

## **BOSTON BOROUGH COUNCIL**

At the meeting of Boston Borough Council held remotely via Zoom, on Monday, 15th February, 2021 at 6.30 pm

Present:

The Mayor (Councillor Anton Dani), in the Chair

Councillors Tracey Abbott, Tom Ashton, Alison Austin, Richard Austin BEM, Alan Bell, Peter Bedford, Michael Cooper, George Cornah, Anne Dorrian, Deborah Evans, Paul Goodale, Martin Griggs, Neill Hastie, Martin Howard MSc. PCGM, Cert Ed, Jonathan Noble, Frank Pickett, Brian Rush, Judith Skinner, Paul Skinner, Yvonne Stevens, Chelcei Trafford, Peter Watson, Judith Welbourn, Nigel Welton and Stephen Woodliffe

Officers –

Chief Executive, Deputy Chief Executive (Place) & Monitoring Officer, Deputy Chief Executive (People), Deputy Chief Executive (Strategy), Section 151 Officer, Assistant Director - Support Services & Partnership, Assistant Director – Organisation and Corporate Services, Democratic Services Manager and Senior Democratic Services Officer

Also attending:

Councillor Angela Newton, Chairman of Public Sector Partnership Services  
Mr. Lewis Ducket, Chief Executive, Public Sector Partnership Services

### **MINUTE SILENCE**

Prior to the start of the meeting the Mayor invited those in attendance to join him in a minutes silence to remember Matt ‘Buzz’ Watson of the Parks and Grounds Team, and former Mayors Peter Jordan OBE and Ossy Snell, who had all recently passed away.

### **125 MINUTES**

The minutes of the meeting of the Council, held on 23 November 2020, were taken as read and signed by the Mayor as a correct record, subject to corrections being made to the response given by Councillor Yvonne Stevens to the supplementary question asked of her by Mr. Darron Abbott.

### **126 APOLOGIES**

Apologies for absence were received from Councillors David Brown and Viven Edge.

### **127 COMMUNICATIONS**

The Chief Executive reported that, following changes within memberships of political groups, the allocation of committee seats had been revised and circulated to all Members for information.

## 128 QUESTIONS FROM ELECTED MEMBERS

The Chief Executive reported there were questions from Councillors George Cornah, Tom Ashton, Judith Skinner, Brian Rush, and Anne Dorrian.

### **Question asked by Councillor George Cornah pursuant to paragraph 10 of the Rules of Procedure as set out in the Constitution.**

“Following the announcement of the investment in our town by Plant and Bean will the Portfolio Holder explain why the company chose to invest in their global headquarters in Boston, and what impact this will have on the local economy in the future.”

### **Response by Councillor Nigel Welton**

“Our whole approach to inward investment is simple; its driven by passion, trust and a shared understanding of the needs of the business underpinned by an agile, flexible and seamless team approach - and landing Plant & Bean was no exception.

Firstly they chose Boston over two other sites because of the confidence, rapport and integrity in the officers of the council during early preliminary and fact finding conversations and gave credit to our proactive approach in supporting their needs.

Secondly, how quickly we mobilised a collaborative ‘Touch Down Team’ which they could interrogate on how the Council, University of Lincoln, Boston College and DWP could work with them on skills, recruitment, supply chain introductions and general business support. This approach also gave us the opportunity to reiterated our growth vision and the part the Town Deal plays in influencing future investments like this.

Thirdly, was the importance of our embedded relationship with a well-connected food sector including logistics, access to the Port, educational links across all levels, a connected supply chain (including growers) and a very well-trained workforce.

In regards to the economic impact; the business will over time deliver nearly 500 new jobs with a relatively high proportion of those in technical roles requiring higher skill levels creating opportunities for up-skilling of local skill sets, resulting in higher wage levels, increased productivity and greater spend locally.

Having a major business like Plant & Bean relocate to Boston again is a massive boost to our credibility as a place to start, grow and invest and presents the council with a great opportunity to move, in part away from agri food to more plant based production and manufacturing. It also creates the opportunity to expand and grow a “plant based” food cluster and become the “go to location” for this type of food production - creating more higher skilled job opportunities, higher wage levels, raised aspirations in our young people - all delivering great economic well-being and resilience for the borough and what better reason for families to stay or relocate here.”

### **Supplemental question asked by Councillor Cornah pursuant to paragraph 10.6 of the Rules of Procedure as set out in the Constitution:-**

“Thank you for the response. It is really exciting to see this level of investment and creation of jobs for Boston and I thank the Economic Development Team for all their work on this project.”

**Question asked by Councillor Tom Ashton pursuant to paragraph 10 of the Rules of Procedure as set out in the Constitution.**

“Would you agree that this Council has been generously compensated by the government for the economic difficulties it and local businesses have faced as a result of the Covid-19 pandemic and subsequent national lockdowns?”

**Response by Councillor Jonathan Noble**

“I agree that our Council has been amply compensated by Central Government for the economic difficulties it and local businesses have faced as a result of the pandemic and the ensuing national lockdowns.”

**Supplemental question asked by Councillor Ashton pursuant to paragraph 10.6 of the Rules of Procedure as set out in the Constitution:-**

“What specific funding allocation has been made to the Council and local businesses?”

**Response by Councillor Noble**

We’ve received £5,311,000 in section 31 monies from central government, that’s for business rates relief.

We’ve received from the Ministry of Housing, Communities and Local Government Covid-19 receipts totalling £1,185,000 in four tranches, that’s for lost fees and charges income.

We’ve had business grants of £14,430,000 helping 1,245 local businesses.

We’ve received £750,000 from the Towns Fund, it goes into the capital programme.

We’ve received £495,000 from the Community Champions community cohesion grant.

And more recently we’ve received:

- £798,500 in the Local Authority Discretionary Grant scheme;
- £1,161,360 pounds for the Local Restriction Support Grant Addendum;
- £1,403,460 for the Additional Restrictions grant;
- Over £13,000 for the Local Restriction Support grant, which was from 2<sup>nd</sup> of December 2020 to the 19<sup>th</sup> of the same month.

We also received £127,242 for Local Restriction Support grant closed between 2<sup>nd</sup> of December and 19<sup>th</sup> of December

We’ve also received £38,400 Christmas Support Payment for wet-led pubs.

So, you can see that we've been handsomely remunerated or compensated by central government for the difficulties we face as a result of the lockdown, but we must be careful and we must be cautious because, although central government monies to this Council have been very generous this year, we can't anticipate that the same will be true in subsequent years. In fact, it's likely that over time, central government monies to this council will progressively diminish and that is why we have to be so careful in the way we allocate and spend our moneys.

**Question asked by Councillor Judith Skinner pursuant to paragraph 10 of the Rules of Procedure as set out in the Constitution.**

"Would the Leader of the Council agree with me that the Covid 19 Enhanced testing stations at Tollfield Road and Peter Paine have been well attended by people in the Borough and that they are an ongoing success in slowing the spread of the virus in our community. Would he also join me in thanking Officers and volunteers for making the process at the stations an easy process for residents?"

**Response by the Leader**

"Thank you for your question Cllr Skinner.

I most certainly would agree and also thank both those that have used the facilities, remembering that identifying every single one of those asymptomatic cases prevents the spread of Covid 19 in our community, and all of the staff supporting the Testing Stations Officers and Volunteers.

Furthermore I was asked to visit the Sidings and the PRSA vaccination centres, our NHS Staff, officers and volunteers are also doing a magnificent job for our community!"

**Supplemental question asked by Councillor Judith Skinner pursuant to paragraph 10.6 of the Rules of Procedure as set out in the Constitution:-**

"The testing stations were due to close yesterday, could you provide an update?"

**Response by the Leader**

"I can confirm that the testing stations open presently will continue to operate until the end of February and further confirm there will continue to be a test facility in Boston until the end of March. This will take every single one of these asymptomatic cases out of harms way and stop the spread of the disease"

**Question asked by Councillor Brian Rush pursuant to paragraph 10 of the Rules of Procedure as set out in the Constitution.**

"Councillor Abbott, some weeks back I asked you a question regarding the whereabouts of around (20) Twenty Pop Up Shelters which were purchased for the launch of a locally inspired initiative under the banner of Bargate Green Co-Operative.

The initiative, was the brainchild of the highly respected locally owned Consultant group Anderson and Glenn.

Would you confirm that there were indeed 25 Shelters purchased, in 2007 at a minimum cost of £30,000...of Boston taxpayers money!

I have, as you might expect, looked into this issue, but I feel it is only fair to give you, as the Portfolio Holder for the Town Centre, an opportunity to explain their whereabouts, and why they are no longer in use on the Green?"

### **Response by Councillor Tracey Abbott**

"I thank Councillor Rush for notice of his question and refer him to the response he was provided to a similar question asked at the last meeting of the Council, which is clearly set out in the minutes for that meeting attached as part of this agenda."

### **Supplemental question asked by Councillor Rush pursuant to paragraph 10.6 of the Rules of Procedure as set out in the Constitution:-**

"I thank Councillor Abbot for her answer, however I have checked your previous response and it is clear to me you have not found the answers and do not know where to look to find the information or if you have questioned the fate of the gazebos.

You have simply said they were not robust and of a lighter construction, which may be true but I am talking about gazebo stalls and thought everyone would know these, unlike market stalls, need to be well anchored down. All you seem to suggest is that they were purchased for use on the Bargate Green market, which is correct.

However, I have information and supporting evidence that the Bargate Green gazebos were last seen being used at a local charity event known as the Dragon Boat Race on a local drain. I now have film evidence and have been informed that Council staff lent the gazebos out and delivered them to the bankside. Sadly it seems they carelessly failed to secure them with the officially provided anchorages and, as a consequence of being left unattended, they blew over and were destroyed.

We need to know who took the initiative to lend the equipment that was purchased using Boston ratepayers money and why some people think it was right to loan out equipment bought and paid for by the people of Boston then, through carelessness, allowed them to be destroyed.

I believe your it is your duty to find out who was responsible for this debacle, find out if an insurance claim was made and, if not, report this to the police as a gross misuse of public funds and ensure an investigation is initiated. Accountability is the principle of local government, can we rely on you to uphold it?

### **Response by Councillor Abbott**

"I thank Councillor Rush for more information on this event. I did ask for more information upon this and thank you for giving this to me. I shall look into this, which as you know is operational information. I will see what I can find and what can be done."

**Councillor Anne Dorrian withdrew her questions.**

## 129 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chief Executive reported there were two questions from members of the public.

### **Question asked by Mr Paul Blackburn pursuant to paragraph 11 of the Rules of Procedure as set out in the Constitution.**

“Can the council legitimately restrict the use of disabled and loading bays, as regulated under the Restricted Zone Order 1/3/2017 Boston- Market Place?”

### **Response by Councillor Tracey Abbott**

“I thank Mr. Blackburn for notice of his question and confirm that yes the usage can be restricted with a temporary traffic regulation order in place.”

### **Supplemental question asked by Mr. Blackburn pursuant to paragraph 11.8 of the Rules of Procedure as set out in the Constitution:-**

“I am not sure you fully understand my question. However this temporary order you refer too, must have been breached because, to the best of my knowledge, this practice has continued from day 1 (01/03/2017) to today nearly 4 years. So who at Boston Borough Council authorised and implemented the breach to the order of 01/03/2017 ?

I believe we should have a full public enquiry because insurances and market traders contracts being breached, the deliberate obstruction of disabled and loading bays, conflicting parking information, putting the public, market traders, stall erectors at risk under health and safety, let alone operating in contrary to the Charter.”

### **Response by Councillor Tracey Abbott**

“I will provide a written response.”

### **Question asked by Mr Darron Abbott pursuant to paragraph 11 of the Rules of Procedure as set out in the Constitution.**

“Since last March the world has changed immensely and we still find ourselves in unprecedented times.

We have seen the Council staff step up to the plate and have been on the front line throughout the year helping protect us from Covid 19 and ensure everything has run smoothly and without problems.

Whilst the budget constraints will sadly not allow a remunerative reward to be made would the Council consider having a special medal struck and presented to Council staff to recognise their heroism and express the thanks of the people of Boston.”

### **Response by the Leader**

“Mr Abbott, thank you for your question.

I agree wholeheartedly – our teams have worked incredibly hard over the past year to ensure services continue to run, whilst providing our communities with the support they need as they respond to Covid-19. Their efforts have been nothing short of monumental.

I must also pay tribute to our partners and other key workers who have also worked tirelessly.

Our teams are continuing to respond to the pandemic alongside our partners and in due course we will collectively consider how we recognise all those involved in the response to Covid-19 in the Borough.”

**Supplemental question asked by Mr. Abbott pursuant to paragraph 11.8 of the Rules of Procedure as set out in the Constitution:-**

“I thank the leader, but is that yes or no to a medal, if not could we think of something that will enrich the environment and plant a tree in their honour”

**Response by the Leader**

“I think the idea of a tree is really nice, but I think it is a community response so it would be nice to get a response from the community to find out who have been the heroes during this time and what the community response to that will be. We have Community Champions and presentation evenings which they Mayor has attended to present awards. It would be a nice and fitting response when we get to the end of this pandemic, it has been a hard journey for us all.

**130 DECLARATIONS OF INTEREST**

The Monitoring Office advised Council that under the provisions of Section 25 of the Localism Act 2011, Members who had previously made a decision on a matter could take part in consideration at a later stage of the decision making process on the same topic if they maintained an open mind.

However, it was apparent that some Members had made comment on social media platforms suggesting they would be voting against the matter under consideration at the meeting, implying they had a closed mind which was incompatible with the legislation. It was recommended that, if Members had made such statements, they may wish to consider making a declaration that, irrespective of previous statements, they had an open mind on the decision to be made.

Councillor Tom Ashton declared an interest as an Elected Member of East Lindsey District Council, a partner organisation in PSPS Ltd., but had made no comment when the decision had been considered by East Lindsey District Council. The only public comments had been made at the meeting of the Corporate and Community Committee and he came to debate with an open mind.

Councillor Neil Hastie stated that he had an open mind regardless of comments posted on social media.

## **131 PROPOSAL FOR BOSTON BOROUGH COUNCIL TO BECOME A SHAREHOLDER IN PUBLIC SECTOR PARTNERSHIP SERVICES LIMITED**

Prior to the introduction of the report by the Portfolio Holder, the Mayor invited Mr. Lewis Duckett, Chief Executive of Public Sector Partnership Services Limited (PSPS Ltd) to address the Council.

Mr. Duckett outlined the benefits of the Council joining PSPS Ltd including achieving cost savings, investment in IT systems, creating capacity and resilience to improve services, and development opportunities for transferring staff. The Council would not be losing control over services as it would effectively co-own the company and have representation on the Board.

Councillor Jonathan Noble, Portfolio Holder for Finance and Commerce, introduced the report setting out the proposal for the Council to become a third shareholder in PSPS Ltd with East Lindsey District Council (ELDC) and South Holland District Council (SHDC), to deliver the back office services for the Council, including Finance, Human Resources, Health and Safety, Customer Services, Revenues and Benefits, Information Technology and Digital Services.

The report stated that PSPS Ltd was as a Local Authority Trading Company (LATCo) and was overseen by a Board of Directors appointed by each shareholder organisation. It operated at 'arms length' with activities and strategic direction influenced by a group of stakeholders drawn from the Councils involved.

The delivery model was principally a collaborative partnership with services delivered through a commissioning type arrangement and underpinned by agreed standards of service which were reviewed on an annual basis to enable each Council to deliver their strategic plans and priorities.

Having recently completed its first ten year contract and delivered annual savings of £2.1m, PSPS Ltd had secured a further ten year contract to deliver its services to ELDC and SHDC with a commitment to an agreed new programme of transformation and efficiency savings that would generate cumulative savings over the twenty year contract period of £25.8m for the current shareholder councils.

As part of the new ten year contract extension to 2030, the Board of Directors and existing shareholder Councils had agreed to explore growth opportunities with Councils across Lincolnshire. In October 2020, PSPS had approached Boston Borough Council to explore such an opportunity for the Council to join neighbouring Councils as a third shareholder of PSPS.

Since the initial approach to the Council, PSPS had completed outline business case principles which had subsequently been reviewed by stakeholder representatives at both ELDC and SHDC and approved by the PSPS Board of Directors in December 2020. In January 2021 both ELDC and SHDC as existing shareholders took formal decisions to invite Boston BC to become a third shareholder and both Councils had approved an invitation offer to Boston BC. Shareholding equity between the Councils would stand at 48% ELDC; 28% SHDC and 24% Boston BC and Boston BC would have two Director positions on the Board of shareholders.

Subject to approval by Full Council, all Councils would work towards the transition of services from 1 April 2021 in order to meet the agreement of the existing shareholders and to allow the arrangement to commence at the start of the financial year, which was important for operational considerations.

The performance of PSPS would be reported through the Council's performance and management framework and scrutiny work plans. An annual Member Briefing would also be delivered.

The Business Case was appended to the report and detailed the principles concerning the management of people, the operational management and the financial implications. PSPS supported and developed its employees through its Workforce Development Plan (attached at Appendix B of the report) which was inclusive and focused around attracting and retaining talent, raising skills and standards, supporting health and wellbeing, rewarding and recognising its staff and working together for the future.

The Business Case set out the benefits for the Council joining PSPS as a shareholder, including:

- A financial saving of circa £627k over five years, increasing to £1.8m over ten years which would reduce the financial risks the Council currently faced within the medium term financial plan and potential for further risks associated with the financial outcomes of the pandemic.
- Investment in IT and digital infrastructure over two years at a cost of £634k as opposed to £825k if the Council were to complete the work 'in house', which represented a capital saving of £191k enabling the Council to invest in other projects prioritised within the Capital Programme.
- Sharing of future infrastructure development costs resulting in further savings over the longer term.
- One off cost of £6k to join as a shareholder for necessary legal representation to review and update the PSPS Joint Venture Shareholder's Agreement (JVSA) and Articles of Association to amend shareholder provisions and draft and finalise other associated documents.
- Greater level of resilience in the provision of back office services to cover vacancies as and when they arose and have a stronger pull within the market place when recruiting.
- The transfer of services would create a level of capacity for staff not transferring to support the delivery of services and projects which had a notional value of £285k over five years and £570k over ten years.
- Working across a consortium of neighbouring authorities PSPS would be in a better position to safeguard the jobs of the Council's staff transferring into the company in the long term and could also offer a wider range of opportunities for career progression than the Council.

- The proposal was in line with the Council's 4<sup>th</sup> priority within its 2020 – 2024 Corporate Strategy in 'delivering high quality services and maximising use of technology and data to reduce costs and improve performance and efficiency.'
- The ability to collaborate through a strategic partnership in advance of further debates that were anticipated in relation to local government re-organisation.

Consultation had commenced with affected employees via service specific briefing sessions held in December 2020 hosted by the Chief Executive. Further informal staff engagement was on-going through respective staff forums and Service Managers for the areas subject to potential transfer had been offered one to one sessions with PSPS. If the proposal was approved by Council a formal staff consultation process would commence.

The proposal had also been the topic for two Member Briefings in advance of consideration by the Corporate and Community Committee and Cabinet who had referred the recommendations to Council for approval.

During debate the following comments were made:

- It was important that Boston did not lose its identity and become a puppet of neighbouring councils by joining PSPS.
- The report provided no alternative options to consider, going out to the 'market place' should be considered before committing to PSPS.
- The arrangement would be inequitable as Boston would be a minority on the Board with no voting rights.
- The financial health of the organisation was concerning.
- The powers of Members would be diminished as decision making would be taken away from the Council and delegated to the Chief Executive.
- Clarification if the administration group Members had been 'whipped' in respect of the decision.
- Staff had to be the main priority and transferring did not reflect well with the public.
- TUPE was not worth the paper it was written on and the Council had a duty to protect its staff.
- The need to invest so heavily in IT was a result of the administration running it into the ground and a dereliction of duty. Reserves should be used for this purpose rather than joining PSPS.
- Year on year savings were required to be made whilst maintaining service delivery and business continuity and joining PSPS would provide this.
- The Council needed to invest heavily in IT infrastructure in the estimated amount of £825k if undertaken in house. Working with PSPS would achieve a saving of £191k.
- The proposal put forward had been carefully put together and scrutinised to deliver improved services and protect employees.
- This would be the first step in a larger strategic alliance and an opportunity to work with other councils before local government re-organisation was brought forward.
- This would be an opportunity for development of services, staff and provide resilience in service areas where needed.

- The PSPS contract with ELDC and SHDC had been in place for 10 years and proved successful.

In summing up, Councillor Jonathan Noble stated that valid points had been made and responded to the comments raised during debate including:

- Staff consultation had commenced in December 2020;
- Necessary investment in IT and long term savings;
- PSPS delivery record to founder councils;
- The need to create greater resilience within service areas;
- Annual negotiation of service level agreements;
- Adherence to the Lincolnshire County Council pension scheme for transferring staff;
- Minimal joining cost to the Council of £6k;
- Integrity of the council would remain intact.
- Conservative Members had a free vote on the proposal.

**A procedural motion was moved by Councillor Anne Dorrian and seconded by Councillor Aaron Spencer that the vote be taken by means of a recorded vote.**

On being put to the vote the procedural motion was carried.

**It was moved by Councillor Jonathan Noble, seconded by Councillor George Cornah and**

#### **RESOLVED**

- 1. That the proposal for Boston Borough Council to become a shareholder in Public Sector Partnership Services Limited and transfer its Financial Services, Human Resources, Customer Services, Revenues & Benefits, Information Technology & Digital services and Health & Safety teams into the company be approved.**
- 2. That delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, the agreement of, and signing of, the contract and associated documents to join Public Sector Partnership Services Limited including those linked to the pension fund**
- 3. That delegated authority be granted to the Chief Executive and S151 Officer, in consultation with the relevant Portfolio Holder, to approve or reject individual business cases for each element of the Transformation Plan.**

For

Abbott  
Ashton  
A Austin

Against

Bedford  
Bell  
Cooper

Abstain

Howard

R Austin	Dorrian
Cornah	Goodale
Dani	Hastie
Evans	Rush
Griggs	Spencer
Noble	Watson
Pickett	Woodliffe
J Skinner	
P Skinner	
Stevens	
Trafford	
Welbourn	
Welton	

**It was moved by Councillor Jonathan Noble and seconded by Councillor George Cornah that:**

That the appointment of the Portfolio Holder – Finance & Commercial and one Member from any of the Opposition Groups to the 2 Director posts on PSPS be approved and those appointments to be effective until May 2023.

**An amendment was moved by Councillor Anne Dorrian and seconded by Councillor Michael Cooper:**

To approve the Portfolio Holder – Finance and Commercial and one member from the Opposition, who will be chosen by the Opposition Groups, to be appointed to the 2 Director posts on PSPS and that appointment to be effective until May 2023. Thereafter, both the ruling group and the opposition will continue to select their own candidate for the two Director posts.

The Monitoring Officer confirmed that if the amendment was carried the Opposition Group nomination would be required to be approved at a future meeting of the Council.

**On being put to the vote the amendment was lost.**

On returning to the substantive motion, Councillor Alison Austin nominated Councillor Alan Bell to be appointed to the opposition Member Director post. This was seconded by Councillor Judith Welbourn.

The substantive motion was then put to the vote and it was

**RESOLVED that the appointment of the Portfolio Holder – Finance & Commercial and Councillor Alan Bell as an Opposition Group Member to the 2 Director posts on PSPS be approved and those appointments to be effective until May 2023, whilst they remain Members of the Council, or until the appointment of their successors.**

(The meeting ended at 9.10 pm)