chalk extraction sites or new chalk extraction sites to meet a proven need that cannot be met by existing sites.

Other issues with implementation

- 5.71 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.72 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M6.

Summary

- 5.73 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

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.

Performance based on the indicators and targets of the CSDMP

- 5.74 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M7.

Target: 100%

Result: N/A

- 5.75 No planning applications were assessed against this policy during the monitoring period 2016 to 2019 (no planning applications were received for historic building stone).

Other issues with implementation

- 5.76 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.77 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M7.

Summary

- 5.78 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

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.

Performance based on the indicators and targets of the CSDMP

- 5.79 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M8.

Target: 100%

Result: N/A

- 5.80 No planning applications were assessed against this policy during the monitoring period 2016 to 2019 (no planning applications were received for historic building stone).

Other issues with implementation

- 5.81 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.82 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M8.

Summary

- 5.83 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

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.

Performance based on the indicators and targets of the CSDMP

- 5.84 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M9.

Target: 100%

Result: 100%

- 5.85 Only two planning applications were assessed against policy M9 during the period 2016 to 2019: one at North Kelsey Moor for amendments to an existing permitted exploratory site, and the other at Biscathorpe seeking an extension of time to implement an existing permission. Both applications were granted planning permission in accordance with the policy.

Other issues with implementation

- 5.86 The Council's planning officers (development management) have questioned whether the current policy strictly adheres to the guidance provided in the NPPF and PPG by having a single policy covering all stages of hydrocarbons development. This is because the NPPF states in paragraph 209 that when planning for on-shore oil and gas development, mineral planning authorities should clearly distinguish between the three phases of development (exploration, appraisal and production).
- 5.87 The PPG goes further and states in paragraph 106 (2019) that where mineral planning authorities consider it is necessary to update their local plan and they are in a Petroleum Licence Area, they are expected to include criteria-based policies for each of the exploration, appraisal and production phases of hydrocarbon extraction. It then goes on to state that these policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licence Areas."
- 5.88 Notwithstanding the above, it is considered that while the NPPF and PPG require all three phases to be identified in the plan, they do not expressly require this to be done in separate policies. Furthermore, it would only be logical to deal with the phases separately if they are to be subject to different criteria. When the present plan was prepared it was not considered

appropriate to apply different criteria to the three phases - an approach that was subsequently found sound and legally compliant by the Examination Inspector.

Drivers of change

- 5.89 Since the CSDMP was adopted in 2016 the NPPF has been subject to two revisions that affect oil and gas, firstly in July 2018 and then in June 2019. The first revision included a separate and expanded section on oil, gas and coal exploration and extraction. Part (a) of paragraph 209 required local authorities to "recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction". However, this part was subsequently removed by the second revision following the decision in *R (on the application of Stephenson) v Secretary of State for Housing, Communities and Local Government* [2019] EWHC 519 (Admin).
- 5.90 The other change relevant to on-shore oil and gas development, which has been retained, relates to part (b) of paragraph 209. This replaced the former paragraph 147 of the original version and states that mineral planning authorities should, amongst other things, ensure "appropriate monitoring and site restoration is provided for". This differs from the original wording which required mineral planning authorities to "address constraints on production and processing within areas that are licensed for oil and gas exploration or production".
- 5.91 On the first part of the amendment, monitoring, this is not covered by policy M9, but is covered by the Council's Local Enforcement Plan in line with paragraph 58 of the NPPF. Therefore it is not considered necessary to include this in policy M9. On the second part, restoration, policy M9 is not specifically linked to a restoration policy so could be seen as moving out of line with the NPPF.

Summary

- 5.92 Although some issues have been identified, it is considered that these are minor and by themselves would not warrant the updating of the plan. However, if the plan is updated for other reasons, this would provide an opportunity to explore this matter further.

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.

Performance based on the indicators and targets of the CSDMP

5.93 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M10.

Target: 100%

Result: N/A

5.94 No planning applications were assessed against this policy during the monitoring period (no planning applications were received for underground gas storage).

Other issues with implementation

5.95 No other issues have been identified with the potential implementation of this policy.

Drivers of change

5.96 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M10.

Summary

5.97 The performance of policy M10 has not been tested against any planning applications since the adoption of the CSDMP in 2016. However, it is considered that the positive approach of the policy toward the provision of development for underground gas storage accords entirely with the aims of current legislation and national policy.

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.

Performance based on the indicators and targets of the CSDMP

- 5.98 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy M11.

Target: Zero

Result: 8

- 5.99 Since the adoption of the CSDMP, eight decisions have been made by Local Planning Authorities where the Council had expressed the view that the proposals would be contrary to policy M11. The details for each of these decisions are set out in the Council's AMRs for the years 2016 to 2019.

Other issues with implementation

- 5.100 This policy aims to safeguard important mineral resources for potential future use by preventing incompatible forms of development, such as housing, from sterilising the deposits. Under the safeguarding procedure, the district councils of Lincolnshire, which are the Local Planning Authorities (LPAs) for most forms of non-minerals/waste development, are required to consult the Council with respect to planning applications falling within Mineral Resource Safeguarding Areas, other than those exempted by the policy. Where applications are caught by this policy, they should be accompanied by a Minerals Resource Assessment (MRA) (see Section 5 of the CSDMP).
- 5.101 The Council's 2017 AMR highlighted that the LPAs were collectively not applying the policy correctly, with the majority of consultations not including a MRA. Furthermore, the consultations included a significant number of proposals which fell within the exclusion criteria of the policy. Although the application of the policy has improved over the intervening years, the latest AMR for 2019 shows that only 37% of applications submitted for consultation included a MRA. LPAs are therefore still failing to implement the policy in the first instance for the majority of planning applications.
- 5.102 In addition, representations have been received from LPA planners and applicants questioning the scope of the policy and its application. In particular, concerns have been raised over the cost of preparing MRAs for sites where it is considered mineral extraction is unlikely to be viable due to obvious constraints. In these circumstances the safeguarding procedure is seen as placing an unreasonable burden on applicants.
- 5.103 Where it has been accepted by the applicants that an MRA should be carried out, there has been numerous requests to the Council for further guidance and advice on the matter. This has placed an additional and un-foreseen burden on the resources of the planning team.

5.104 In 2018, to help manage the workload and respond in a more proportionate manner, the Council's planning officers decided to screen consultations received without a supporting MRA. Under this procedure, where prior mineral extraction would be clearly impracticable, an MRA is not requested. During 2018 and 2019 this exercise resulted in 225 cases being identified where a requirement for a MRA was considered by officers to be disproportionate and unreasonable, as set out in Table 7. This represents a significant proportion of the consultations, given that during the same period only 153 applications were either submitted with a MRA or were requested to submit one.

Table 7: Consultations where the Council considered the requirements of policy M11 excessive ("Unreasonable")

Type of application	Number of applications
Change of use with no operational development	2
Replacement of, or alteration to, existing dwelling/building without change of use	9
Land already sterilised by proximity to designated assets	4
Non sensitive development on previously developed industrial estate/employment site	23
Non sensitive operational development or change of use	2
Application subsequent to currently extant permission for development.	10
Redevelopment of existing sites in non-sensitive locations.	4
Replacement of existing dwellings	1
Resubmission of amended application following initial no objection response on safeguarding grounds	1
Rural redevelopment without introducing sensitive receptors	2
Small scale development within an urban/residential context.	132
Small scale non sensitive development.	21
Small scale rural redevelopment without introducing sensitive receptors	8
Sites already allocated in Local Plans	2
Development that does not permanently sterilise mineral reserves e.g. caravan storage area.	2
Land previously exploited for mineral with no extant planning permission for further extraction.	2
Total	225

Driver of change

- 5.105 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M11.

Summary

- 5.106 It is considered that the performance data collated in the Council's AMRs has demonstrated that policy M11 in its current form does not provide a practical or an efficient approach for safeguarding mineral resources. The policy would therefore benefit from being updated.

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.

Performance based on the indicators and targets of the CSDMP

- 5.107 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications that are granted permission where the Council has expressed the view that the proposals would be contrary to policy M12.

Target: Zero

Result: 2

- 5.108 Since the adoption of the CSDMP, 15 planning decisions have been made by the district councils following consultation with the Council in respect of policy M12 as summarised in table 8 (see AMRs for the years 2016 to 2019 for detailed information).

Table 8: Decisions on applications subject to consultation under policy M12 (1 June 2016 to 31 December 2019)

Decisions	Number of consultations
No objection raised by the Council	13
Granted planning permission despite objections from the Council	2

- 5.109 As table 8 shows, on two occasions the Council has raised objections to development that is proposed within a 250m buffer zone surrounding a mineral site. In both cases, the Council requested additional information to demonstrate that the proposed development would not prejudice the operation of the mineral site. However, the respective LPAs considered the requests for additional information unreasonable and granted planning permission despite the Council's objections.

Other issues with implementation

- 5.110 No specific issues with the implementation of this policy have been identified. However, the policy includes the same exemptions as policy M11, which are causing issues for applications assessed against that policy. Therefore if policy M11 is updated, it may be appropriate to update policy M12 to maintain consistency between them.

Drivers of change

- 5.111 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M12.
- 5.112 The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) has been updated to include new temporary permitted development rights that apply from 1 October 2017 to 30 September 2020. This includes the change of use of some industrial premises to residential use subject to the prior approval of the LPA, which includes consideration of the impact on the sustainability of adjoining uses. This requirement should therefore ensure that mineral sites remain adequately safeguarded against encroaching non-mineral development, provided that LPAs consult with the Council through the prior approval procedure.

Summary

- 5.113 Paragraph 204(e) of the NPPF (2019) requires that planning policies should safeguard existing sites and infrastructure that supports the minerals industry. It is considered that policy M12 adequately promotes this principle. However, if the plan is updated, this would give an opportunity to amend any exemptions in the policy in the light of any changes made to policy M11.

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.

Performance based on the indicators and targets of the CSDMP

- 5.114 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M13.

Target: 100%

Result: 43%

- 5.115 Seven planning applications were assessed against policy M13 during the 2016 to 2019 period. Three of these were determined in accordance with the policy and four contrary to the policy. This represents only 43% compliance with the policy. A summary of each application approved contrary to policy M13 is provided in the council's AMRs for 2016 to 2019.
- 5.116 The premise of policy M13 is to ensure that industrial development is only permitted within or in close proximity to mineral sites where they have close links with the mineral development. In the three cases referred to above, while there were links to the associated quarries, those links were fairly tenuous.

Other issues with implementation

- 5.117 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.118 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M13.

Summary

- 5.119 The Councils AMRs have demonstrated that this policy is underperforming. This could be due to the policy being given insufficient weight in the decision making process, or it could be that the policy is too restrictive with greater weight being given to other factors. Updating the plan would therefore provide an opportunity to consider this matter further.

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.

Performance based on the indicators and targets of the CSDMP

- 5.120 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M14.

Target: 100%

Result: 100%

- 5.121 Only one planning application was assessed against policy M14 during the period 2016 - 2019 and was granted in accordance with the policy.

Other issues with implementation

- 5.122 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.123 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M14.

Summary

- 5.124 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

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.

Performance based on the indicators and targets of the CSDMP

- 5.125 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M15.

Target: 100%

Result: N/A

- 5.126 No planning applications were assessed against this policy during the review period 2016 to 2019.

Other issues with implementation

- 5.127 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.128 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M15.

Summary

- 5.129 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

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 [of the CSDMP], subject to any new forecasts published in the Council's Annual Monitoring Reports.

Performance based on the indicators and targets of the CSDMP

- 5.130 The performance of the policy since the adoption of the CSDMP is measured against two indicators, which are discussed in turn below.

Indicator 1: Allocation of sites to meet the capacity gaps identified in table 9 [of the CSDMP], except for inert landfill and hazardous landfill.

Target: Through adopted Site Locations document.

Result: Achieved through the allocation of sites and areas in the adopted Site Locations document.

- 5.131 The SLD was adopted on 15 December 2017 and includes a specific policy (SL3) for the provision of land for waste development, which incorporates the allocation of 1 specific site and 16 areas suitable for waste management. These areas, based upon industrial estates, are made up of numerous plots of land extending to over 650 hectares (170 hectares vacant at the time of assessment in 2016), well in excess of the area needed to accommodate the number of facilities predicted in the CSDMP (see table 10 of the CSDMP). This approach therefore not only meets the requirements of this indicator but also provides flexibility should the need for new waste management facilities exceed the forecasts in the CSDMP.

Indicator 2: Review of capacity gaps.

Target: Accordance with Annual Monitoring Report.

Result: See text below.

- 5.132 The CSDMP set out the baseline capacity gaps for the plan period 2014 to 2031 which was underpinned by the production of a comprehensive Waste Needs Assessment (WNA). To inform the submission and examination of the second part of the LMWLP, the SLD, a Waste Needs Assessment Update (WNAU) was published in May 2017 in order to take into account more recent data due to the passage of time since the original WNA was produced.
- 5.133 Since publication of the WNAU, details of subsequent losses and gains in waste management provision are set out in detail in the successive AMRs (2017, 2018 and 2019). The resultant net changes in waste management capacity over the period 2017-2019 are summarised in table 9 alongside the revised capacity gap projections for the remainder of the plan period.

Table 9: Net changes in waste management capacity and the effect on the waste management capacity gap projections (minus indicates a surplus of capacity and red indicates a loss of capacity during the monitoring period).

Function	Gap 2015	Net capacity change 2017	Net capacity change 2018	Net capacity change 2019	Gap 2020	Gap 2025	Gap 2031
Mixed waste recycling	114,483	0	196,500	26,446	34,850	66,228	99,450
Specialised recycling	-347,034	149	19,820	47,400	421,546	411,750	410,694
Composting	-366,755	0	0	0	357,146	352,910	348,124
Treatment plant	-125,452	34,300	98,000	132,000	565,915	560,061	-574,795
Energy recovery	-5,226	0	0	0	93,564	101,604	110,811
Specialised incineration	36,220	0	0	0	36,177	36,195	36,214
Aggregates recycling	-65,995	0	57,000	96,000	205,514	139,241	-68,644
Non-hazardous landfill	-105,321	0	0	0	-70,290	100,346	132,100
Inert landfill	-97,654	0	0	0	25,792	34,178	42,863
Hazardous landfill	9,496	0	0	0	9,631	9,769	9,912

5.134 Comparing the waste management capacity gaps in 2015 with the most recent revised capacity gap projections updated in 2019, gives an indication of how waste management capacity is being delivered to meet the predicted needs of the county, which is summarised below:

- **Mixed waste recycling** – Overall there has been a significant reduction in the capacity gap over the review period as a result of fluctuating losses and gains year on year (see AMRs 2016-2019 for detail). These figures serve to demonstrate that waste management is essentially a commercially led activity. Therefore fluctuations in waste sites becoming active, inactive or redundant as a direct consequence of market demands are to be expected. Sufficient sites/areas have however been allocated in the SLD to ensure sufficient land is made available to meet any additional growth in demand for localised recycling facilities.
- **Specialised recycling** (e.g. metal/End of Life Vehicles (ELV)/Waste Electrical and Electronic Equipment (WEEE) etc) - There have been substantial gains in additional capacity which contributes to an already significant surplus at the beginning of plan period and projected throughout. There is clearly a requirement for new facilities to meet both localised and strategic market demand in what is a diverse waste management sector and which may have been underestimated in the initial waste needs assessment.
- **Composting** - There was no additional composting capacity delivered over the review period, probably due to the fact that there was a significant overcapacity at the start of the plan period, which is projected to continue throughout.
- **Treatment plant** - There is a significant surplus of treatment plant capacity for the entire plan period shown in table 9. Despite this a significant amount of new capacity was delivered over the review period. This growth is attributable to an increase in capacity at existing anaerobic digestion plants. The escalation in the use of this technology has become increasingly integral to the management of both the food waste and agricultural waste sectors.
- **Energy recovery** - Additional energy recovery capacity is still required to address a growing capacity gap going forward. Although suitable sites are allocated in the SLD, it will be for market forces and the economics of developing additional Energy from Waste plants (EFW) that will influence the delivery of additional capacity.
- **Specialised incineration** - There were no gains or losses during the review period, which perhaps reflects that this waste management stream caters for relatively limited and niche markets (e.g. pet cremations/fallen stock disposal etc.) and whilst there remains an existing and projected capacity gap rising slightly over the plan period, new facilities are only

likely to come forward to meet specific market demand where it is economically viable.

- **Aggregates recycling** - There was a surplus of aggregates recycling capacity at the start of the plan period and initially a capacity gap was projected towards the end of the plan period. However, table 9 shows that additional capacity granted in subsequent years has significantly increased this surplus and a considerable proportion of this will be available for the duration of the plan.
- **Non-hazardous landfill** – No proposals for development of this type were submitted during the review period and there is currently significant capacity for this function.
- **Inert landfill** – Table 9 shows an increase in the capacity gaps over the plan period. It should, however, be noted that no provision has been made for inert landfill as the Council has taken the position that:
 - a) there is a recognised surplus in non-hazardous landfill throughout the plan period, that could be used for inert landfill (in this respect it should be noted that the capacity figures provided for landfill in the 2017 WNAU are based upon declining annual throughput figures that do not accurately represent the available capacity within the county);
 - b) 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, so the rates could be increased to meet demand and reduce the identified capacity gap; and
 - c) there is the potential for C&D recycling rates to increase over the plan period beyond those planned for in the WNAU, and in such circumstances this would lead to an associated reduction in inert waste landfill requirements.
- **Hazardous landfill** – Although there are capacity gaps throughout the plan period, the CSDMP recognises that it is unlikely that any type of hazardous waste landfill would be commercially viable in the county within the immediate future.

Other issues with implementation

- 5.135 Only one new waste management facility has been proposed for development on an allocated site/area. All of the other sites have been proposed on un-allocated land and assessed against the requirements of policies W3 and W4 governing the spatial and locational criteria for new waste sites. This raises the question of whether allocations for waste development are necessary, as this part of the policy has had little or no influence over the delivery of

sufficient waste management capacity to meet the counties projected needs. This is discussed in more detail under policy SL3.

Drivers of change

- 5.136 A new strategy was published by the government in December 2018, the Resources and Waste Strategy for England (RWSE). This strategy aims to create a more circular economy by maximising primary resources and minimising the waste we create by increasing re-use and recycling of materials. The strategy sets out key milestones, including:
- elimination of avoidable waste of all kinds by 2050;
 - elimination of avoidable plastic waste over the lifetime of the 25 year environment plan;
 - working towards eliminating food waste to landfill by 2030; and
 - working towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025.
- 5.137 The strategy also proposes the following waste management targets:
- recycling rate for Household Waste, 50%
 - recycling rate for municipal solid waste by 2035, 65%
 - municipal waste to landfill, 10% or less
 - the introduction of legislation for mandatory separate food waste collections by 2023 (subject to consultation).
- 5.138 In May 2019 the government published "The 25 year Environment Plan". The indicator framework incorporated into this plan includes goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.
- 5.139 These milestones and targets are likely to impact on the county's future waste management needs.

Summary

- 5.140 Although the CSDMP has been successful in providing for the counties waste management needs over the review period, this has not been achieved in the manner envisaged by policy M1 (that is, most of the sites permitted were not allocated). Furthermore, the capacity gaps referred to in the policy may need to be updated to take into account the government's new milestones and targets. This would be done through the preparation of a new Waste Needs Assessment.

5.141 It is therefore considered that the policy needs to be updated.

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.

Performance based on the indicators and targets of the CSDMP

5.142 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W2.

Target: 100%

Result: N/A

5.143 No planning applications were assessed against this policy during the review period 2016- 2019.

Other issues with implementation

5.144 No other issues have been identified with the potential implementation of this policy.

Drivers of change

5.145 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy W2.

Summary

5.146 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

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.

Performance based on the indicators and targets of the CSDMP

- 5.147 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W3.

Target: 100%

Result: 97%

- 5.148 This policy has been cited in the determination of 58 applications. Following adoption of the CSDMP, some initial issues were identified with the performance of this policy. As detailed in the AMR for 2016, two planning applications were determined contrary to the policy, including one against officer recommendations. This meant that the monitoring indicator was not fully met for this policy.
- 5.149 Both of the above planning applications related to proposed CD&E waste recycling facilities in locations which did not accord with the spatial strategy set out in policy W3. However, both applications were granted planning permission contrary to the policy due to other material considerations and the specific circumstances of each case.
- 5.150 For the subsequent 2017, 2018 and 2019 monitoring periods, all relevant waste planning applications were determined in accordance with the spatial strategy set out in policy W3, with no further issues identified. It is therefore considered that the early performance issues noted above can be largely attributed to the 'bedding in' of the new spatial approach in policy W3 shortly after adoption of the CSDMP.
- 5.151 The information set out in the AMRs for 2016 to 2019 therefore indicates that, notwithstanding the initial issues identified during the 'bedding in' of the policy, overall policy W3 appears to be performing effectively against its monitoring indicator.

Other issues with implementation

- 5.152 Although policy W3 is performing well against its monitoring indicator, and is ensuring waste management facilities are being delivered in accordance with the overarching spatial strategy set out in the policy, a number of issues have been identified through the implementation of the policy that warrant further consideration.
- 5.153 Firstly, it has become apparent through the practical application of policy W3 that parts of the policy and its supporting text may not be sufficiently clear. A particular area where this issue is evident is the definition of 'in and around' the main urban areas which underpins the spatial strategy. This definition is set out in the supporting text and is quite complex. Furthermore, its incorporation within the supporting text means its importance in relation to the policy may not be readily apparent to the reader.
- 5.154 The policy is also more difficult to interpret due to its complex relationship with a number of other policies which are cited within the policy, particularly policy W4, and the fact that large extensions to existing waste facilities are not necessarily bound by all the spatial criteria.

Drivers of change

- 5.155 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to policy W3.

Summary

- 5.156 The spatial strategy for new waste facilities set out in policy W3 remains compliant with national policy and guidance, and the evidence available suggests that the policy is performing in terms of delivering new waste facilities in sustainable locations.
- 5.157 However, it is considered that the policy is complicated and would benefit from being updated. The evidence gathering and stakeholder engagement activities that underpin the plan-making process would provide the most appropriate opportunity to comprehensively re-assess and consider options for the format and content of policy W3 in light of the above issues.
- 5.158 As policy W3 sets out the overarching spatial strategy for new waste facilities, any changes to this policy could have implications for other waste policies in the LMWLP. This will need to be taken into account in any updates to the Plan.

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.

[Continued]

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.

Performance based on the indicators and targets of the CSDMP

- 5.159 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W4.

Target: 100%

Result: 92%

- 5.160 This policy has been cited in the determination of 26 applications. In common with policy W3, some initial issues were identified with the performance of policy W4 in the 2016 AMR. Two planning applications were determined contrary to the policy, meaning the monitoring indicator was not fully met for this policy in 2016. These were the same two applications discussed in relation to policy W3, which by virtue of falling outside of the spatial strategy, were also contrary to the requirements of policy W4.
- 5.161 For the subsequent 2017, 2018 and 2019 monitoring periods, all relevant waste planning applications were determined in accordance with the locational criteria set out in policy W4, with no further issues identified. As with policy W3, it is therefore considered that the early performance issues noted above can be largely attributed to the 'bedding in' of the new waste policies, shortly after adoption of the CSDMP.
- 5.162 The information set out in the AMRs for 2016 to 2019 therefore indicates that, notwithstanding the initial issues identified during the 'bedding in' of the policy, overall policy W4 appears to be performing effectively against its monitoring indicator.

Other issues with implementation

- 5.163 Given the linkages between the two policies, a number of issues have been identified through the implementation of policy W4 that are similar in nature to those discussed in respect to policy W3.
- 5.164 The core function of policy W4 is to set out the locational criteria for new waste facilities in and around the main urban areas, in line with the focus of the spatial strategy set out in policy W3. As previously discussed, a number of separate policies also exist to set out the detailed criteria for proposals that the strategy recognises may be permitted outside of the main urban areas. Similar to the issues identified in relation to policy W3, it is therefore considered that the provisions in policy W4 in relation to large extensions to existing waste facilities that are outside of the main urban areas may over complicate the policy.
- 5.165 In addition, although the policy identifies Active Mining Sites in and around main urban areas as locations suitable for the recycling of construction and demolition waste, in practice few quarries meet the spatial criteria of policy W3 and therefore do not qualify under policy W4. This provision is therefore of very limited use.

Drivers of change

- 5.166 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to policy W4.

Summary

- 5.167 The locational criteria for new waste facilities set out in policy W4 remain compliant with national policy and guidance, and the evidence available suggests that the policy is performing in terms of delivering new waste facilities in sustainable locations. However, through the implementation of policy W4 it has become clear that there are a number of areas of the policy that could be improved. In addition, any changes to policy W3 would have direct implications for the content of policy W4, which would need to be taken into account.
- 5.168 It is therefore considered that the policy should be updated.

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.

Performance based on the indicators and targets of the CSDMP

- 5.169 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W5.

Target: 100%

Result: 100%

- 5.170 Nine planning applications were assessed against policy W5 during the period 2016 to 2019 all of which were granted in accordance with the policy.

Other issues with implementation

- 5.171 One of the locational criteria for this policy is not specifically linked to the proximity principle for dealing with waste close to its point of origin.

Drivers of change

- 5.172 The Resources and Waste Strategy for England (RWSE) published in December 2018 sets out key milestones which will need to be incorporated into the Council's approach to waste management.

The milestones of particular relevance to policy W5 are:

- Eliminate avoidable waste of all kinds by 2050
- Work towards eliminating food waste to landfill by 2030

The strategy also proposes to introduce legislation for mandatory separate food waste collections by 2023 (subject to consultation).

- 5.173 In May 2019 the government published "The 25 year Environment Plan". The indicator framework incorporated into this plan includes goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.
- 5.174 These milestones and targets will impact on the waste streams covered by this policy.

Summary

- 5.175 Monitoring reports covering the review period have demonstrated that policy W5 has been successful in delivering waste management facilities to meet demand within the county. Despite the government's new milestones and targets, it is considered that the policy remains effective in delivering waste management capacity. However, should the plan be updated this would provide an opportunity to strengthen linkages in the policy to the proximity principle and take into account any changes to other waste policies in the plan.

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.

Performance based on the indicators and targets of the CSDMP

- 5.176 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W6.

Target: 100%

Result: 67%

- 5.177 Six planning applications were assessed against policy W6 during the period 2016 to 2019 (see AMRs for further details) all of which were considered by the case officers to be in accordance with the policy. However, following review of those decisions, it is considered that two of those cases did not fully accord with the first policy criterion.
- 5.178 In the first case, the application (reference PL/0068/17) was for the re-profiling and importation of soils to create a paddock at land off Lincoln Road, Fenton. The case officer concluded that the importation of soils (to replace poor quality soils removed) would result in an improvement in the landscape and for this reason it would not be contrary to policy W6. The officer's report did not assess the proposals against the remaining criteria of W6 as this was considered unnecessary given the scale and nature of the development.
- 5.179 In the second case, the application (reference PL/0057/19) sought amendments to the approved plans relating to the restoration contours at South Witham Quarry. These amendments were necessary because the applicant had exceeded the permitted levels of inert landfill. The case officer's report noted that there was no quantitative need for additional landfill capacity. However, the wastes had already been imported into the site and, on balance, it was concluded that the retention of the revised batters would be acceptable. The case officer concluded that the limited volume of wastes imported would not fundamentally conflict with the wider core aim of policy W6. Furthermore it was accepted that the revised batters offered a long term improvement to the local landscape and assimilated well into the restored site.
- 5.180 In both of the above cases it is considered that the applications did not strictly comply with policy W6 because the first criterion of the policy was not met. These decisions may highlight that either the policy criteria are too restrictive, or that the requirements of the policy are not sufficiently clear.

Other issues with implementation

- 5.181 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.182 The Resources and Waste Strategy for England (RWSE), published in December 2018, sets out key milestones which will need to be incorporated into the Council's approach to waste management. The milestones relevant to the waste streams managed through facilities permitted under policy W6 include eliminating food waste to landfill by 2030.
- 5.183 The strategy also proposes additional waste management targets directly applicable to waste disposal authorities which include reducing municipal waste to landfill to 10% or less.
- 5.184 The 25 year Environment Plan published in May 2019 incorporates an indicator framework setting goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.
- 5.185 Although policy W6 is a restrictive policy, changes to the policy may be needed to reflect the new milestones and targets.

Summary

- 5.186 It is considered that this policy should be updated to improve its clarity and ensure that applications are determined in a consistent manner. In addition, the scope of the policy may need to be re-evaluated in the light of new milestones and targets.

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.

Performance based on the indicators and targets of the CSDMP

- 5.187 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W7.

Target: 100%

Result: 100%

- 5.188 Fifteen planning applications were assessed against policy W7 during the period 2016-2019 (see AMRs for further details) all of which were considered by the case officers to be in accordance with the policy.

Other issues with implementation

- 5.189 A number of planning applications have been granted planning permission with tonnages higher than the indicative levels set out in the supporting text of the policy. In each case the officers have stated that these are too low, instead basing their judgement on other factors. This could, however, result in inconsistent decisions being made on applications and increase the chance of such decisions being challenged.

Drivers of change

- 5.190 As previously stated, the Resources and Waste Strategy for England (RWSE), published by the government in December 2018 and "The 25 year Environment Plan" published in May 2019 have set new key milestones and indicators for waste management and minimisation. These may have implications for the policy.

Summary

- 5.191 Although the policy is performing well, both the policy and its supporting text may benefit from being updated to give greater clarity on the definition of "small scale" and ensure it conforms to government milestones and key targets.

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.

Performance based on the indicators and targets of the CSDMP

- 5.192 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications granted planning permission where the Council has expressed the view that the proposals would be contrary to Policy W8.

Target: Zero

Result: Zero

- 5.193 Over the review period 2016 to 2019, eleven consultations (eight planning applications and three for pre-application advice) were received by the Council. No objections were raised in response to any of the proposals received.

Other issues with implementation

- 5.194 The district councils have been advised that when they receive a planning application in proximity to a safeguarded waste management site, they should assess whether there is likely to be a conflict between the two - taking into account the nature of the waste management activities and the sensitivity of the proposed development to those activities. It is the responsibility of district councils to ensure the Council is consulted in relevant circumstances.
- 5.195 Consequently, the Council is only able to monitor and assess the performance of applications forwarded for consultation by the district councils. There is at present insufficient resource available to check whether the district councils are applying this policy to all relevant planning applications.

Drivers of change

- 5.196 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to policy W8.

Summary

- 5.197 The performance indicator for this policy is not a particularly effective means of measuring the policy's performance. This is because it does not take into account that the district councils may not be consulting the Council on all relevant applications. Subject to this limitation, the policy is considered to be performing appropriately with no other issues identified.

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.

Performance based on the indicators and targets of the CSDMP

- 5.198 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W9.

Target: 100%

Result: 100%

- 5.199 Information set out in the AMRs for 2016 to 2019 indicates that policy W9 is performing effectively against its monitoring indicator and associated target, with no specific issues identified to date.

Other issues with implementation

5.200 No other issues have been identified with the implementation of this policy.

Drivers of change

5.201 No substantive changes to national policy or legislation have been identified that affect this policy.

5.202 Responsibility for the treatment and disposal of waste water lies with the statutory undertakers. As such there is limited reference to waste water within national planning policy and guidance, including the NPPW.

5.203 The majority of Lincolnshire's network of waste water and sewage treatment facilities is operated by Anglian Water Services, with a small number of facilities in the north-west of the county operated by Severn Trent Water.

5.204 Anglian Water's "Water Recycling Long Term Plan" (September 2018) examines demand for water recycling facilities over the next 25 years, considering such factors as population growth and climate change, and includes consideration of the growth set out in Local Plans. It outlines plans for significant investment in additional water recycling capacity across the county over the next 25 years.

5.205 Severn Trent Water also identifies a need for additional investment in sewage treatment in their Strategic Direction Statement for 2010-2035: 'Focus on Water'.

5.206 Much of this additional capacity is likely to be delivered as and when demand requires through enhancements to existing sites, but there may still be circumstances where new facilities are required. Given the sparsely populated and rural nature of the county, there may also be a need for smaller scale local package treatment plans to replace septic tanks in some locations.

Summary

5.207 When considering the above information, it is clear that there remains a need for a policy on waste water and sewage treatment. The existing policy is performing effectively and there is no identified need to update it at present. However, if other policies in the plan are updated, the opportunity could be taken to review the terminology used in this policy to ensure it remains consistent with that used by the industry. This could include, for example, replacing references to 'sewage treatment works' with 'water recycling centres'.

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.

Performance based on the indicators and targets of the CSDMP

- 5.208 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM1.

Target: 100%

Result: 100%

- 5.209 Information set out in the AMRs for 2016 to 2019 indicates that policy DM1 is referred to frequently during the determination of minerals and waste planning applications and is performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

- 5.210 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.211 Policy DM1 is consistent with the overarching presumption in favour of sustainable development set out in paragraph 11 of the NPPF. However, paragraph 16(f) of the NPPF states that plans should avoid unnecessary duplication of policies that apply to a particular area (including policies in the Framework, where relevant). Although policy DM1 is consistent with the NPPF, it only serves to repeat the national policy already set out in the framework. At the time the CSDMP was being prepared there appears to have been an expectation from the Planning Inspectorate that policies of this nature should be included in plans. This, however, is no longer the case.

Summary

- 5.212 Policy DM1 only repeats national policy and is not considered strictly necessary.

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.

Performance based on the indicators and targets of the CSDMP

- 5.213 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM2.

Target: 100%

Result: 100%

- 5.214 Over the review period 2016 to 2019 policy DM2 was cited in 56 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.215 The Council's planning officers have advised that the policy is difficult to apply directly because of its more strategic nature. Furthermore, many of the issues are covered by more specific policies, which can be more readily applied.

Drivers of change

- 5.216 Since the MWLP was adopted in 2016 there have been a number of changes to government policy and strategy relating to climate change.
- 5.217 In 2018, DEFRA produced the Second National Adaptation Programme, covering the period 2018 to 2023. This takes into account the findings of the 2017 Climate Change Risk Assessment, setting out the government's strategy for adapting to climate change now and in for the future. The programme incorporates strategies for mitigating and adapting to climate change, which is also one of the ten goals of the "25 Year Environment Plan (2018)". These goals contribute to the plan's broader aim of ensuring that all policies, programmes and investment decisions take into account the possible extent of climate change this century.
- 5.218 The findings of these reports were incorporated into revisions of the NPPF in 2019. These revisions place more emphasis on the effects of climate change, including requirements on new development for enhanced flood management and the delivery of net gains in biodiversity.

Summary

- 5.219 Policy DM2 has met its performance targets and does not specifically need to be updated. However, should the plan be updated, this would provide an opportunity to establish whether an alternative approach to securing the policy's objectives could be secured, which would be clearer and easier to implement/monitor.

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.

Performance based on the indicators and targets of the CSDMP

- 5.220 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM3.

Target: 100%

Result: 100%

- 5.221 Over the review period 2016 to 2019, policy DM3 was cited in the consideration of 168 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.222 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.223 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.224 It is considered that the policy has been successful and no issues have been identified.

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.

Performance based on the indicators and targets of the CSDMP

- 5.225 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM4.

Target: 100%

Result: 100%

- 5.226 Over the review period 2016 to 2019, policy DM4 was cited in the consideration of 23 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.227 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.228 The revised NPPF published in 2018 introduced some key amendments in respect of the historic environment, following recent case law. The NPPF now states: '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 (and the more important the asset, the greater the weight should be)'.
5.229 The PPG was updated in 2019 to reflect the revisions to the NPPF (paragraph 018). It also includes a greater obligation for planning authorities to designate important assets (paragraphs 039 and 040) and provide greater clarification on what contributes to the optimum viable use of a heritage asset (paragraph 015).

Summary

- 5.230 It is considered that policy DM4 has been successful in delivering development that accords with the aims of the policy. Whilst subsequent revisions to the NPPF and PPG have introduced some revisions to national heritage policy and guidance, it is considered that in its current form the policy remains in line with those amendments. However, if the plan is updated it would provide an opportunity to take a fresh look at this policy and the supporting text. If necessary these could then be amended to reflect the greater emphasis placed upon the conservation of heritage assets.

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.

Performance based on the indicators and targets of the CSDMP

5.231 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy DM5.

Target: 100%

Result: 100%

5.232 Over the review period 2016 to 2019, policy DM5 was cited in the consideration of 12 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.233 No other issues have been identified with the implementation of this policy.

Drivers of change

5.234 In 2018 there was a minor revision to the wording of paragraph 172 of the NPPF dealing with Areas of Outstanding Natural Beauty. However, this is not considered to materially affect policy DM5.

5.235 The 25 year Environment Plan (2018) sets out the government's strategy for managing and improving the environment to leave it in a better condition for the next generation. To help meet this aim, the strategy sets out that while development is not prohibited in National Parks or AONBs, major development should take place only in exceptional circumstances.

Summary

- 5.236 The AMRs covering the review period indicate that policy DM5 has been successful in protecting the Lincolnshire Wolds AONB against inappropriate minerals and waste development and therefore accords with the aims of The 25 year Environment Plan (2018). Furthermore, while there has been a minor revision to the text of the updated NPPF with respect to AONBs, it is considered that the policy remains sound.

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.

Performance based on the indicators and targets of the CSDMP

- 5.237 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM6.

Target: 100%

Result: 100%

- 5.238 Over the review period 2016 to 2019, policy DM6 was cited in the consideration of 107 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.239 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.240 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.241 It is considered that the policy has been successful at protecting local landscape and townscape. No issues have been identified with the policy.

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.

Performance based on the indicators and targets of the CSDMP

- 5.242 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM7.

Target: 100%

Result: 100%

- 5.243 Over the review period 2016 to 2019, policy DM7 was cited in eight planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.244 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.245 Since the CSDMP was adopted, "The Conservation of Habitats and Species Regulations 2017 (as amended)" have come into force effectively transposing Council Directive 92/42 EEC.

Summary

- 5.246 The existing policy is performing effectively. However, should the plan be updated, the wording of the policy would benefit from being amended to refer to the new regulations.

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.

Performance based on the indicators and targets of the CSDMP

- 5.247 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM8.

Target: 100%

Result: 100%

- 5.248 Over the review period 2016 to 2019, policy DM8 was cited in 19 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.249 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.250 No drivers of change have been identified at this time, but the Environment Bill may bring about changes in the near future which impact on this policy.

Summary

- 5.251 At present, the existing policy is performing effectively. However, if the plan is updated, this would provide an opportunity to revise the policy in the light of any changes to legislation and national policy arising from the Environment Bill.

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.

Performance based on the indicators and targets of the CSDMP

- 5.252 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM9.

Target: 100%

Result: 100%

- 5.253 Over the review period 2016 to 2019, policy DM9 was cited in 24 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.254 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.255 No drivers of change have been identified at this time, but the Environment Bill may bring about changes in the near future which impact on this policy.

Summary

- 5.256 At present, the existing policy is performing effectively. However, if the plan is updated, this would provide an opportunity to revise the policy in the light of any changes to legislation and national policy arising from the Environment Bill.

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.

Performance based on the indicators and targets of the CSDMP

- 5.257 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM10.

Target: 100%

Result: 100%

- 5.258 Over the review period 2016 to 2019, policy DM10 was cited in four planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.259 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.260 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.261 The existing policy is performing effectively.

Policy DM11: Soils

Proposals for minerals and waste development should protect and, wherever possible, enhance soils.

Performance based on the indicators and targets of the CSDMP

- 5.262 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM11.

Target: 100%

Result: 100%

- 5.263 Information set out in the AMRs for 2016 to 2019 indicates that policy DM11 was cited in the consideration of 17 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

5.264 No other issues have been identified with the implementation of this policy.

Drivers of change

5.265 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which affect this policy.

Summary

5.266 The existing policy is performing effectively.

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.

Performance based on the indicators and targets of the CSDMP

5.267 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM12.

Target: 100%

Result: 100%

5.268 Information set out in the AMRs for 2016 to 2019 indicates that policy DM12 was cited in the consideration of 11 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

5.269 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.270 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.271 The existing policy is performing effectively.

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.

Performance based on the indicators and targets of the CSDMP

- 5.272 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM13.

Target: 100%

Result: 100%

- 5.273 Over the review period 2016 to 2019, policy DM13 was cited in 28 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.274 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.275 The NPPF has been updated since the LMWLP was adopted in 2016; however the 2018 and 2019 editions have not introduced any additional or conflicting requirements in respect of transport policy.

Summary

- 5.276 The existing policy is performing effectively.

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.

Performance based on the indicators and targets of the CSDMP

5.277 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM14.

Target: 100%

Result: 100%

5.278 Over the review period 2016 to 2019, policy DM14 was cited in 91 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.279 No other issues have been identified with the implementation of this policy.

Drivers of change

5.280 The NPPF has been updated since the LMWLP was adopted in 2016; however the 2018 and 2019 editions have not introduced any additional or conflicting requirements in respect of transport policy.

Summary

5.281 The existing policy is performing effectively.

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.

Performance based on the indicators and targets of the CSDMP

5.282 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM15.

Target: 100%

Result: 100%

5.283 Over the review period 2016 to 2019, policy DM15 was cited in the consideration of 47 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.284 No other issues have been identified with the implementation of this policy.

Drivers of change

5.285 The 2018 revision to the NPPF has changed the emphasis given to the considerations that apply to flood risk, as set out in the following paragraphs:

- paragraph 158 - a requirement to identify policies and physical measures to provide for resilience to climate change effects;
- paragraph 156 - a requirement to consider the cumulative impacts in, or affecting, local areas susceptible to flooding;
- paragraph 157c - a need to consider the introduction of Natural Flood Management;
- paragraph 165 - a specific requirement for major developments to have sustainable drainage systems unless there is clear evidence that this would be inappropriate, and the need to evidence their use in FRAs; and
- paragraph 163e - a requirement to prepare emergency plans in FRAs.

- 5.286 In 2018, DEFRA produced the Second National Adaptation Programme covering the period 2018 to 2023. This takes into account the findings of the 2017 Climate Change Risk Assessment, which sets out the government's strategy for adapting to climate change. The programme includes natural flood management strategies which are to be incorporated alongside conventional defences where possible to manage water flow and reduce the risk of flooding.

Summary

- 5.287 Policy DM15 has been successful in ensuring that proposals for minerals and waste development are appropriately assessed for potential impacts of flooding and flood risk. While there has been greater emphasis placed upon the significance of flood risk assessment and mitigation in national policy since the LMWLP was adopted, it is considered that policy DM15 is still in general conformity with the NPPF. Nevertheless, if the plan is updated it would provide an opportunity to give further consideration to amending the policy and its supporting texts.

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.

Performance based on the indicators and targets of the CSDMP

- 5.288 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM16.

Target: 100%

Result: 100%

- 5.289 Over the review period 2016 to 2019, policy DM16 was cited in the consideration of 61 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.290 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.291 The PPG was updated on July 2019 and makes reference to the Water Environment (Water framework Directive) (England and Wales) Regulations 2017, which replaces the EU Water Framework Directive. This sets out requirements to prevent the deterioration of aquatic ecosystems; protect, enhance and restore water bodies to "good" status; and achieve compliance with standards and objectives for protected areas. Local Planning Authorities are consequently required to have regard to River Basin Management Plans which contain the main issues for the water environment and the actions needed to tackle them.

Summary

- 5.292 Policy DM16 has performed effectively in meeting its indicator target. Although the PPG has been revised since the LMWLP was adopted, it is considered that the changes do not materially affect the policy. However, should the plan be updated, it would provide an opportunity to give further consideration to this matter and if necessary amend the policy and its supporting text.

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.

Performance based on the indicators and targets of the CSDMP

- 5.293 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM17.

Target: 100%

Result: 100%

- 5.294 Information set out in the AMRs for 2016 to 2019 indicates that policy DM17 is referred to frequently during the determination of minerals and waste planning applications and is performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

5.295 No other issues have been identified with the implementation of this policy.

Drivers of change

5.296 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

5.297 The existing policy is performing effectively.

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.

Performance based on the indicators and targets of the CSDMP

5.298 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R1.

Target: 100%

Result: 100%

- 5.299 Over the review period 2016 to 2019, policy R1 was cited in 41 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.300 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.301 The NPPF has been updated since the adoption of the CSDMP, with greater emphasis placed on the natural environment. In particular, paragraph 174, states that 'measurable' net gains in biodiversity should be secured from development wherever possible.

- 5.302 As discussed under policy DM2, there is an increasing emphasis in the NPPF on the effects of climate change following publication of the Second National Adaptation Programme in 2018. The restoration of mineral workings and landfill sites provide significant opportunities for mitigation and adaptation to climate change. This is already recognised by policy R2 and its supporting text, which promotes measures such as habitat creation and increased flood storage capacity, but could be strengthened further.

Summary

- 5.303 Policy R1 appears to be performing effectively; however updating the plan would provide an opportunity for giving this matter further consideration.

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.

Performance based on the indicators and targets of the CSDMP

- 5.304 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R2.

Target: 100%

Result: 100%

- 5.305 Information set out in the AMRs for 2016 to 2019 indicates that policy R2 was cited in the consideration of a total of 23 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

- 5.306 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.307 The NPPF has been updated since adoption of the CSDMP, and there have been a number of minor changes to the framework that are of relevance to policy R2. These changes include a number of subtle amendments to wording and terminology in relation to conserving and enhancing the natural environment. Paragraphs 170 and 174, for example, include a greater

emphasis on providing for and securing measurable net gains for biodiversity, whilst also including new references to "natural capital".

5.308 Policy R2 and its supporting text take a holistic approach to preserving and enhancing the natural environment through the restoration of sites. It promotes landscape scale approaches to habitat creation and ecological networks, as well as net gains in biodiversity amongst many other objectives. It is therefore considered that policy R2 remains consistent with the relevant aims and principles of the NPPF, as amended.

5.309 Also of relevance to policy R2 is the increasing emphasis on the effects of climate change as discussed under policy DM2. The restoration of mineral workings and landfill sites provides significant opportunities for mitigation and adaptation to climate change. This is already recognised by policy R2 and its supporting text, which promotes measures such as habitat creation, and increasing flood storage capacity as ways to achieve this aim.

Summary

5.310 Policy R2 is performing effectively and continues to provide an appropriate and positive framework to guide the after-use of restored sites. However, if the plan is to be updated, the opportunity could be taken to review the terminology used in policy R2 and its supporting text to ensure it remains consistent with the NPPF, as amended, and other relevant strategies and guidance.

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.

Performance based on the indicators and targets of the CSDMP

- 5.311 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R3.

Target: 100%

Result: 100%

- 5.312 Information set out in the AMRs for 2016 to 2019 indicates that policy R3 was cited in the consideration of a total of nine planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

- 5.313 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.314 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.315 Policy R3 builds upon the overarching framework set out by policy R2 by identifying specific priorities for the restoration of sand and gravel operations within the different areas of search in Lincolnshire. The policy is considered to be performing effectively. However, if the plan is updated, the opportunity could be taken to review the detailed priorities set out in policy R3 in order to determine whether they would benefit from any amendments. For example, the opportunity for more specific provisions in relation to climate change mitigation and adaptation could be considered in light of the issues raised under policy DM2.

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.

Performance based on the indicators and targets of the CSDMP

- 5.316 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R4.

Target: 100%

Result: 100%

- 5.317 Over the review period 2016 to 2019, policy R4 was cited in 12 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.318 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.319 The CSDMP sets out that the lime rich soils found in the chalk wolds and the Jurassic Limestone Uplands of Lincolnshire support a very high biodiversity. However, limestone grassland now only represents 0.05% of this area due to losses that occurred between 1940 and 1955. It is therefore considered that the policy conforms with the revisions to the NPPF because it actively promotes biodiversity gains.

Summary

- 5.320 The existing policy is performing effectively.

Policies of the SLD

Policy SL1: Mineral site allocations

A steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the Core Strategy and Development Management Policies document, will be provided through:

- the continued provision of sand and gravel from the remaining permitted reserves at the following sites:
 - Baston No 1 Quarry;
 - Baston No 2 Quarry;
 - Baston Manor Pit Quarry;
 - Kettleby Quarry;
 - King Street Quarry;
 - Kirkby on Bain Quarry;
 - North Kelsey Road Quarry;
 - Norton Bottoms Quarry;
 - Norton Disney Quarry;
 - Red Barn Pit Quarry;
 - Swinderby Airfield Quarry;
 - Tattershall (Park Farm) Quarry;
 - West Deeping Quarry; and
 - Whisby Quarry
- the provision of sand and gravel from extensions to the following sites which have a resolution to grant planning permission subject to a s.106 Planning Obligation:
 - Whisby Quarry; and
 - Kirkby on Bain Quarry

and

- the granting of planning permission for sand and gravel working from the following allocated sites where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Production Area	Total Reserve (minimum quantity to be worked during plan period)	Type
MS04-LT	Swinderby Airfield Quarry	Lincoln Trent Valley	7.0mt (of which 2.25mt to be worked during plan period)	Extension
MS05-LT	Norton Bottoms Quarry, Stapleford	Lincoln Trent Valley	6.8mt (of which 2.31mt to be worked during plan period)	Extension
MS07/08-CL	Kettleby Quarry, Bigby	Central Lincolnshire	3.25mt (of which 0.86mt to be worked during plan period)	Extension
MS09-CL	North Kelsey Road Quarry, Caistor	Central Lincolnshire	0.15mt (of which 0.13mt to be worked during plan period)	Extension
MS15-CL	Kirkby on Bain (Phase 2)	Central Lincolnshire	3.1mt (of which 0.22mt to be worked during plan period)	Extension
MS25-SL	Manor Farm, Greatford	South Lincolnshire	3mt (of which 2.79mt to be worked	New replacement site

			during plan period)	
MS27-SL	Baston No.2 Quarry, Langtoft (Phase 2)	South Lincolnshire	2.5mt (of which 1.40mt to be worked during plan period)	Extension
MS29-SL	West Deeping	South Lincolnshire	2.2mt (of which 1.16mt to be worked during plan period)	Extension

The allocated sites shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.

Performance based on the indicators and targets of the SLD

- 5.321 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy SL1.

Target: 100%

Result: 100%

- 5.322 Information set out in the AMRs for 2017 to 2019 indicates that in general Policy SL1 is performing effectively and meeting its objectives. Both of the sites identified in Policy SL1 as awaiting s.106 Planning Obligations (extensions to Whisby Quarry and Kirkby on Bain Quarry) have been granted planning permission as anticipated. With respect to the delivery of the allocated sites, the situation is set out in table 10.

Table 10: Delivery of mineral site allocations (as at September 2020)

Allocation	Projected delivery*	Status
MS04-LT	2025	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS05-LT	2020	Planning permission granted (PL/0097/17) on 7 June 2019.
MS07/08-CL	2022	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS09-CL	2019	No planning application received to date.
MS15-CL	2030	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS25-SL	2022	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS27-SL	2025	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS29-SL	2027	Allocation not due to be delivered until later in the Plan period. No issues identified.

* Timing of delivery as set out in the adopted Site Locations document – Appendix 1

- 5.323 The table illustrates that allocation MS05-LT came forward broadly in line with the anticipated timescales for delivery set out in the SLD. All but one of the remaining allocations are programmed to be delivered later in the Plan period, and no issues have been identified with their future delivery. Allocation MS09-CL was projected to be delivered in 2019, however to date no planning applications have been received for this site. This, however, is a relatively small site containing only 0.13mt of sand.
- 5.324 In addition to delivery of the sites identified in policy SL1, the AMRs have also identified three planning permissions that were granted for sand and gravel extraction on non-allocated sites. These proposals were all considered to comply with the relevant policies of the LMWLP, and given the relatively limited scale of extraction involved, were not considered to undermine the plan-led delivery of sites allocated through policy SL1 of the SLD. Furthermore, one of these proposals (PL/0016/19: Westmoor Farm) was identified as potentially helping to alleviate a short-fall in production capacity due to the delay in the delivery of allocation MS09-CL. This proposal, granted on 17 October 2019, provided approximately one year's supply.

Other issues with implementation

- 5.325 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.326 No substantive changes to national policy and legislation have been identified that affect this policy. In conformity with paragraphs 204 and 207 of the NPPF, Policy SL1 identifies sufficient sites to meet the requirements for a steady and adequate supply of sand and gravel in accordance with policy M2 of the CSDMP.

Summary

- 5.327 The evidence shows that to date policy SL1 has performed effectively in ensuring the plan-led delivery of a steady and adequate supply of sand and gravel in Lincolnshire. Although a recent delay has been identified in the delivery of a single, relatively small allocation (MS09-CL), given its limited size this is unlikely to have a significant effect on the supply of sand and gravel in the area. It is therefore considered that this does not warrant an immediate update to the policy. However, if updates are to be pursued in relation to other parts of the plan, it would be prudent to carry out a new "call for sites" exercise at the same time in order to determine if there are any other suitable sites that could replace MS09-CL if delays continue.
- 5.328 A call for sites exercise together with associated engagement with the industry would also provide an opportunity to confirm the deliverability of the remaining allocations in policy SL1 and, if appropriate, allow the identification of alternative sites in response to any issues identified, or any updates to the overall provision set out in policy M2 of the CSDMP.

Policy SL2: Safeguarding mineral allocations

Allocated sites, as set out in Policy SL1, including an area of 250 metres surrounding each site, will be safeguarded against development that would unnecessarily sterilise the sites 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 (CLUEDS and CLOPUDs)
- Applications for Tree Works.

Performance based on the indicators and targets of the SLD

- 5.329 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy SL2.

Target: Zero

Result: Zero

- 5.330 Information set out in the AMRs for 2017 to 2019 indicates that Policy SL2 is performing effectively against its monitoring indicator, with no specific issues identified to date.

- 5.331 The AMRs only identify one consultation received from a district council relating to sensitive development proposals within the "site specific safeguarding areas" for the mineral allocations. This consultation (detailed in the 2019 AMR) related to a planning application which had the potential to affect allocation MS29-SL. Policy SL2 was implemented successfully in this case through effective communication and co-operation between the Council (as Mineral Planning Authority) and the district council (as the local planning

authority) and resulted in planning conditions being put in place to protect the safeguarded allocation.

- 5.332 Given the locations of the mineral allocations, and the relatively small area of land safeguarded under Policy SL2 (compared to Policies M11 and M12), the low number of relevant consultations received from district councils to date is not unexpected and does not indicate any issues with the performance or implementation of the policy.

Other issues with implementation

- 5.333 No specific issues have been identified with the implementation of this policy. However, as set out earlier in this report, a number of significant issues have been identified with the implementation of another safeguarding policy, M11. The concerns raised against the limited range of exemptions in that policy could have implications for this policy as it uses the same exemptions.

Drivers of change

- 5.334 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.335 Policy SL2 is performing effectively. However, if the plan is updated this would give an opportunity to update any exemptions in the policy in the light of any changes made to policy M11.

Policy SL3: Waste site and area allocations

Future requirements for new waste facilities in order to meet capacity gaps, in accordance with Policy W1 of the Core Strategy and Development Management Policies document, will be provided through:

- the granting of planning permission for waste uses at the following site where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Town	Area
WS17-SK	Vantage Park, Gonerby Moor	Grantham	2.4 ha

and

- the granting of planning permission for waste uses within the following areas where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Town	Area
WA01-WL	Heapham Road	Gainsborough	34 ha
WA02-CL	West of Outer Circle Road	Lincoln	26.9 ha
WA03-CL	Allenby Road Trading Estate (North)	Lincoln	14.8 ha
WA04-CL	Allenby Road Trading Estate (South)	Lincoln	22.3 ha
WA05-CL	Great Northern Terrace	Lincoln	31.1 ha
WA09-NK	Woodbridge Road Industrial Estate	Sleaford	18.9 ha
WA11-EL	A16 Grimsby Road	Louth	88.5 ha
WA14-EL	Holmes Way	Horncastle	28 ha
WA16-SK	North of Manning Lane and West of Meadow Drove	Bourne	16 ha
WA22-BO	Riverside Industrial Estate	Boston	119 ha
WA25-SH	Wardentree Lane / Enterprise Park	Spalding	195.6 ha
WA26-SH	Clay Lake Industrial Estate	Spalding	25 ha
WS03-WL	Gallamore Lane	Market Rasen	10.2 ha
WS08-NK	Land to the south of the A17, Sleaford Enterprise Park	Sleaford	14.6 ha
WS09-NK	Bonemill Lane	Sleaford	9.3 ha
WS12-EL	A158 Burgh Road West	Skegness	9.6 ha
The allocated site and areas shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.			

Performance based on the indicators and targets of the SLD

- 5.336 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy SL3.

Target: 100%

Result: 100%

- 5.337 The information set out in the AMRs for 2017 to 2019 indicates that only one planning application was made for a new site in an allocated waste area, which was determined in accordance with the policy.

Other issues with implementation

- 5.338 Despite the significant number of waste planning applications that have been determined since the adoption of the SLD, in the vast majority of cases policy SL3 was not specifically cited during determination. In a large proportion of applications this was because the applications related to amendments, ancillary activities and tonnage increases at existing permitted waste facilities. Where new sites were proposed, all but one fell outside allocated areas. These were therefore assessed against the spatial and locational criteria set out in policies W3 and W4 of the CSDMP. These policies identify site/area allocations as just one of a number of potential acceptable locations for waste facilities.
- 5.339 As the target for policy SL3 relates specifically to planning applications made on land within the site/area allocations, it does not give any indication of whether the allocation of sites/areas in the plan has been an effective means of securing waste management facilities to meet the predicted waste management capacity gaps. Indeed, despite the significant amount of land that has been allocated, the fact that only one new facility has been granted planning permission in an allocated area/site is a strong indication that this is not an effective policy.
- 5.340 As demonstrated under policy W1 of this report, additional waste capacity is predominantly being delivered successfully through increases in tonnages at existing sites and through new waste facilities located on other non-allocated sites. In contrast, the land allocated under policy SL3 is only playing a minor role in this process.
- 5.341 This situation highlights the difference in approach between, on the one hand, policies W1 and SL3 which both envisage future waste provision being met through new planning permissions being granted on land within the site/area allocations and, on the other hand, policies W3 and W4 which set out a broader range of acceptable locations.

Other issues with implementation

- 5.342 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.343 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.344 Whilst policy SL3 ensures sufficient land has been identified in the plan to meet the county's waste needs over the plan period, to date this policy has been of limited benefit in supporting the delivery of waste facilities given the broader scope of policies W3 and W4. It is therefore considered that policy SL3 should be updated.
- 5.345 Updating the plan would provide an opportunity to re-evaluate the role of allocations for waste management facilities within the plan, and to examine the relationship between allocations and the wider spatial and locational strategies set out in the plan. An update to policy SL3 would also ensure that any changes to policy W1 and the associated capacity gaps would be captured where appropriate.

PROVISIONAL

6. Conclusion

- 6.1 The main findings from Section 5 are summarised below, but categorised under the more precise "issues" identified in paragraph 1.7 of Section 1 (Introduction). The policies which are considered to need updating are set out in bold.

Issue 1: Whether the policies of the LMWLP are performing successfully against the indicators set out in that plan

- 6.2 The most significant concerns identified in the review relate to the following policies:

- **Policy M4 (Proposals for sand and gravel extraction)** - the policy does not appear to provide sufficient flexibility for determining applications. In particular, the policy does not specifically allow the extraction of sand and gravel from small areas of land adjacent to existing quarries, which would otherwise become sterilised if not worked as part of the existing operations. As a result three applications have been granted planning permission which did not strictly accord with the policy.
- **Policy M11 (Safeguarding of mineral resources)** - where applications are caught by this policy, they should be accompanied by a mineral resource assessment. Unfortunately, in practice this has included a large number of applications (225) where in the opinion of officers it would be unreasonable to ask the applicants to commission a mineral resource assessment due to the limited nature of the proposed development. This, however, represents a pragmatic approach to the implementation of the policy, rather than strict adherence to it. In addition eight applications have been granted planning permission by the district councils despite safeguarding objections from the Council. The policy is therefore not considered to provide an efficient approach to safeguarding mineral resources.
- **Policy M13 (Associated Industrial Development)** - to comply with the policy the development must have close links with the minerals development. However, contrary to this policy, the Council has granted four planning permissions for industrial development where the links with the associated mineral site are more tenuous. Therefore the policy may either be too restrictive or the close link criterion may need to be given greater emphasis.
- **Policy W6 (Landfill)** - sets out a strict approach to landfill, which only allows planning permission to be granted where several criteria are met. This includes a requirement to demonstrate that current capacity within the county is insufficient. Two applications have, however, been granted

where this criterion was not met, which may indicate that the policy is too restrictive or that the criterion needs to be given greater emphasis.

Issue 2: Whether the Council's decisions are being upheld on appeal

- 6.3 Appeals have been made against two decisions to refuse planning permission for the extraction of limestone that were considered to be contrary to **policy M5 (Limestone)**. One appeal for a site at Denton was dismissed whilst another at Dunston was allowed.
- 6.4 Given that Lincolnshire has sufficient permitted reserves of limestone for the plan period, policy M5 is a very restrictive policy which requires a "need" to be demonstrated. In practice, however, the appeal decision at Dunston has demonstrated the difficulties of assessing whether there is a "need". The policy also lacks flexibility to allow small extensions to existing quarries, which would otherwise maintain jobs and competition.

Issue 3: Whether any other concerns have come to light over the implementation of the policies, which are not identified through the policy indicators

- 6.5 The review has identified concerns with a number of policies, but the most significant are considered to relate to the following:
- **Policy M1 (Recycled and secondary aggregate)** is linked to policy W4 which restricts such development to locations in and around the main urban areas, other than small scale development. The Council has, however, been prepared to grant planning permission for such facilities at quarries not meeting the criteria of policy W4.
 - **Policy M11 (Safeguarding of mineral resources)** – in addition to the concerns identified under Issue 1, the policy is generating too many consultations that fall within the exemptions to the policy, and could be considered too extensive in terms of the areas covered.
 - The interlinked **Policies W3 (Spatial strategy for new waste facilities)** and **W4 (Locational criteria for new waste facilities in and around main urban areas)** are considered to be too complicated and difficult to interpret.
 - **Policy W7 (Small scale waste facilities)** is limited to small scale facilities, but does not define "small scale". Although the supporting text provides indicative scales, in practice planning permissions are being granted that exceed these scales.

Issue 4: Whether the LMWLP makes sufficient provision for a steady and adequate supply of aggregates

- 6.6 Based on evidence set out in the Council's latest Local Aggregate Assessment (December 2019), it is considered that the LMWLP has made sufficient provision for a steady and adequate supply of aggregate over the plan period ending in 2031. However, when the plan is updated, the level of provision will need to be increased to cover the extended period of the updated plan.

Issue 5: Whether there are likely to be any significant changes to the assumptions and forecast waste management capacity gaps set out in the Council's Waste Needs Assessments that underpin the LMWLP

- 6.7 Work on a new Waste Needs Assessment is being commissioned. When the LMWLP is updated it will be underpinned by the new Waste Needs Assessment and will need to plan for the capacity gaps identified in that document.

Issue 6: Whether any issues have arisen that may impact on the deliverability of key site allocations

- 6.8 Only one mineral site allocated in the SLD has not been delivered by the anticipated date: an extension to the North Kelsey Road Quarry (MS09-CL). This, however, is a very small site containing 0.15mt of building sand. Whilst this might affect the availability of building sand in the area, overall it will have a negligible impact on the plan's delivery of sand and gravel. No other issues have been identified over the deliverability of key site locations for mineral working.
- 6.9 The approach to waste management is largely criteria driven. The SLD has allocated large areas of "employment land" (as defined in the relevant district council local plans) that would also be suitable for waste management under **Policies W1 (Future requirements for new waste facilities) and SL3 (Waste site and area allocations)**. However, most sites that have been granted to date, whilst meeting the criteria of the CSDMP, are not located within the allocated areas. Consequently, whilst the criteria based approach is delivering the waste management facilities needed, the fact that most of these sites are not allocated has cast doubt over the value of Policies W1 and SL3.

Issue 7: Whether the LMWLP conforms with the policies of the National Planning Policy Framework and the National Planning Policy for Waste

- 6.10 The changes made to the NPPF since the adoption of the CSDMP and SLD have made little impact on national minerals and waste policy. However, updating the LMWLP would provide an opportunity to consult on this issue and, if necessary, amend any policies to ensure the plan remains sound.

Issue 8: Whether plan-making activity by other authorities impacts on the level of future provision that the Council needs to make for mineral working and waste management having regard to the statutory duty to cooperate procedures

- 6.11 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

Issue 9: Whether any other "drivers of change" are impacting on the LMWLP

- 6.12 The Review has considered new social, environmental and economic priorities that have arisen since the LMWLP was adopted, but has concluded that none are of such significance as to require an updating of the plan. However, if the plan is updated it will provide an opportunity to take into account any new priorities that emerge during plan preparation (including any arising from the pandemic).

Final conclusion

- 6.13 It is considered that 11 of the policies in the LMWLP need to be updated. Furthermore, while the issues identified with the other policies are not considered significant, it is concluded that the opportunity should be taken to update them in order to:
- improve the clarity and focus of the policies;
 - ensure greater consistency between the policies;
 - allow any subsequent changes to legislation/national policy arising during plan preparation to be incorporated into the updated plan;
 - ensure account is taken of any new social, economic and environmental priorities (including those arising from the pandemic); and
 - enable greater public involvement in the process.
- 6.14 It is therefore concluded that the LMWLP should be updated in full.

Appendix 1: Policy related indicators and targets

Plan Objective	Sustainability Appraisal 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"> 1. Delivery of the identified annual provision by Production Area. 2. Type of sites: extensions/new. 3. Location of new quarries by Production Area. 4. Allocation of sites meeting the required annual and plan-period provision. 5. Permissions for non-allocated sites. 	<ol style="list-style-type: none"> 1. 100% accordance with policy M2. 2. Priority to extensions. 3. 100% location within Areas of Search. 4. Through adopted Sites Location Plan. 5. Zero.
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%
a., c.	7, 8	M5: Limestone	<ol style="list-style-type: none"> 1. Percentage of relevant planning applications determined in accordance with policy M5. 2. The delivery of the identified annual provision. 	<ol style="list-style-type: none"> 1. 100% 2. 100%
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 Council has expressed the view that the proposals would be contrary to policy M11.	Zero.
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 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	Allocation of sites to meet the capacity gaps identified in Table 9, except for inert landfill and hazardous landfill. Review of capacity gaps.	Through adopted Site Locations Document. Accordance with Annual Monitoring Report.
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%
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 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%
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%
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%
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%
b.	8, 13	SL1: Mineral Site Allocations	Percentage of relevant planning applications determined in accordance with policy SL1.	100%
f.	11	SL2: Safeguarding Mineral Allocations	Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy SL2.	Zero
e.	8, 9, 12	SL3: Waste Site and Area Allocations	Percentage of relevant planning applications determined in accordance with policy SL3.	100%

Appendix 2: The strategic objectives of the Lincolnshire Minerals and Waste Local Plan

Plan ref:	Objective	Policy
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;	All policies except M11, DM2, R1, R2, R3, R4
b.	Ensure that the minerals extracted in Lincolnshire supplies industry in line with national guidance and contributes to local and national requirements;	M2, M3, M7, M8
c.	Seek to ensure that minerals are supplied from appropriately located and environmentally acceptable sources;	M4, M5, M6, M7, M8, M9, M10, M15
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;	W1, DM2
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;	W1, W2, W3, W4, W5, W6, W7, W9
f.	Safeguard key mineral resources from sterilisation by other forms of development;	M11, M12
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;	M1
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;	DM11, DM12, DM17, R2, R3
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;	R1, R2, R3, R4

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;	DM4,DM5, DM6, DM17
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;	M7
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;	DM15, DM17
m.	Protect and enhance the Lincolnshire Wolds AONB, coastline and other nature conservation areas ranging from International (Natura 2000 sites) through to local designations;	DM5, DM7, DM8, DM9, DM17
n.	Sustainable alternative modes of transport will be given priority and vehicular-tonne miles movements will be minimised wherever practicable.	DM13

PROVISIONAL

Appendix 3: Sustainability appraisal objectives

Number	Objective	Policy
1)	Lincolnshire is a large, sparsely populated rural County resulting in access issues for rural communities and contributing to high levels of car ownership. This issue needs to be taken into account in providing for waste management facilities for a dispersed population.	DM7, DM8, DM9,
2)	High population growth and increase in waste arisings will lead to demand in more waste management facilities in Lincolnshire as well as demand for minerals to meet house building and other construction demands.	DM4, DM5, DM6
3)	There is social exclusion in deeply rural areas and social deprivation particularly in some of the eastern coastal areas, urban centres including Lincoln and Boston and south west of Lincolnshire.	DM16
4)	A high proportion of Lincolnshire's waste goes to landfill, there is need to reverse this trend through provision of alternative waste management facilities focusing on those that will facilitate waste management in line with the waste hierarchy.	DM2
5)	Although Lincolnshire already has high recycling and composting levels, there is need to further increase the amount of waste recycled, re-used and recovered in order to meet the objectives of Sustainable Waste Management.	W1, DM1, DM2, DM13
6)	The Minerals and Waste Plan will need to provide a sustainable network of facilities to enable waste to be managed close to its source and in line with the waste hierarchy.	DM15
7)	Lincolnshire has a diverse range of habitats with high ecological value being attributed to the coastal areas. Conservation of these habitats as well as protected species will be required in order to avoid their decline. Conservation of Ancient woodlands is especially relevant given its relative scarcity in the County.	All policies except M1, M2,M3, M11, DM2, R1, R2, R3, R4
8)	Lincolnshire has a rich historic and built environment which forms an important part of the County's distinctive environment. Its conservation should be paramount when planning for minerals and waste development to minimise its loss/destruction.	All policies except M1, M2,M3, M11, DM2, R1, R2, R3, R4
9)	Lincolnshire has 9 landscape character areas and the Lincolnshire Wolds are designated as an AONB. Minerals and waste developments should be planned in a way that will conserve the character areas as well as the AONB.	DM11, DM12,R1, R2, R3, R4
10)	Development in the County will continue to add pressure to scarce water resources. There will be a need to ensure that minerals and waste developments do not lead to pollution or inefficient use of both surface and groundwater resources.	M1, M11

11)	Climate change poses a genuine threat especially with regard to flooding. There is a need to reduce CO2 emissions as well as ensuring development in the flood plain is minimised.	M3, W3
12)	Minerals and waste are largely transported by road leading to high levels of HGV traffic which result in disturbance as well as contributing to CO2 emissions. There is need for the Plan to encourage use of sustainable transport for minerals and waste.	M2, M3, W1
13)	Much of Lincolnshire's transport network comprises of narrow roads and country lanes and the majority of the strategic roads fall below current design standards. This has a consequence of low speeds and safety problems.	N/A
14)	The main concentrations of sand and gravel working are in the Trent Valley, the Lower Bain region and the Baston-Langtoft-West Deeping areas while limestone is mainly worked in the south. Further working in these areas should take account of cumulative effects on the environment and the local communities to ensure that the areas can sustainably cope with continued extraction.	N/A
15)	Lincolnshire has a poorly performing economy in relation to the rest of the East Midlands and the country. The Core Strategy should seek to support minerals and waste development through making provision for facilities and areas for mineral working as well as encouraging recycling and recovery technologies that can attract high level skilled labour.	N/A
16)	Tourism and recreation are an important component of the Lincolnshire economy. This is supported by the rural nature of the County and an extensive network of Public Rights of Way.	N/A
17)	AQMAs have been declared in Lincoln, Boston and Grantham. Minerals and waste Management developments should be planned in a way that does not negatively impact on air quality.	N/A
18)	The supply of building and roofing stone is important to maintain local character in parts of the County.	N/A

Minerals and Waste Local Plan – Core Strategy & Development Management Policies Document Sustainability Appraisal / Strategic Environmental Assessment Environmental Report (updated) V.2 (2015)

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Lincolnshire Minerals and Waste Development Scheme

February 2021

Lincolnshire County Council

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**This information can be provided in another
language or format**

For all enquiries please contact the above number

Contents

1.	Introduction	1
2.	What is a DPD?	2
3.	Supporting evidence and appraisals	4
4.	The adopted Lincolnshire Minerals and Waste Local Plan (LMWLP)	5
5.	Monitoring and review	7
6.	Updating the Lincolnshire Minerals and Waste Local Plan	9
7.	Relationship to other plans	11
8.	Managing risk and uncertainty	12
9.	Resources and contingency planning	13
10.	Further Information	14

Tables

Table 1.	Summary of main stages in preparing a DPD	2
Table 2.	Core Strategy and Development Management Policies (CSDMP) DPD	5
Table 3.	Site Locations document (SLD) DPD	6
Table 4.	Proposed new Lincolnshire Minerals and Waste Local Plan DPD	9
Table 5.	Lincolnshire Minerals and Waste Local Plan DPD timetable	10

Appendices

Appendix 1:	Acronyms	15
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1 Introduction

- 1.1 The development plan lies at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. In Lincolnshire the development plan is made up of a number of Development Plan Documents (DPDs) prepared by various bodies that together set out a vision and framework for the future development of the county.
- 1.2 Lincolnshire County Council, as the Minerals and Waste Planning Authority for the county, is responsible for preparing DPDs for minerals and waste planning in the county. These DPDs collectively make up part of the development plan known as the Lincolnshire Minerals and Waste Local Plan (LMWLP).
- 1.3 Under Section 16 of the Planning & Compulsory Purchase Act 2004 (as amended), the county council is required to produce a Minerals and Waste Development Scheme setting out a timetable for the preparation and revision of the DPDs that make up the LMWLP, and the various stages that each will have to go through to adoption.
- 1.4 This Lincolnshire Minerals and Waste Development Scheme (LMWDS) replaces the previous scheme dated April 2017, and sets out:
- the main stages in the preparation of DPDs;
 - details of the individual DPDs that make up the current adopted LMWLP;
 - the procedures for the monitoring and review of the LMWLP; and
 - the programme for the preparation of a new, updated LMWLP.

2 What is a DPD?

2.1 A DPD is any document prepared by a local planning authority which contains statements regarding:

- the development and use of land which the local planning authority wish to encourage during any specified period;
- the allocation of sites for a particular type of development or use; or
- development management and site allocation policies which are intended to guide the determination of applications for planning permission.

Document preparation and public involvement

2.2 There are five main stages of preparation for a DPD (see table 1).

Table 1: Summary of main stages in preparing a DPD

1.	Pre-production	◦ Background studies and collation of evidence base.
2.	Production	◦ Consult public and stakeholders with regard to the subject and content of the DPD (Regulation 18). ◦ Publication of proposed submission DPD (Regulation 19) (statutory six week consultation). ◦ Consider responses and prepare for the submission of the DPD.
3.	Submission	◦ Submit DPD and SA/SEA to Secretary of State (Regulation 22).
4.	Examination	◦ Examination of DPD by independent Inspector to assess soundness and legal compliance.
5.	Adoption	◦ Inspector issues binding report. ◦ Council adopts DPD.

2.3 The county council involves the community and stakeholders in the development of DPDs in line with legislation and guidance. Details of the methods of consultation and publicity utilised are set out in Lincolnshire's Statement of Community Involvement (SCI), alongside further information regarding the different stages of DPD preparation.

2.4 Further information on plan-making procedures is contained in publications from the government, including:

- National Planning Policy Framework 2019 – Chapter 3: Plan-making
- Planning Practice Guidance – Plan-making
- Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

2.5 Supplementary Planning Documents (SPDs) may also be produced if a local planning authority wishes to provide further detail and guidance to support DPDs, however these do not form part of the development plan and do not follow the same procedure, or carry the same status as DPDs. There is no requirement for this LMWDS to set out a timetable for the production of any SPDs, but in the interests of clarity there are currently no SPDs in place in the county in relation to minerals and waste, and none are currently proposed.

3 Supporting evidence and appraisals

Supporting documents

- 3.1 A number of supporting documents provide the evidence base, assessments and methodology behind DPDs. These are produced by or for the council and vary depending on the nature and content of the DPD, and the stage of preparation.
- 3.2 With regard to minerals and waste planning, supporting documents could for example include topical background papers covering matters such as site restoration or minerals safeguarding, detailed assessments of future waste management needs, or reports detailing site assessment and selection processes. The council is also required to produce formal statements at key stages of DPD preparation setting out matters such as how it has fulfilled the duty to co-operate, and how stakeholders and interested parties have been involved during DPD production. DPDs are also subject to Sustainability Appraisal and Habitats Regulations Assessment as detailed below.

Sustainability Appraisal

- 3.3 Legislation requires DPDs to go through a process of Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). 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. The SA incorporates an SEA carried out under the Environmental Assessment of Plans and Programmes Regulations 2004.
- 3.4 SA/SEA is undertaken as an integral part of preparing DPDs. It is carried out at key stages of preparation and the results published.

Habitats Regulations Assessment

- 3.5 Appropriate Assessment or 'Habitats Regulations Assessment' (HRA) of DPDs is required under the Conservation of Habitats and Species Regulations 2017 (as amended). HRA provides for the protection of 'European Sites'. These are sites which are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community.

4 The adopted Lincolnshire Minerals and Waste Local Plan (LMWLP)

Adopted DPDs

- 4.1 The DPDs that include minerals and waste policies for the county collectively form the LMWLP. This currently comprises two separate DPDs:
- a Core Strategy and Development Management Policies (CSDMP) document adopted on 1 June 2016; and
 - a Site Locations document (SLD) adopted on 15 December 2017.
- 4.2 The CSDMP 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.
- 4.3 The SLD includes specific proposals and policies for the provision of land for mineral and waste development.
- 4.4 Both of these documents are summarised in tables 2 and 3 below:

Table 2: Core Strategy and Development Management Policies (CSDMP) DPD

Scope of Document	Summary
Spatial Vision and Strategic Objectives	Shapes the overall direction of the LMWLP with key aims for the plan period to 2031
Core Policies	Provides the strategic policies for delivering the Spatial Vision and Strategic Objectives
Key Diagram	Diagram illustrating the spatial strategy
Development Management Policies	Policies to control development and deliver the Core Strategy
Geographical coverage	County of Lincolnshire
Chain of conformity	In conformity with the National Planning Policy Framework and the National Planning Policy for Waste
Preparation	Dates
Date of adoption	1 June 2016

Table 3: Site Locations document (SLD) DPD

Scope of Document	Summary
Allocation of Mineral Sites	Allocates specific sites for the winning and working of sand and gravel and safeguards these against non-minerals development
Allocation of Waste Site/Areas	Allocates a specific waste site for future waste management, together with preferred areas which are considered suitable for waste management activities
Geographical coverage	County of Lincolnshire
Chain of conformity	In conformity with the National Planning Policy Framework, the National Planning Policy for Waste and the CSDMP
Preparation	Dates
Date of adoption	15 December 2017

Proposed

5 Monitoring and review

Monitoring

- 5.1 The LMWDS is monitored annually to assess progress of plan preparation against the timescales and targets set out within the document. This is reported in the council's Authority Monitoring Reports (AMRs).
- 5.2 The AMRs also monitor the effectiveness of the LMWLP, based on the monitoring framework set out in the CSDMP and SLD. This uses performance targets linked to output indicators to provide a benchmark for measuring policy implementation. It also includes provision to monitor the Sustainability Appraisal objectives. The AMRs 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.
- 5.3 The council is also required to produce an annual Local Aggregate Assessment (LAA) which assesses aggregate sales, market trends, and other relevant information to determine future demand for aggregates, and how landbanks should be calculated.
- 5.4 The AMRs and LAAs therefore assist the council in ascertaining if there is any need to review and/or update the LMWLP. They also identify if any changes are necessary for the LMWDS.

Review

- 5.5 Under regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), the council is required to carry out a review of the LMWLP at least once every 5 years, starting from the date of adoption, in order to assess whether the Plan needs to be updated.
- 5.6 This means that a review of the CSDMP must be completed by June 2021, and a review of the SLD by December 2022. As a result of changes in legislation and government policy, the two parts of the current LMWLP would now be prepared as a single document. It is therefore considered that they need to be reviewed at the same time, which must be no later than five years from the earlier adoption date (i.e. by 1 June 2021).
- 5.7 The review process builds on the existing monitoring framework and requires the council to look in detail at factors such as changes in national policy and local circumstances, whether there is a need to update supporting evidence

base documents, and whether allocations are still appropriate and deliverable within required timescales.

- 5.8 In line with the above requirements, a review of both the CSDMP and SLD was carried out during 2020. The final report setting out the conclusions of this review was approved by the county council on [date to be inserted] 2021. The review report highlighted issues with a number of policies in the LMWLP and concluded that rather than take a piecemeal approach and seek to update individual policies, the most appropriate course of action would be to update the LMWLP in its entirety.

Proposed

6 Updating the Lincolnshire Minerals and Waste Local Plan

- 6.1 In response to the conclusions of the review of the adopted LMWLP, on [Date to be inserted] the county council resolved to commence work on a new, updated LMWLP. This will eventually replace the existing adopted CSDMP and SLD.
- 6.2 In line with national planning policy and legislation it is proposed to produce the new LMWLP as a single DPD, which will include both strategic and criteria based policies, along with site allocations (where required) for both minerals and waste. Much of the detailed scope and content of the new LMWLP is yet to be determined, however table 4 below provides a summary of the proposed subject matter.

Table 4: Proposed new Lincolnshire Minerals and Waste Local Plan DPD

Scope of Document	Summary
Spatial Vision and Strategic Objectives	Shapes the overall direction of the LMWLP with key aims for the plan period
Strategic Policies	Provides the strategic policies for delivering the Spatial Vision and Strategic Objectives
Criteria based Policies	Provides spatial and locational parameters to deliver the aims of the LMWLP
Development Management Policies	Policies to control development in order to minimise impacts on the environment and amenity, and where appropriate secure environmental gains
Allocation of Mineral Sites and/or areas	Allocates specific sites, preferred areas and/or areas of search for the winning and working of minerals (where both a need and suitable sites/areas have been identified)
Allocation of Waste Sites and/or areas	Allocates specific sites, preferred areas and/or areas of search for waste management facilities (where both a need and suitable sites/areas have been identified)
Geographical coverage	County of Lincolnshire
Chain of conformity	National Planning Policy Framework and National Planning Policy for Waste

Timetable

- 6.3 Table 5 below sets out the proposed timetable for the production of the new Lincolnshire Minerals and Waste Local Plan. Further information on the production of DPDs is set out in Section 2.

Table 5: Lincolnshire Minerals and Waste Local Plan DPD timetable

Stage of Plan-production	Target
Consultation on Issues and Options, including a "call for sites" exercise (Regulation 18)	Spring 2022
Consultation on the Preferred Approach (Draft) of the new LMWLP (Regulation 18)	Spring 2023
Publication of the 'Proposed Submission' version of the new LMWLP (Regulation 19)	Spring 2024
Submission to Secretary of State	Summer 2024
Examination hearings	Autumn 2024
Adoption	Winter 2024/2025

- 6.4 The preparation of the new LMWLP and the council's compliance with the above timetable will be monitored regularly through the AMRs which are published by the county council. This MWDS will also be maintained and revised periodically to reflect any changes to the above timetable, and where necessary, to incorporate any further details in relation to the new LMWLP as it is developed.

7 Relationship to other plans

- 7.1 The LMWLP is prepared and reviewed having regard to the county's district local plans, especially with respect to housing and economic growth targets which are indicators of the potential level of demand for further mineral resources and waste management facilities.
- 7.2 Officers are members of regional working parties: East Midlands Strategic Waste Advisory Group (EMSWAG) and the East Midlands Aggregates Working Party (EMAWP), which promotes information sharing and the duty to co-operate between neighbouring authorities.
- 7.3 The Lincolnshire Joint Municipal Waste Management Strategy (JMWMS) 2019 also has an impact upon waste land use policies. The LMWLP therefore has regard to the JMWMS and other county council strategies.

8 Managing risk and uncertainty

8.1 The LMWLP needs to:

- be prepared/reviewed/updated within the timescales set; and
- deliver the strategic objectives set out in the plan

8.2 The potential risks to the above are:

- unexpected delays caused by changes in national policy and guidance;
- significant public objections slowing down the preparation process;
- staffing and resourcing difficulties;
- ability of third parties to resource input to process, e.g. the Planning Inspectorate;
- legal challenges;
- land allocated in the LMWLP not coming forward;
- detailed proposals not addressing planning issues; and
- land being land-banked by industry.

8.3 The above risks will be considered in detail as part of the preparation of the new LMWLP.

9 Resources and contingency planning

- 9.1 The preparation, review and updating of the LMWLP is the responsibility of the county council's minerals and waste policy team. This team forms part of the planning section within the council's Place directorate.
- 9.2 The minerals and waste policy team comprises:
- the Minerals and Waste Policy and Compliance Manager;
 - the Senior Policy and Programme Officer (Minerals and Waste);
 - the Senior Policy and Monitoring Officer (Minerals and Waste); and
 - the Trainee Planning Officer/Planning Officer (Policy)
- 9.3 The minerals and waste policy team works closely with other county council officers dealing with development management, highways, the historic environment, the natural environment, waste disposal and flood risk to ensure a corporate approach and integration between strategies.
- 9.4 It will be a priority to ensure sufficient staff resources are in place to meet required timescales for the new LMWLP.

10 Further Information

- 10.1 For further information on the Lincolnshire Minerals and Waste Development Scheme, please contact:

Planning Services
Lincolnshire County Council
Lancaster House
36 Orchard Street
Lincoln
LN1 1XX

Tel: (01522) 782070

Email: mineralsandwaste@lincolnshire.gov.uk

Proposed

Appendix 1: Acronyms

AMR	Authority Monitoring Report
CSDMP	Core Strategy and Development Management Policies
DPD	Development Plan Document
EMAWP	East Midlands Aggregate Working Party
EMSWAG	East Midlands Strategic Waste Advisory Group
HRA	Habitats Regulations Assessment
JMWMS	(Lincolnshire) Joint Municipal Waste Management Strategy
LAA	Local Aggregate Assessment
LMWDS	Lincolnshire Minerals and Waste Development Scheme
LMWLP	Lincolnshire Minerals and Waste Local Plan
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SLD	Site Locations document
SPD	Supplementary Planning Document

Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Page 371

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Review of the Lincolnshire Minerals and Waste Local Plan	Person / people completing analysis	Adrian Winkley Minerals and Waste Policy and Compliance Manager
Service Area	Planning Services	Lead Officer	Adrian Winkley Minerals and Waste Policy and Compliance Manager
Who is the decision maker?	The full County Council	How was the Equality Impact Analysis undertaken?	Desk top exercise
Date of meeting when decision will be made	19/02/2021	Version control	Initial version (v1.0) to be updated at each stage of plan preparation)
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Directly delivered
Describe the proposed change	The approval of the full County Council is being sought to update the Lincolnshire Minerals and Waste Local Plan (LMWLP) to ensure that it remains sound and legally compliant. The LMWLP forms part of the statutory development plan for the county.		

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age	No positive impacts identified at this stage
Disability	No positive impacts identified at this stage
Gender reassignment	No positive impacts identified at this stage
Marriage and civil partnership	No positive impacts identified at this stage
Pregnancy and maternity	No positive impacts identified at this stage
Race	No positive impacts identified at this stage
Religion or belief	No positive impacts identified at this stage

Sex	No positive impacts identified at this stage
Sexual orientation	No positive impacts identified at this stage

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

None.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Page 376

Age	No negative impacts identified at this stage
Disability	No negative impacts identified at this stage
Gender reassignment	No negative impacts identified at this stage
Marriage and civil partnership	No negative impacts identified at this stage
Pregnancy and maternity	No negative impacts identified at this stage

Race	No negative impacts identified at this stage
Religion or belief	No negative impacts identified at this stage
Sex	No negative impacts identified at this stage
Sexual orientation	No negative impacts identified at this stage

Page 377

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

None

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at engagement@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

Should the full County Council sanction the updating of the LMWLP, this would be carried out in several stages in accordance with the programme set out in the proposed Lincolnshire Minerals and Waste Development Scheme. Each stage would be subject to public consultation in accordance with the adopted Statement of Community Involvement. This seeks to ensure that all sections of the community with an interest in a particular area will be engaged. In particular, it requires effort to be made to identify and engage under-represented and seldom heard groups in Lincolnshire, including those with the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. The SCI recognises that within a sparsely populated county such as Lincolnshire it is important to ensure the involvement of groups including rural communities suffering from isolation. Challenges encountered by the above groups range from accessibility to venues, language barriers, social differences and types of media being used. Specific organisations aimed at targeting these groups, would be identified with assistance from the Council's Community Engagement Team for consultation purposes. Appropriate locations and a variety of media would also be employed. Comments received through the consultation procedures relating to protected characteristic would be reviewed at each stage of plan preparation.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	N/A at this stage
Disability	N/A at this stage
Gender reassignment	N/A at this stage
Marriage and civil partnership	N/A at this stage
Pregnancy and maternity	N/A at this stage
Race	N/A at this stage
Religion or belief	N/A at this stage

Sex	N/A at this stage
Sexual orientation	N/A at this stage
<p>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</p> <p>The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	<p>It is considered that consultation is not necessary at this stage. This is because the full County Council is only being asked to sanction the recommendations in the Review, authorising the updating of the LMWLP. If the County Council accept the recommendations, an Issues and Options document will be produced for consultation. This is the formative stage of plan development and will be subject to extensive publicity/consultation. This will be undertaken in accordance with the adopted Statement of Community Involvement which seeks to ensure that hard to reach groups, including those with protected characteristics, are caught by the process.</p> <p>The consultation will seek to establish if there are any perceived negative impacts on people with protected characteristics and whether further measures could be taken to increase any positive impacts.</p>
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	<p>If changes are necessary, these will be identified and evaluated at later stages of plan development.</p>

Further Details

Are you handling personal data?

No

Not at this stage. At subsequent stages contact details provided by any respondents will be retained so that they can be contacted, if necessary, about their comments and during further consultations.

Page 381

Actions required

Include any actions identified in this analysis for on-going monitoring of impacts.

Action

None at this stage

Lead officer

Timescale

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
V1.0	Issued for the Review of the LMWLP	Adrian Winkley	2 December 2020	N McBride	3 December 2020

Examples of a Description:

'Version issued as part of procurement documentation'
 'Issued following discussion with community groups'
 'Issued following requirement for a service change; Issued following discussion with supplier'

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Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	02 February 2021
Subject:	Development Fund - Drainage Investigations and Flood Repairs
Decision Reference:	I021581
Key decision?	Yes

Summary:

Funding to the value of £2.2 million (capital £2m, revenue £200k) has been made available to address drainage and flooding issues in Lincolnshire. A programme of work has been developed between the Floods Team and Highways with overall spend and delivery to be completed by March 2022.

A governance structure has been established to facilitate the delivery of the works programme with update and progress reports to be made throughout the duration of the programme.

The Executive is requested to approve the Governance Structure and Programme of Works.

Recommendation(s):

That the Executive:-

- (1) approves the Development Fund - Drainage Investigations and Flood Repairs Governance Structure attached in Appendix A and the Programme of Works attached in Appendix B; and
- (2) delegates to the Executive Director – Place, in consultation with the Executive Councillor for Highways, Transport and IT, and the Executive Councillor for Economy and Place, the authority to take decisions to proceed with individual schemes and the terms of entering into any contractual documents to give effect to the schemes.

Alternatives Considered:

- | | |
|----|--|
| 1. | Not to approve the Governance Structure and Programme of Works for the Development Fund - Drainage Investigations and Flood Repairs. |
|----|--|

Reasons for Recommendation:

Approval of the Governance Document and Programme of Works for the Development Fund - Drainage Investigations and Flood Repairs will allow the Floods Team and Highways Teams to work together to deliver a robust programme of works through an established reporting framework to improve drainage and reduce the risk of flooding in the county.

1. Background

Funding to the value of £2.2 million (capital £2m, revenue £200k) has been made available to address drainage and flooding issues in Lincolnshire. A programme of works is being developed in collaboration between the Floods Team and Highways. Implementation of this additional investment has been identified as £1.1 million per annum for both financial years 2020/21 and 2021/22 with overall spend to be completed by March 2022.

This report is to seek approval of the Governance Document, Programme of work and to support the approach for regular progress reporting for the Development Funds for drainage investigation and flood repairs.

Governance and Works Programme

The following provides the latest position on delivery of drainage investigations and flood repairs through the development fund programme. These works are being delivered alongside the wider highways drainage programme, and other key flood related activities, which provide a more extensive picture of the range of works in progress.

Programme Governance

A governance structure has been established to facilitate the delivery of the works programme and the latest version can be found in Appendix A. In summary, day to day programme management will be undertaken by the highways asset and maintenance teams with support from technical services partnership for certain projects. Members of the Floods team (located within the environment team) will oversee the overall programme delivery and provide effective reporting on key developments and milestones. Currently monthly meetings are taking place with the Programme Delivery Board and Programme Manager with the option to increase these to fortnightly as work intensity increases. Regular updates will be provided to the Project Sponsor as well as formal reporting channels to both senior managers and members.

Programme Delivery

A programme incorporating all drainage works, including those allocated against the Development Fund budget is being monitored in parallel with each other, but specifically the projects identified within the development fund allocation can be found in Appendix B. This spreadsheet details all works within the drainage programme and where these are currently allocated for delivery. There is a full and active programme of drainage works taking place in the county being delivered through the Highways Teams, some of which have been completed, with the remainder to be programmed for 2021/22 and those discussions will be commencing with the term contractor Balfour Beatty shortly. These combined with all other highway works will enable the contractor to develop and deliver a workable programme for the financial year 2021/22. This programme is subject to change depending on the outcome of investigations for example, but updates will be reported regularly as per the governance document.

The below table shows that there is a variety of funding over the next two years that highways have been working on (including the Development Fund) as follows;

Drainage Funding 2020 to 2022	Budget	Year
Capital Maintenance Drainage - Works	£300,000	2020/21
Capital Maintenance Drainage - Works	£300,000	2021/22
DF Drainage Funding - Works	£1,000,000	2020/21
DF Drainage Funding - Works	£1,000,000	2021/22
Community Maintenance Gangs - Drainage	£1,000,000	2020/21
	£3,600,000	
DF Drainage Funding - Design	£100,000	2020/21
DF Drainage Funding - Design	£100,000	2021/22
	£200,000	
Total Budget	£3,800,000	

The information is summarised in the programme attached with current expenditure figures as below for 2020/21:

2020/21 Drainage Works	Allocation
Capital maintenance drainage schemes completed works	£155,000
Development Fund drainage Bid schemes completed works	£225,000
Capital maintenance drainage schemes on-going schemes planned	£130,000
Capital Maintenance Emergency Works expected	£150,000
Community maintenance drainage gangs planned expenditure	£1,000,000
Total Expenditure 2020/21	£1,660,000

Next Steps

As of mid-December 2020, in addition to works already completed by highways asset and maintenance teams, six further schemes have been completed or are ongoing against the development fund budget totalling around £341,000. In addition to this is the contribution of £150,000 to the River Steeping catchment work which is supporting the very successful maintenance and delivery programme against key parts of the Catchment Action Plan for that area following severe flooding in June 2019. The first phase of those works will be completed by the end of December 2020.

A further 34 schemes and projects are planned to be delivered as part of the development fund drainage repairs and flood investigation programme with initial scoping work having commenced in some cases. This includes 8 schemes which technical services partnership drainage engineers have commenced data gathering and investigations which is anticipated to be completed by the end of December 2020. This will be followed by a detailed design which is anticipated to take place from December 2020 to April 2021. Schemes identified in the current programme are subject to change as investigation and design work may influence the size and scale of the project delivered and/or which schemes may progress to delivery. The governance document sets out the clear lines of reporting and regular updates on project delivery and spend will ensure budget pressures are maintained within the scope of the Development Fund allocation.

Summary

The Executive may choose not to approve the approach and programme outlined in this report, however approval is recommended as the first stage of more regular updating on the Development Fund - Drainage Investigation and Flood Repairs wider programme.

It is recommended that the Executive approves the proposed governance structure and programme of works (see Appendix A and B). The governance document outlines the reporting mechanisms for the duration of the programme and regular updates will be made to keep senior officers and members informed on all aspects of the programme delivery phase.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The 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.

Consideration has been given to the Equality Act duties but there are not considered to be any implications arising directly from the matters discussed in this report.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

Consideration has been given to the JSNA and the JHWS, but there are not considered to be any implications arising directly from the matters discussed in this report.

Crime and Disorder

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.

Consideration has been given to the section 17 matters but there are not considered to be any implications arising directly from the matters discussed in this report.

3. Conclusion

Approval of the Governance Document will allow for a structured and effective reporting mechanism for the spend and delivery of the drainage investigation and flood repairs programme.

Approval of the Programme of Work will allow officers to continue to carry out the necessary investigations and design work (where appropriate) for the schemes identified within the attached programme spreadsheet extract (see Appendix B).

Approval to continue with this area of work will be the start of more regular reporting on the development of the Development Fund Programme for Drainage Investigation and Flood Repair works between now and conclusion of the programme in March 2022. It is therefore requested that the Executive finds these proposals appropriate to allow the programme to continue in its current form.

4. Legal Comments:

The Council has the power to adopt the governance arrangements set out in Appendix A and implement the programme of work set out in Appendix B.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

The delivery of this programme will work within the approved budgets including the allocation from the Development Fund.

Budget monitoring reports are considered and updated on a monthly basis.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

At a meeting on 12 January 2021, the Environment and Economy Scrutiny Committee considered the report and unanimously agreed to support the recommendation to the Executive.

Members of the Committee asked a number of questions, when the following points were confirmed:

- There would be one project team drawing in staff from Highways and the Floods Team to co-ordinate the programme of work. A Programme Delivery Board would be coordinating delivery of the projects and reporting into senior managers and project sponsors.
- The programme of work was welcomed, particularly as there were a number of schemes listed that would address long standing issues in communities. The Committee was pleased to see that these schemes would finally happen and that there was a good spread across the county. It was now important to get these schemes completed as soon as possible.
- Additional schemes to replace the current schemes once completed would be dependent on funding in the future. The Council would continue to bid for funding for work in the future and it was recognised that obtaining funding would be more challenging in the future, particularly as a result of the economic circumstances arising from the pandemic.

d) Risks and Impact Analysis

The programme for the Development Fund - Drainage Investigations and Flood Repairs will be monitored throughout its duration as per the governance document attached.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Development Fund - Drainage Investigations and Flood Repairs Governance Structure
Appendix B	Development Fund - Drainage Investigations and Flood Repairs Programme of Works

8. 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 Matthew Harrison, who can be contacted on 07771 837565 or matthew.harrison@lincolnshire.gov.uk .

Development Fund – Drainage Investigation and Flood Repairs

1. Background

Funding to the value of £2.2million (Capital £2m, Revenue £200k) has been made available to address drainage and flooding issues in Lincolnshire. A programme of works is to be developed in collaboration between the Floods Team and Highways. Implementation of this additional investment has been identified as £1.1million per annum for both FY2020/21 and 2021/22 with overall spend by March 2022.

An initial draft programme has been discussed with the Executive Members, Councillors R G Davies and E J Poll. Further work has taken place during September 2020 to refine the programme, define overall timescales and identify appropriate delivery mechanisms for schemes within the programme.

2. Objectives

Members of the Flood Risk team and Highways will lead on the prioritisation, investigation and detailed design of proposed drainage schemes with the aim of producing a finalised programme in October 2020. This will identify the most appropriate delivery mechanism, along with lead-in times for specific projects within the programme.

Programme dates for larger scale schemes will need to be agreed with the Term Contractor Balfour Beatty for commencement of permanent repairs from October 2020. Overall the programme will commence in early 2021, and will continue to deliver throughout 2021-22 to complete overall spend in March 2022

Table summarising key timescales and objectives

Objective	Timescale
Develop draft programme of work	September 2020
Develop final works programme	October 2020
Programme delivery	December 2020 to March 2022
Programme completion	March 2022

3. Project Management

LCC Environment Team will co-ordinate overall programme, with the Programme Sponsor ("PS") having overall accountability for the successful delivery of the Project.

The PS will be supported by a Programme Manager ("PM"), who will be responsible for ensuring the overall programme objectives are met in a cost-effective manner and oversee the delivery of the wider programme.

The PM will be supported by the wider flood risk and highways team ("Programme Delivery Board") ensuring projects are delivered through appropriate delivery mechanisms.

The day-to-day management of individual projects will be done by the Project Managers ("PMn") and will provide regular communication to both the Programme Delivery Board and PM.

Collectively the above will be known as the ("Project Team").

4. Project Governance

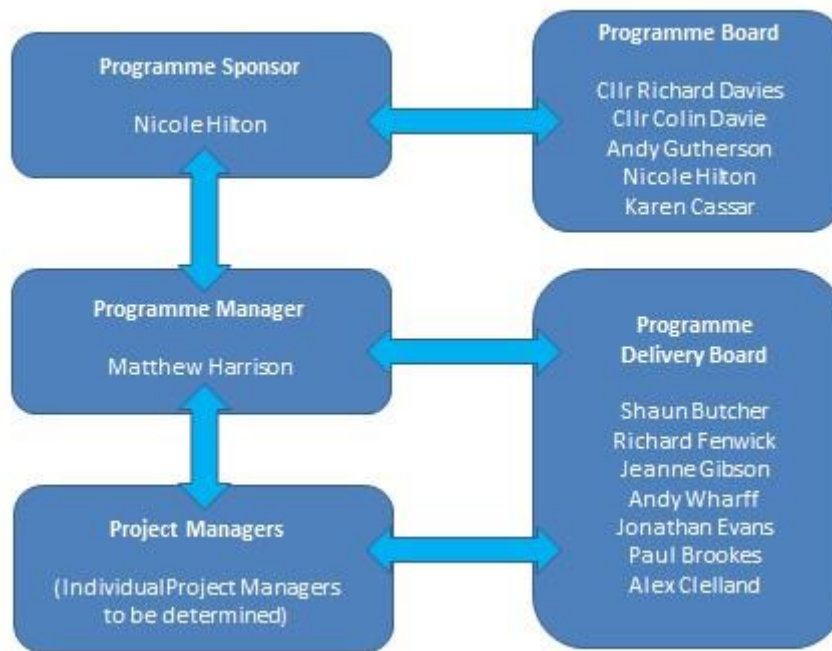
The PS will support the PM in discharging their overall accountability for the Project, providing strategic direction and ensuring proposals continue to be aligned with the overall objectives of the invest to save programme.

The Programme Delivery Board, meeting monthly, will support the PM in driving forward the project programme to deliver the schemes. Members of the Programme Delivery Board must be able to commit resources from their departments and organisations to support the programme as required, recognising the level of this will vary for each scheme proposal and depending on resourcing and competing demands.

The PS and PM will ensure effective liaison between the Programme Delivery Board and individual Project Managers. A detailed report showing individual scheme locations and costing will be prepared for each financial year. This will be updated on a monthly basis as detailed design and costings are finalised and will include delivery dates and durations of programmed works. The project team will report to Assistant Directors monthly.

The project team will regularly review this governance structure and may amend it as required to reflect changes in the programme and the Partners. The current governance structure (October 2020) is detailed below.

Progress will be reported regularly to the Programme Board, and thence quarterly to the Directorate Leadership Team and as required to Corporate Leadership Team, in addition to updates to scrutiny committee and regular reporting on progress on the transformation and development programme to Informal Executive.



Development Fund – Drainage Investigation and Flood Repairs Governance Structure

The Terms of reference for the Development Fund Programme – Drainage Investigation and Flood Repairs Governance are detailed below.

Programme Board

- Cllr Richard Davies
- Cllr Colin Davie
- Andy Gutherson
- Nicole Hilton
- Karen Cassar

Programme Sponsor

- Nicole Hilton – Assistant Director Communities

The Programme Sponsor will:

- Provide strategic leadership on direction and delivery
- Endorse progress on programme delivery and timescales
- Provide effective reporting to the programme board, senior officers, leadership team and Executive Members

Programme Manager

- Matthew Harrison – Senior Commissioning Officer – Flood Risk

The Programme Manager will:

- Ensure effective liaison with the Project Managers
- Provide effective reporting to the Programme Sponsor
- Liaise directly with the individual project managers to manage and report upon project delivery, timescales and costings
- Support successful delivery of the overall programme
- Provide support and direction to individual project leads
- Raise issues to the Programme Sponsor

Programme Delivery Board

- Shaun Butcher – LCC Highways
- Richard Fenwick – LCC Highways
- Jeanne Gibson – LCC Highways
- Andy Wharff – LCC Highways
- Jonathan Evans – Technical Services Partnership
- Paul Brookes – LCC Flood Risk Team
- Alex Clelland - Strategic Finance Manager – Place

The Programme Delivery Board will:

- Provide effective support to individual project managers and to the programme manager.
- Advise on potential risk to the programme i.e. funding or duration
- Provide direction on technical information, issues, risk and change to the programme
- Raise issues and agree solutions with the Programme Manager
- Make recommendations on key decisions to the Programme Manger
- Resolve issues escalated from individual project managers
- Support successful delivery

Project Managers

- Individual project managers will be identified for each project within the programme, and specified in the delivery programme document.

Project managers will:

- Report to the programme delivery board and maintain effective governance arrangements for their individual projects, including reporting, maintaining timescales and managing resources.
- Report to the programme delivery board through the Programme Manager on specific scheme delivery.

- In a timely manner will raise any issues that may impact on scheme spend or project and – by extension - programme duration
- Provide direction on technical information, issues, risks and changes to individual projects
- Ensure effective communication and management of contractors and sub-contractors
- Support the overall aims and objectives to delivery an effective programme of works

5. Term

This document will remain valid whilst the programme is ongoing.

All parties will be responsible for reviewing its contents throughout the programme delivery phase and any changes will need to be agreed by all parties. The programme manager will be responsible for ensuring overall programme documentation remains up to date and fit for purpose. Project Managers have this responsibility in respect of their own projects.

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Budget Area	Current Status	Cost Centre/Project Code	Budget	Actual	Street Name	Parish	Details	Date	Job	Design Lead
20/21 Schemes										
Development Fund	Works Complete	LC1194	£29,698.31	£29,698.31	MOORTOWN ROAD	Kelsey (N023)	TSP - Structures - Rivermeade Bank Slip - Repair bank slip on Station Road	Aug-20	4703418	Highways Asset
Development Fund	Works Complete	LC1194	£29,864.70	£29,864.70	ROYAL OAK LANE	Bass Aub Hadd Shy (W015)	HJM Aubourne Drainage Repair Works CP2 upstream to CP1 - 150mm the	Sep-20	44110529	Highways Asset
Development Fund	Works Complete	LC1194	£48,897.87	£48,897.87	BARTON STREET	Covenham (E004)	MW-IW Pipe dyke and infill	Sep-20	44111123	Highways Asset
Development Fund	Works Complete	LC1194	£60,524.15	£60,524.15	LINCOLN ROAD	Wickenby (N048)	Failed bank slip repairs	Aug-20	4703475	Highways Asset
Development Fund	Works Started	LC1194	£54,557.57	£54,557.57	LEA ROAD	Newton On Trent (N040)	JV A156 Torksey drainage works.(MW-IW)	Oct-20	44110510	Highways Asset
Development Fund	Works Started	LC1194	£100,000.00	£116,957.94	B1397 Main Road	Gosberton	Repair to damaged drainage system	07/09/2020	44110715	Highways Asset
Development Fund	Ready to programme	LC1194	£50,000.00		Middletons Field	Lincoln	Soakaway recons	2020-21	44110768	Highways Asset
			£373,542.60	£340,500.54						
21/22 Schemes										
Development Fund	Proposed	LC1194	£15,000.00		High Street	Blyton	Damaged to carrier drain and repair to chambers.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£15,000.00		Cliffe Rd	Welton	Flooding next to development	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£25,000.00		Martin Close	Heighington	Repair to damaged drainage system	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£30,000.00		A52 / A607 Junction	Grantham	Significant damage to the drainage system resulting in multiple drainage damage and road surface repairs.	2021/22	44110415	Highways Asset
Development Fund	Proposed	LC1194	£30,000.00		Teford Road	Salmonby	Drainage repairs and carriageway patching.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£35,000.00		Halls Lane	Goulceby	Drainage damaged requiring investigation and repairs.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£35,000.00		Marston village	Marston	Significant damage to the drainage system resulting in multiple drainage damage and road surface repairs.	2021/22	44111874	Highways Asset
Development Fund	Proposed	LC1194	£40,000.00		A52 Bridge End Road	Grantham	Significant flooding at the A52 Harrowby Road junction, which is the main route into town, road surface and drainage damage requires repair.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£40,000.00		Lutton War Memorial	Lutton	Repair to damaged drainage system.	2021/22	44111875	Highways Asset
Development Fund	Proposed	LC1194	£50,000.00		Main Road	Ingleby	Repair to damaged drainage system.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£50,000.00		Main Road	Newton on Trent	Repair to damaged drainage system.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£50,000.00		B1184 Hale Lane	Sibsey	Haunching works and bank reinforcement works.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£50,000.00		B1241 High Street	Sturton by Stow	Roadside and culvert collapsed and requires two new manhole chambers.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£55,000.00		Main Road	Scopwick	A number of drainage pipes have been damaged/collapsed on Main Street which requires replacement to prevent future flooding.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£55,000.00		Charles Avenue	Scotter	Replacement of carrier drain and headwall due to flood waters.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£60,000.00		A151 Pond Farm	Bourne	Collapsed Culvert/Damaged cw. area team patching added to site states full width so road closure most likely	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£60,000.00		Sudbeck Lane	Welton	Repair to damaged drainage system.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£105,000.00		A153 Main Road	North Kyme to Billingham	The Skirth overtopped resulting in damaged to the bank and flooded this main route over a distance of about 1km. Road was closed while the EA repaired the banks. Damage to the road and verge requires patching and rebuild to the verge.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£105,000.00		Main Road	Sedgebrook village	The whole village was under water and under the railway bridge still	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£50,000.00		Main Road	Bransby	Culvert collapse causing damage to drainage infrastructure.	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£15,000.00		Ferry Road and Hall Court	Fiskerton	Repair to drainage infrastructure and repair to the carriageway.	2021/22		Highways Asset
			£970,000.00	£0.00						

Development Fund	Proposed	LC1194	£20,000.00		Silver Street	Bardney	Damage to carriageway due to flooding, new pipe diversion to new outfall	2021/22		TSP/LHT
Development Fund	Proposed	LC1194	£50,000.00		B1190 Bardney Causeway	Bardney	Seepage from the river has destabilised the embankments / verges,	2021/22		LHT/IDB
Development Fund	Proposed	LC1194	£75,000.00		Village Centre	Woodhall Spa	Drainage damaged requiring investigation and repairs	2021/22		TSP
Development Fund	Proposed	LC1194	£85,000.00		Louth Road	Binbrook	Bank reconstruction, drainage and carriageway repairs.	2021/22		LHT/IDB
Development Fund	Proposed	LC1194	£90,000.00		Bardney Cemetery	Bardney	Repair required to damaged drainage system.	2021/22		TSP
Development Fund	Proposed	LC1194	£100,000.00		Abbey Road (Bardney Lakes)	Bardney	Provision new drainage system across private land	2021/22		TSP
Development Fund	Proposed	LC1194	£100,000.00		Fiskerton Road	Cherry Willingham	Repair to damaged drainage system	2021/22		TSP
Development Fund	Proposed	LC1194	£150,000.00		Hobhole Bank	Hobhole Bank	Bank reconstruction and retreat damaged carriageway due to standing	2021/22		Highways Asset
Development Fund	Proposed	LC1194	£150,000.00		A52 Main Road	Frieston	In the recent rainfall event it has become apparent that damaged to the	2021/22		TSP
Development Fund	Proposed	LC1194	£200,000.00		Station Road	Kirton	Repair to damaged drainage system.	2021/22		TSP
Development Fund	Proposed	LC1194	£400,000.00		Sudbrooke Road	Scothern	Flooding of properties and damage to carriageway, extensive repair work to	2021/22		TSP
Development Fund	TSP Design		£200,000.00		Staff Time	Staff Time	Design Costs	2021/22		TSP
			£1,620,000.00	£0.00						



Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	02 February 2021
Subject:	Introducing a Charging Policy for Pre-application Planning Advice
Decision Reference:	I021125
Key decision?	Yes

Summary:

This report seeks Executive approval for introducing a charging policy for the Planning Services team when providing pre-application advice to prospective applicants or developers.

Recommendation(s):

The Executive:-

- (1) Approves the adoption of a formal charging regime for giving pre-application planning advice for minerals, waste and the County Council's own applications in the form of the Charging Schedule and Exemptions as set out in Appendix A, to take effect from 1 April 2021; and
- (2) Delegates authority to the Executive Director - Place to review the Charging Schedule after a minimum of twelve months from its implementation and to make any changes that are felt necessary following this initial period.

Alternatives Considered:

1. Not to introduce a charging regime for pre-application planning advice.

Reasons for Recommendation:

There is no statutory obligation on the County Council to provide pre-application planning advice. However it is encouraged by government and is widespread across the country and as result has become a recognised feature of the planning system. There is therefore an expectation from developers that such an advice service exists and it has clear advantages for the county council in that it can

improve the quality of planning Applications received. At the same time it is a matter for the developers whether they engage with that service or not.

The introduction of a charging regime backed by clear definitions of the service to be provided helps both developers and the Council to realise these benefits. In particular it helps to manage the risk that pre-application advice is squeezed out by the demands of the statutory element and also helps to ensure a consistent quality of pre-application advice.

It is therefore proposed to introduce a charging scheme as this would not only reflect the service offered by other authorities, but also present an opportunity to improve the quality and consistency of the advice given to developers, which in turn will help to ensure the submission of better quality applications and planning decisions.

1. Background

- 1.1 The Council receives a wide range and number of pre-application enquiries from developers each year and currently pre-application advice is provided by officers free of charge. The time spent by officers and the information provided to developers when responding to these requests varies depending on the size and type of development proposed and the complexity and planning issues that might need to be considered. For example, for simple proposals the advice given might be limited to advising whether or not planning permission is required whereas for larger scale development, officers could provide more detailed and specialist written advice and attend site meetings.
- 1.2 Under Section 93 of the Local Government Act 2003, the Council has the power to charge for providing discretionary services such as pre-application advice provided it is on a not-for-profit basis. A similar power is contained in section 1 of the Localism Act 2011 (the terms of both powers being the same). Fees charged for providing pre-application advice can therefore be set at a scale that covers the costs incurred in providing that service but should not be so excessive that they discourage prospective applicants from seeking such advice. Most mineral and waste planning authorities within the East Midlands region have already adopted and operate a chargeable pre-application advice service and so Lincolnshire County Council is one of the last remaining authorities to have such a scheme in place.
- 1.3 There is no statutory obligation on the County Council to provide pre-application planning advice. However, it is encouraged by government and is widespread across the country and as result has become a recognised feature of the planning system. There is therefore an expectation from developers that such an advice service exists and it has clear advantages for the county council in that it can improve the quality of planning applications received. At the same time it is a matter for the developers whether they engage with that service or not.

- 1.4 The introduction of a charging regime, backed by clear definitions of the service to be provided, helps both developers and the Council to realise these benefits. In particular it helps to manage the risk that pre-application advice is squeezed out by the demands of the statutory element and also helps to ensure a consistent quality of pre-application advice.
- 1.5 It is therefore proposed to introduce a charging scheme as this would not only reflect the service offered by other authorities but also present an opportunity to improve the quality and consistency of the advice given to developers which in turn will help to ensure the submission of better quality applications and planning decisions.
- 1.6 In introducing a charging scheme the Council must have regard to guidance issued in relation to the use of the charging power. Such guidance has existed from 2006, which is somewhat outdated now, but it has been taken into account. Key elements of the guidance are as follows:-
- The Council has discretion in the methodology it adopts to determine the charges.
 - The Council is under a duty to ensure that taking one year with another the income from charges do not exceed the cost of provision. This allows the Council to assess over a number of years where the balance of income and cost lies and the Council will not be in breach of the requirement just because in one year income exceeds expenditure. The review and delegation referred to in the second recommendation enables this to be assessed and adjusted.
 - Where a surplus is made in any year it should be taken into account in setting the next year's charges.
 - There is no obligation to consult, but the guidance suggests the Council may wish to consult businesses on the impact of charges and on overall levels of regulatory compliance. This has been considered but the widespread existence of charging regimes in other areas of the country gives the Council a strong evidence base on levels of charging and impacts on regulation and there is not therefore considered to be a need for consultation.
 - It is a requirement of section 93 of the 2003 Act that in order to charge for a service the person being charged must agree to it. The guidance makes it clear that the power operates on the basis that the service is offered at a charge and anyone who takes up the service does so on those terms.
- 1.7 In developing a pre-application charging scheme for Lincolnshire, consideration has been given to a number of sources including:
- Research and reference to pre-application best practice guidelines (including charging) produced by Central Government and the Planning Advisory Service.

- Reviewing the pre-application offer and fee charging arrangements of other Councils including other mineral and waste planning authorities within the East Midlands region (for example, Derbyshire County Council, Nottinghamshire County Council and Rutland County Council).
- A consideration of the different types of request received and duration of the tasks performed by officers when giving pre-application advice in order to determine the amount of officer time spent.
- Taking into account the charging policy and agreed fee rate recently adopted by Planning Services for carrying out work associated with Planning Performance Agreements.

1.8 After a review of various schemes, it is clear there is no one-size fits all approach or model for establishing a chargeable pre-application service. Local planning authorities are encouraged to take a flexible, tailored and timely approach to the service they offer, which is appropriate to the nature and scale of a development proposed. Various different approaches and charging models have therefore been adopted by other authorities, which have been tailored to the type of service they wish to offer. For example, some authorities have set fees based on a percentage of the statutory planning application fee or by using different rates per hour depending on the level or seniority of the officer giving the pre-application advice. In other cases, different packages or levels of service might be offered depending upon the type or size of development and the form of advice provided (for example, a written note or a meeting).

1.9 For Lincolnshire it is suggested that any charging scheme introduced should be structured, clear and easy to understand whilst also allowing some scope for extension or amendment if additional advice is required. The preferred charging scheme is therefore suggested to be based on four main categories reflecting the different type and scale of developments typically dealt with by Planning Services (ie significant, large, medium and small). The scheme would however also make clear that certain forms of development and advice would be exempt from the charge such as those simply seeking confirmation that planning permission is required or where a proposal relates to the need of people with disabilities.

1.10 Prospective applicants would receive pre-application advice in the form of either a site meeting and written advice or written advice only dependant on the development category. This advice would (where required) include officers from other service areas and specialisms within the Place Directorate including minerals and waste policy, archaeology and the historical environment and the highways and floods teams. The recommended applicable fee for each development category is calculated based on a rate of £55 per hour reflecting the amount of time required for the officers to attend and provide the level of advice offered (for example, to cover any planning background review, constraints checks, travel time to attend meetings and production of final written advice). This rate is the same as

that which has recently been adopted for work associated with Planning Performance Agreements.

1.11 Where additional advice or subsequent meetings are requested outside the normal offer, this would be charged at the same hourly rate. This approach would not only aid the calculation of fees, but also make it easier for prospective applicants to understand the costs involved and what they can expect from the service.

1.12 A copy of the proposed charging scheme, the fee chargeable for each category and list of exemptions can be found at Appendix A.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The 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.

An Equality Impact Analysis has been carried out and is attached to the report as Appendix B. No positive or adverse impacts have been identified.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

Regard has been had to the JSNA and the JHWS and the implementation of a more consistent and focused pre-application advice service will enable better quality planning applications to be made including applications which better assess and respond to environmental issues that may impact on people's wellbeing.

Crime and Disorder

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.

The obligation has been considered but is not thought to be directly affected by the proposals in this report.

3. Conclusion

- 3.1 The Executive is asked to approve the adoption of a formal charging regime for giving pre-application planning advice in the form of the proposed fee schedule set out in Appendix A. The Council cannot make a profit from the introduction of the proposed charging regime but rather only cover costs of the advice being provided. The proposed level of fees are therefore calculated on the basis of comparing the costs charged by other mineral and waste planning authorities operating within the East Midlands region and takes into account the cost of Officer's time in undertaking such work.

- 3.2 There is no statutory requirement to provide a public consultation period prior to the introduction of any charges, nevertheless, it is recommended that a notice be placed on the Council's website at least four weeks prior to the start date. It is proposed that the fee charging takes effect from 1 April 2021.

4. Legal Comments:

The Council has the power to introduce charging for pre-application planning advice. The law and the legal considerations are dealt with in detail in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

The level of income generated by the proposed charging scheme is expected to be very modest, at around £5,000 per annum and the resources to deliver the advice will continue to be the existing Place Directorate staff.

Approval of the recommendation therefore has no material impact on budgets with the more tangible benefits being improvements in the quality and consistency of the advice given to developers.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The proposals in this report were considered by the Environment and Economy Scrutiny Committee on 20 October 2020. The Committee acknowledged that proposed charges were in line with how other local authorities operated and on this basis supported the recommendations for the development of a charging policy for pre-application advice and for a delegation to a chief officer to review the charging schedule after a minimum of twelve months.

As part of the clarification to the Committee, it was stated that it was unlikely that there would be charges levied between the County Council and District Councils; and several approaches for advice about the same application would likely result in multiple charges being applied.

d) Risks and Impact Analysis

An Equality Impact Analysis has been carried out and is attached to the report as Appendix B. No positive or adverse impacts have been identified.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Proposed Charging Schedule
Appendix B	Equality Impact Assessment

8. Background Papers

No background papers as defined in s100D of the Local Government Act 1972 were relied upon in the writing of this report.

This report was written by Neil McBride, who can be contacted on 01522 554814 or neil.mcbride@lincolnshire.gov.uk .

Appendix A – Proposed Pre-application Advice Charging Schedule

Category	Type of development	Level of advice	Fee
Significant	<ul style="list-style-type: none"> All new quarries, oil and gas sites or landfill sites. Any change or extension to an existing quarry, oil and gas site or landfill site* where extraction/disposal exceeds 50,000 tonnes per annum or sites over 5 hectares. All new waste management facilities processing in excess of 50,000 tonnes per annum or any change or extension to an existing facility of 5 hectares or more. Any development involving the creation or change of use of 2,000sq.m or more floor space or sites over 5 hectares. Any hazardous waste management facility processing over 5,000 tonnes per annum. 	Site meeting and written advice	£770 +VAT (up to 10 hours)
Large	<ul style="list-style-type: none"> Any change or extension to an existing quarry, oil and gas site or landfill site* where extraction/disposal is between 25,000 and 50,000 tonnes per annum or sites over 2 hectares (but less than 5 hectares). All new waste management facilities processing between 25,000 and 50,000 tonnes per annum or any change or extension to an existing facility on sites over 2 hectares (but less than 5 hectares). Any development involving the creation or change of use of between 1,000sq.m and 2,000sq.m or more floor space or sites in excess of 2 hectare (but less than 5 hectares). 	Site meeting and written advice	£660 +VAT (up to 8 hours)
Medium	<ul style="list-style-type: none"> Any change or extension to an existing quarry, oil and gas site or landfill site* where extraction/disposal is between 5,000 and 25,000 	Site meeting and written advice	£550 +VAT (up to 6 hours)

	<p>tonnes per annum or sites over 1 hectare (but less than 2 hectares).</p> <ul style="list-style-type: none"> All new waste management facilities processing between 5,000 and 25,000 tonnes per annum or any change or extension to an existing facility on sites over 1 hectare (but less than 2 hectares). Any development involving the creation or change of use of floor space between 500sq.m and 1,000sq.m or sites over 1 hectare (but less than 2 hectares). 		
Smaller	<ul style="list-style-type: none"> Any minerals and waste development not falling within the Significant, Large or Medium categories. Any development involving the creation or change of use of floor space less than 500sq.m or sites less than 1 hectare. 	Written advice only	£310+VAT (up to 4 hours)
Other	<ul style="list-style-type: none"> Confirmation as to whether or not planning permission is required. Any proposal for which there is no planning fee (e.g. Listed Building Consent). Any proposal relating to the needs of people with disabilities. 	Written advice only	Free

* Includes a lateral extension, deepening or increase in void space or life of the site or any Section 73 application to vary or amend conditions.

The above fees include the amount of officer time that would be required to provide the level of advice identified including planning background review, constraints checks, travel time to attend meetings and production of final written advice.

Where additional advice or subsequent meetings are requested outside the normal offer, this would be charged at an hourly rate of £55 per hour (+VAT). Planning Performance Agreements are also subject of a separate fee.

Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Page 4/11

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Charging policy for pre application advice on planning applications	Person / people completing analysis	Neil McBride Head of Planning
Service Area	Planning Services	Lead Officer	Neil McBride – Head of Planning
Who is the decision maker?	Executive	How was the Equality Impact Analysis undertaken?	Desk top analysis
Date of meeting when decision will be made	02/02/2021	Version control	Initial version 1.0
Is this proposed change to an existing policy/service/project or is it new?	New	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Directly delivered
Describe the proposed change	In providing developers with advice prior to the submission of a planning application this information is provided free of charge, it is now intended that this will be charged for in line with the charges in the proposed charging schedule.		

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age	No positive impact
Disability	No positive impact
Gender reassignment	No positive impact
Marriage and civil partnership	No positive impact
Pregnancy and maternity	No positive impact
Race	No positive impact
Religion or belief	No positive impact

Sex	No positive impact
Sexual orientation	No positive impact

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Page 416

Age	No perceived adverse impact at this stage
Disability	No perceived adverse impact at this stage
Gender reassignment	No perceived adverse impact at this stage
Marriage and civil partnership	No perceived adverse impact at this stage
Pregnancy and maternity	No perceived adverse impact at this stage

Race	No perceived adverse impact at this stage
Religion or belief	No perceived adverse impact at this stage
Sex	No perceived adverse impact at this stage
Sexual orientation	No perceived adverse impact t at this stage

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at engagement@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

No formal engagement took place.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	N/A at this stage
Disability	N/A at this stage
Gender reassignment	N/A at this stage
Marriage and civil partnership	N/A at this stage
Pregnancy and maternity	N/A at this stage
Race	N/A at this stage
Religion or belief	N/A at this stage

Sex	N/A at this stage
Sexual orientation	N/A at this stage
Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes
Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?	Will undertake a review of the changes and how effective these have been on a yearly basis.

Further Details

Are you handling personal data?	No
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Page 421

Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	None at this stage.		

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
1	Charging for pre-application planning advice	Neil McBride	29 December 20230	Neil McBride	29 December 2020

Examples of a Description:

- 'Version issued as part of procurement documentation'
- 'Issued following discussion with community groups'
- 'Issued following requirement for a service change; Issued following discussion with supplier'

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Open Report on behalf of James Drury, Executive Director - Commercial

Report to:	Executive
Date:	02 February 2021
Subject:	Performance Reporting Against the Corporate Plan Performance Framework 2020-2021 - Quarter 2
Decision Reference:	I020630
Key decision?	No

Summary:

This report presents an overview of performance for Quarter 2 (June – September 2020) against the Corporate Plan. Details on performance can be viewed on the [website](#).

Recommendation:

That Quarter 2 performance for 2020/21 be considered and noted.

Alternatives Considered:

No alternatives have been considered to the recommendation as it reflects factual information presented for noting and consideration.

Reasons for Recommendation:

To provide the Executive with information about Quarter 2 performance against the Corporate Plan.

1. Background

- 1.1 The Corporate Plan (CP) was approved by the Council on 11 December 2019 and the Executive approved the Corporate Plan Performance Framework on 6 October 2020. The Framework contains performance indicators (PIs) and key activities against which performance/progress will be reported in order to demonstrate whether the Council is achieving the four ambitions for Lincolnshire as set out in the CP. Service level performance is reported to the relevant scrutiny committees.

1.2 The four ambitions are:

- Create thriving environments, which overall is 'On plan'
- Enable everyone to enjoy life to the full, which overall is 'Ahead of plan'
- Provide good value council services, which overall is 'On plan'
- Support high aspirations, which overall is 'On plan'

1.3 This report provides the Executive with highlights of Quarter 2 (Q2) performance of the performance framework. The full range of performance is hosted on the Council's [website](#). Performance is reported by exception.

For activities, this includes those which are:-

- Ahead of plan - achieved current milestones and forecast to achieve future milestones ahead of timescales, summarised in Appendix A.
- Behind plan - current milestones have not been achieved, summarised in Appendix B.

Details of all activities including those On plan (achieved current milestones and forecast to achieve future milestones within timescales) are available on the Council's website.

For PIs, this includes those where the target has:-

- Not been achieved.
- Been achieved but the direction of travel is of concern.
- Been achieved and service wants to celebrate success.

1.4 **Headlines Quarter 2 Performance**

1.4.1 Activities

1.4.2 Services have provided key milestones for each activity. Progress is an objective judgement by the service against the milestones.

1.4.3 Of the 19 activities with milestones due to be reported in Q2, 89% are either On plan or Ahead of plan:-

- 12 are On plan (Achieved current milestones and forecast to achieve future milestones within timescales);
- 5 are Ahead of plan (Achieved current milestones and forecast to achieve future milestones ahead of timescales); and
- 2 are Behind plan (Current milestones have not been achieved)

1.4.4 Both of those 'Behind plan' have been impacted by Covid-19:-

Promoting of the SHERMAN initiative and implementation of the hoarding protocol ^(A57); The SHERMAN campaign highlights seven factors that

put people at greater risk of having a fire, or being less likely to react to a fire.

- Smoking
- Hoarding
- Elderly people or those who live alone
- Reduced mobility, hearing or visual impairments
- Mental health issues
- Alcohol misuse, drugs/medication dependence
- Needing care or support

It aims to increase both public and professional awareness of the risk factors. It encourages them to make contact with the fire service through a safe and well check.

The integrated finance and people management (Business World) system (A75); The final go-live date will now be November 2021. This has been in part as a result of the impact which Covid-19 has had on the early stages of the project; resulting in the Council being unable to implement a revised chart of accounts which also impacted on the solution design and build stages. This in turn has had a knock on effect to the later deliverables. Beyond Covid-19 related delays, the Business World system has also been impacted by the complexity of how the existing system has been configured and managed which has resulted in additional unforeseen build requirements in the Hoople platform. The revised go-live date has been agreed with all key departments within the Council and has been set to reflect known staff capacity issues during the financial year-end period, the lack of staff and schools availability during July and August due to schools closing and extensive staff annual leave, and also recognising the complexity of September and October payroll runs. The delay to go-live will not affect the Council's current use of the system and whilst moving systems mid financial year will create additional configuration requirements, it will be advantageous to manage the financial year-end process in the same system.

Generally performance in Q2 does not reflect the second national lockdown, however priority has moved away from recovery, and on-going work on developing an Exit Strategy for Covid-19 has been paused. The Lincolnshire Resilience Forum (LRF) has flipped back into response mode and the focus is on responding to the current increase in infection levels and related pressures on service delivery. Work on the Exit Strategy will be prioritised accordingly and a new date will be fixed accordingly for its completion and adoption. (A85)

Ambition Create thriving environments	
Objective Provide sufficient, high quality and inclusive education places locally	On plan Both activities (A53, A54)

Ambition Create thriving environments	
Objective Improve the safety of local communities	Behind plan 1 activity (A57) Covid-19 Impact
Objective Champion Lincolnshire as a destination of choice to visit, live, relax, work and do business	Ahead of plan 1 activity (A47)
Objective Advocate for investment in our transport and energy infrastructure, digital connectivity and schools, championing active sustainable travel	Ahead of plan 1 activity (A43)

Ambition Enable everyone to enjoy life to the full	
Objective Deliver quality children's centres which are at the heart of our communities supporting families so their children thrive.	Ahead of plan 1 activity (A33)

Ambition Provide good value council services	
Objective Put our customers first, so we respond with one voice, working effectively across teams	On plan 1 activity (A82)
Objective Nurture and celebrate a forward-looking, high-performing, skilled and empowered workforce	On plan 1 activity (A74)
	Behind plan 1 activity (A75) Covid-10 Impact
Objective Maximise opportunities to work with others and improve service delivery	On plan 1 activity (A72)
Objective Get the most out of our shared public estate, to provide more community opportunities, housing, employment and accessible services	On plan 1 activity (A81)
Objective Engage, listen and respond to our communities	Ahead of plan 2 activities (A66, A67)
Objective Design our processes and services to meet customers' needs	On plan 2 activities (A60,A61)
Objective Be there when communities need us most, responding collaboratively to emergencies	On plan 1 activity (A85)

Ambition Support high aspirations	
Objective Manage the risks to our environment from climate change to protect our natural and built resources for future generations	On plan Both activities (19, 18)
Objective Deliver economic growth to create and sustain vibrant communities	On plan 1 activity (17)

1.4.5 Some highlights of achievements include:-

- The initial Tourism Action Plan consultation has been completed to attract tourists to the county leading the way in raising the profile of the county to maximise what Lincolnshire has to offer. (A47)
- A range of virtual support sessions for children and their families were well attended during the summer term to prepare them for school and their transition into their reception year in September. (A33)
- The County Views residents' panel has been established as part of transforming how we engage with communities, listening and acting on what they say and supporting them to be resilient and self-sufficient. (A66)
- The Initial Conversation model has been rolled out for all Adult Frailty and Long Term Conditions Teams supporting us to place the individual, their family and friends at the heart of their care plan. (A67)

1.4.6 Performance Indicators (PIs)

Of the 11 PIs reported in Q2, 7 can be compared with a target. Of those 71% met or exceeded the target:-

- 2 exceeded the target
- 3 achieved the target
- 2 did not achieve the target

Covid-19 has had an impact on performance of three of the PIs in the CP (Schools Ofsted rating; online transactions via the website; jobs safeguarded and created as a result of the Council's support) and service level performance (reported to scrutiny committees) including Trading Standards, Libraries and Heritage, and community safety work in schools.

1.4.7 Ambition: Create thriving environments

Of the four PIs reported in Q2:-

- 93% of traveller review ratings from Trip Advisor of excellent and/or very good exceeded the target of 85%. (PI128)

- 93.8% of superfast broadband coverage in Lincolnshire achieved the target of 93.2% - 95.2%. We are on course to achieve the target of 97% superfast coverage by 31 December 2022. (PI141) NB. Still awaiting portfolio holder approval for this target.
- 2.0% reduction in Lincolnshire's 2018 overall per capita CO² emissions from 2017. This PI is for context and is not compared with a target. (PI175)
- 83.2% of schools have an Ofsted rating of good or above. The target of 84%-86% was not achieved. School inspections did not take place in Quarter 2 (June-September) due to Covid-19 and this has impacted performance. (PI142)

1.4.8 **Ambition: Enable everyone to enjoy life to the full**

Of the two PIs reported in Q2:-

- 76.5% of adults with learning disabilities who live in their own home or with family achieved the target of 75% - 85%. A slight increase in clients whose accommodation status is unknown has led to a slight drop in performance of 0.2 percentage points from Q1 (76.7%). These 16 clients will be investigated and their records updated for Q3 reporting. (PI149)
- 78.6% of children in care are living within a family environment; this exceeds the target of 74% and confirms that, for the vast majority of Children in Care, a family placement is the most effective means of offering care. Of these, 33 children at the end of Q2 were living with parents and were either subject to an order as part of care proceedings or reunified home. (PI138)

1.4.9 **Ambition: Provide good value Council services**

Of the two PIs reported in Q2:-

- There were 171,363 online transactions via the website, including recycling centre bookings introduced due to Covid-19. The total figure excluding recycling bookings is 7,797. (PI149)
- There were 59% of contacts where the customer considers their concerns have been fully addressed through achieving early resolution (exclusive of statutory complaints). In light of the difficulties faced during Covid-19 and the significant increase in the number of overall contacts received, it was considered that there was likely to be a decrease or no movement in comparison to the previous quarter. However performance improved from 53% in Q1. (PI151)

Both of these PIs are for context and not compared with a target.

1.4.10 **Ambition: Support High Aspirations**

Of the three PIs reported in Q2:-

- 54.9% of pupils with an Education, Health and Care Plan (EHCP) are placed in mainstream schools achieving the target of 53.2% - 55%. (PI135)

- 38.2% of people are in higher skilled jobs. This measure should be treated as an evaluative measure only, rather than as a PI as other outside influences can impact this metric as much as Lincolnshire County Council activity can. However, continued year on year increases in employment in these occupation codes are important to ensure Lincolnshire keeps up with national trends. It is a measure of the balance of our economy as a whole. Through 2019/2020, the proportion of people employed in this group in Lincolnshire fluctuated. Regionally there was small growth in this figure. Lincolnshire has historically had lower than average proportion of employment in higher level occupations. (PI131) This PI is usually reported in Q1.
- 80 jobs were safeguarded and created as a result of the Council's support, significantly less than the target of 150. This is a direct result of the economic downturn, particularly in relation to Covid-19. However, business growth is still taking place across the County with ten of the new jobs being created with the support of the Foreign Direct Investor Programme and five through activities supported by the Growth Hub. (PI68)

1.4.11 Data expected in Quarter 2 but not available

Following the implementation of the new HR structure work on Business World during 2019/2020, employee turnover ⁽⁹¹⁾ and sickness absence ⁽⁹²⁾ cannot currently be reported as the performance indicators require twelve months of data in the new structure to be able to report. The sickness absence report has been built and employee turnover is still in the process of being built. The aim is to be able to report Q2 data in the Q3 Corporate Plan performance report.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act.
- 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

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.

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.

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.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The 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.

The report presents performance against the ambitions and objectives that are the Corporate Plan, many of which relate to people with a protected characteristic including young people, older people and people with a disability. It is the responsibility of each service when it is considering making a change, stopping, or starting a new service to make sure equality considerations are taken into account and an equality impact analysis completed.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

The report presents performance against the ambitions and objectives that are the Corporate Plan many of which relate directly to achievement of health and wellbeing objectives.

Crime and Disorder

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.

The Report presents performance against the outcomes and measures that are the Corporate Plan some of which relate to crime and disorder issues.

3. Conclusion

This report presents an overview of performance for Quarter 2 against the Corporate Plan. There was good performance overall and three of the four ambitions are On Plan and the other Ahead of Plan. 89% of activities are either On Plan or Ahead of Plan and 71% of PIs met or exceeded the target.

4. Legal Comments

The Executive is responsible for ensuring that the Executive functions are discharged in accordance with the Budget and Policy Framework of which the Corporate Plan is a part. This report will assist the Executive in discharging this function.

The recommendation is lawful and within the remit of the Executive.

5. Resource Comments

Acceptance of the recommendation in this report has no direct financial consequences for the Council.

6. 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 Board (OSMB) is due to consider this report on 28 January 2021. Any comments of the Board will be reported to the Executive.

d) Risks and Impact Analysis

Any changes to services, policies and projects are subject to an Equality Impact Analysis. The considerations of the contents and subsequent decisions are all taken with regard to existing policies.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Summary of those activities that are Ahead of Plan
Appendix B	Summary of Activities that are Behind Plan

8. Background Papers

The following Background Papers within section 100D of the Local Government Act 1972 were used in the preparation of this Report:

Document title	Where the document can be viewed
Council report: Corporate Plan 11 December 2019	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=120&MId=5661&Ver=4
Executive report: Corporate Plan Performance Framework 6 October 2020	https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5522&Ver=4

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Summary of those activities that are ahead of plan

1. Ambition: Create thriving environments

The following activities are ahead of plan – Achieved current milestones and forecast to achieve future milestones ahead of timescales.

Objective	Activity	Milestone	Progress
Champion Lincolnshire as a destination of choice to visit, live, relax, work and do business	Work with partners to attract tourists to Lincolnshire, leading the way in raising the profile of the county and enhancing collaboration across our councils to maximise what Lincolnshire has to offer. (A47)	Tourism Action Plan consultation by 30 Sept 2020.	The initial consultation has been completed.
Advocate for investment in our transport and energy infrastructure, digital connectivity and schools, championing active sustainable travel	Improve the digital connectivity across our rural county through continuing to work with, and influence, central government to generate the funding and flexibility to enable us to achieve gigabit capable digital communities and provide business growth opportunities. In addition, we will continue to stimulate private investment opportunities in full fibre infrastructure. (A43)	Sign contract 3, 30th Sept 2020.	Contract 3 signed on 24th September.

2. Ambition: Enable everyone to enjoy life to the full

Objective	Activity	Milestone	Progress
Deliver quality children's centres which are at the heart of our communities supporting families so their children thrive.	We will ensure fit for purpose, appropriate services are available for families to narrow the achievement gap, so all children thrive and achieve their potential. (A33)	Provide a range of virtual support sessions for children and their families to prepare them for school and their transition into their reception year in September 2020.	A range of virtual support sessions were provided during the summer term. These were well attended and families engaged with this new delivery model. A range of virtual support sessions are also being provided during the autumn term. Families have continued to engage with this new delivery model which builds upon the work delivered during the summer.

3. Ambition: Provide good value council services

Objective	Activity	Milestone	Progress
<p>Engage, listen and respond to our communities.</p>	<p>We will transform how we engage with communities, listening and acting on what they say and supporting them to be resilient and self-sufficient. This will be articulated through the refresh of our community strategy. In year 1 we will develop residents' panels and deliver a county-wide customer survey. (A66)</p>	<p>Review initial customer survey results by 30 April 2020.</p> <p>Develop on-going engagement/ survey approach by 31 July 20.</p>	<p>The County Views residents' panel has been established and to date 204 residents have joined the panel.</p> <p>Panel members take part in county-wide residents' surveys and have opportunities to get involved in other activities, including focus groups and workshops. The on-going promotional activities are delivered to build the membership and ensure representativeness.</p> <p>To date, two county-wide residents' surveys have been held and the third one is to begin in November 2020. The results are analysed and published on the website.</p> <p>The engagement directory and the new process have been developed recently to help ensure consistent practice for feeding back to residents and stakeholders. The new process will provide visibility of all engagement activity and make findings and decision details easily accessible on our website.</p>

Objective	Activity	Milestone	Progress
Engage, listen and respond to our communities.	We will place the individual, their family and friends at the heart of their care plan through introducing and implementing strength based practice in Adult Care and Community Wellbeing. (A67)	Implement and embed Initial Conversation in Adult Social Care Adult Frailty Long Term Conditions – September 2020.	Mosaic processes have been developed and are in place to support the Initial Conversation. The model has now been rolled out, guidance developed and a series of online workshops have taken place for all Adult Frailty and Long Term Conditions Teams in Lincolnshire.

Summary of activities that are behind plan

Ambition: Create thriving environments

Objective	Activity	Milestone	Progress
Improve the safety of local communities	Support people to improve their home safety through delivering a comprehensive communication and engagement plan. In year 1 we will promote the SHERMAN initiative and implement the Hoarding Protocol. (A57)	We have modified our ways of working due to COVID-19 to ensure we still deliver our SHERMAN Strategy, by making contact with Critical and High Risk members of the public, allowing for an assessment to be made. All Critical referrals will be visited in 5 days and High in 10 days (working days).	<p>Following the initial review and re-profiling of risk due to the impact of COVID-19, delivery of community safety activities were updated to ensure that we continued to provide advice and support for those identified as vulnerable and most in need of help.</p> <p>An additional layer of risk assessment was added to allow for a comprehensive triage process to be adopted for all referrals received, allowing limited resources to focus on the identified critical/high risks.</p> <p>Whilst confident that we are providing the appropriate level of support to all referrals, we are committed to continually reviewing how we offer support to ensure effective and efficient responses. Partnership engagement has been key to allowing delivery of the SHERMAN concept during the pandemic.</p> <p>Close working with colleagues in Adult Social care, has allowed advice and support to be maintained around the Hoarding project.</p>

			<p>Information has been gathered that has allowed safety messages to be amended and updated and shared in a variety of methods, allowing identified issues to be managed and supported.</p> <p>We have reviewed the data in order to measure the success of this activity and whilst it is clear that support, advice and guidance is being offered in alternative ways, our preferred response against the specified timescales has been outside of our outlined targets.</p> <p>The full impact of not meeting the specified timescales on 100% of occasions is being reviewed against the current restrictions in place due to COVID-19. This review will allow control measures to be amended and updated if an identified detrimental impact is being observed.</p> <p>Periodic reviews of our delivery strategy are carried out in line with local risks and direction offered by the National Fire Chiefs Council. We are confident that continued development of the process will see performance against the activity improve and also more importantly continue to ensure that timely support is provided.</p>
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Ambition: Provide good value council services

Objective	Activity	Milestones	Progress
<p>Nurture and celebrate a forward-looking, high-performing, skilled and empowered workforce.</p>	<p>We will increase our effectiveness by redesigning processes relating to our people and financial management, through an integrated finance and people management system. (A75)</p>	<p>Mobilise Business World system re-design programme by 11 March 2020.</p> <p>Develop shareholder agreement with Herefordshire Council for Hoople by 31 March 2020.</p> <p>Complete system build - by 2 October 2020.</p> <p>.</p>	<p>Despite best endeavours from the Council, Hoople and other partners it is highly probable that the system re-design will not be live for April 2021. The impact of Covid so far has taken out all contingency arrangements and factoring in a similar and even a potentially greater impact over the next six months it is expected that the system will not be live until sometime between July – November 2021. This will be constantly reviewed and monitored, pending the full impact of Covid.</p> <p>Although the actual re-build of the existing system onto the Hoople platform is only two weeks behind (as at 12/10/20), we are already seeing Covid impact on the lack of availability of staff to fulfil roles, delays in system processing, coupled with the need to implement safe testing arrangements in both an office and home environment. This has been compounded by uncovering issues with the existing system design which have resulted in additional build requirements in the Hoople platform.</p> <p>It is acknowledged that moving to a new system mid-financial year is not ideal, and although managing the financial</p>

			year-end process with the existing system will be beneficial, it will create an additional impact on our Finance services which will require additional support to ensure this is managed effectively.
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