

15th January 24

BOSTON BOROUGH COUNCIL

At the meeting of Boston Borough Council held at the Council Chamber, Municipal Buildings, West Street, Boston, PE21 8QR, on Monday, 15th January, 2024 at 6.30 pm

Present:

The Mayor (Councillor Anne Dorrian and Councillor David Brown), in the Chair
Councillors Richard Austin BEM, Peter Bedford, Anton Dani, Stephen Woodliffe, John Baxter, Dale Broughton, Callum Butler, James Cantwell, Emma Cresswell, Neil Drayton, Staurt Evans, Sandeep Ghosh, Mike Gilbert, Paul Gleeson, Andy Izard, Patricia Marson, David Middleton, Barrie Pierpoint, Ralph Pryke, Claire Rylott, David Scoot, Sarah Sharpe, Helen Staples and Suzanne Welberry

Officers –

Chief Executive, Section 151 Officer, Assistant Director - Governance and Monitoring Officer, Democratic Services Manager and Democratic Services Officer

144 APOLOGIES

The Chief Executive confirmed that apologies of absence were received from Councillors; Jyothi Arayambath, Alison Austin, Chris Mountain and Lina Savickiene.

145 MINUTES

It was agreed that the minutes of the last meeting, held 13th November 2023, would be deferred to the next Full Council meeting which was scheduled to be held 4th March 2024.

146 COMMUNICATIONS

The Chief Executive gave notice to Members that :-

- Councillor Helen Staples had agreed to accept the Mayoralty for the forthcoming Civic year.
- Councillor Izard had resigned from Cabinet. Subsequently there had been a reallocation of portfolio holder responsibilities by the Leader as follows;
 - The Leader's Portfolio would now include Transport
 - The Deputy Leader's Portfolio would now include; Crematoria, Cemeteries, Allotments, Parks & Open Spaces.
 - Councillor Sarah Sharpe's Portfolio – Culture would now include Leisure.
 - Councillor Emma Cresswell's Portfolio – Communities would now include Customer Services and Complaints.

147 DEPUTATIONS AND PETITIONS

The Chief Executive confirmed there were no Deputations and Petitions received.

148 QUESTIONS FROM ELECTED MEMBERS

The following questions were received.

1. Question to Councillor Dale Broughton from Councillor Stephen Woodliffe.

“People are very unhappy about the current state of Central Park. People want to know when the park will be restored to its former state and when the Public will be able to enjoy its facilities. Are you able to give a timetable for its restoration and the cost to the Borough Council?”

Response from Councillor Dale Broughton.

“I thank Councillor Woodliffe for his question. As you will be aware Central Park was adversely affected by Storm Babette and repairs have continued to be hampered by subsequent storms. Now that we have had dryer weather, works have started on the 12th January to remove the remaining the remaining surface water. And further works are programmed for later this week subject to the ground conditions. The cost of the works themselves are being met by the fayre operator with support from Council Officers in getting the works delivered.

There was no supplementary question.

2. Question to Councillor Anne Dorrian from Councillor Stephen Woodliffe.

“It appears that some Councillors are unaware or unsure of the restrictions placed on Councillors in regard to the acceptance of gifts and hospitality from well-wishers. Do you agree with me that it would be helpful for Officers to run a refresher training course for all Councillors on the Code of Conduct for Councillors, referencing in particular the risks to Elected Members’ reputations from accepting significant gifts and hospitality?”

Response from Councillor Anne Dorrian.

“I thank Councillor Woodliffe for notice of his question. Training on the Code of Conduct for Councillors was provided to Members following the District Council Elections in last year [May 2023] as part of the Councillor Induction Programme. I agree with you that refresher training on this topic is important and can confirm that an annual refresher course on the Code of Conduct is planned for later this year. I would also like to take this opportunity to remind Members that they can contact the Monitoring Officer or his Deputy for advice on any queries they might have relating to the Code of Conduct.”

There was no supplementary question.

3. Question to Councillor Anne Dorrian from Councillor Stephen Woodliffe.

“Referencing the Local Government Association (LGA), the Localism Act 2011 gave Councils the freedom to be creative and entrepreneurial, acting directly in the interest of their communities and in their own financial interest, by ensuring that decision-making would be devolved to the lowest appropriate level, resulting in more locally responsive public services.

Do you agree with me that the Devolution plans, as presented in Agenda Item 7 to be considered tonight, run contrary to the ethos of the Localism Act of 2011?”

Response from Councillor Anne Dorrian

“The issue of devolution cannot be distilled into a short yes or no response: i.e. Do I agree with you or not.

What I can say is this. That I agree with your belief with regard to decision-making being devolved as far as possible to local community leaders, to be done in consultation with their residents, and that when this occurs, what ensues are invariably much better outcomes for local people. The caveat would be those occasions when people grab

power or end up with positions of power and use them for petty personal vendettas; for example, I can think of a local Parish Council where this is happening as we speak. This evening we have as agenda item on the overall topic of devolution in Lincolnshire, and I would ask Councillor Woodliffe for his patience as this unfolds. To ensure that a comprehensive debate takes place, I am willing to support the move to suspend Standing Orders – which is something which the Conservative group failed to ever do during the last administration.”

Supplementary question from Councillor Stephen Woodliffe to Councillor Anne Dorrian.

“I attended the devolution consultation at the Boston United Football Club’s conference centre on Thursday 11th January, and during that consultation I had a sharp exchange of views with a County Councillor. She alleged that Boston Borough Council missed the deadline for the submission of projects to be considered under the first round of the devolution project and that’s why our Council has no benefits from the initial round of cash provided under the deal from Government. However, I note the statement at the foot of page 130 in the agenda pack, which we’ll discuss later, that no projects put forward by our Council were supported. Perhaps you would like to comment upon the assertion that our Council missed the deadline.”

Response form Councillor Anne Dorrian to Councillor Stephen Woodliffe.

“Firstly, I would like to thank you very much for defending our Council in the face of what can only be described as open hostility. I’m incredibly disappointed in another Councillor who has a seat, not only on East Lindsey District Council but Lincolnshire County Council and represents their residents as one of our supposed partners has found it necessary to resort to such underhand and deceitful rhetoric.

I can assure Councillor Woodliffe and the rest of Council that we did in fact submit our bid in time. This process was discussed at length by myself and our Chief Executive, and I have here the very submission that was sent to Debbie Barnes (the Chief Executive of Lincolnshire County Council), the email that our Chief Executive sent on my behalf, and the response from Debbie Barnes.

The Chief Executive sent the email on Friday the 25th of August and when you receive this copy, which will be made available to all Councillors, you will see that Debbie Barnes responded to all the Chief Executives in Lincolnshire the same day accepting our bid and asking the others to submit their bids by the following Wednesday (30/08/2023) thereby proving that we were well within the deadline.

Given the elected Member you’re speaking of, and you’ve chosen not to name this evening, which I’m going to honour, given that she is a Member of Councillor Hill’s Cabinet, I would suggest that she should be extremely familiar with the ‘Nolan Principles of Public Life’ and in my view, her conduct at this event falls far below what is expected of Elected Members. If I were you Councillor Woodliffe I would give serious consideration to lodging a formal complaint, thank you.”

149 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chief Executive confirmed no questions from members of the public had been received.

150 DECLARATIONS OF INTEREST

There were none.

151 COMMITTEE SEATS REVIEW

The Assistant Director – Governance & Monitoring Officer presented the agenda item explaining that on the 7th November 2023 the Proper Officer received notice that Councillors Richard and Alison Austin, previously Members of the Independent group, had joined the 2020 Independent Group.

The following changes were made following a Committee Seats Review:-

Overview & Scrutiny – Environment & Performance – 2020 Independent seats increased from 2 seats to 3 seats.

Overview & Scrutiny – Corporate & Community – 2020 Independent seats increased from 1 seat to 2 seats.

Audit & Governance Committee – 2020 Independent seats increased from 2 seats to 3 seats.

Licensing Regulatory & Appeals Committee - 2020 Independent seats increased from 2 seats to 3 seats.

Planning Committee - 2020 Independent seats increased from 2 seats to 3 seats.

The Assistant Director – Governance & Monitoring Officer also advised members of the following committee seat changes made by Group Leader:-

- The Group Leader of the 2020 Independent Group had advised that Councillor Alison Austin would take a Substitute place on the South & East Lincolnshire Joint Strategic Planning Committee.
- The Group Leader of the Boston Independent Group had advised that Councillor Izard would take the place of Councillor Middleton on the Overview & Scrutiny – Environment & Performance Committee.
- The Group Leader of the Boston Independent Group had advised that Councillor Izard would take the place of Councillor Pierpoint on the Overview & Scrutiny – Corporate & Community Committee.
- On the Chief Officer Panel Councillor Sharpe would take the place of Councillor Izard as a named substitute.
- On the Officer Employment Appeals Panel Councillor Pierpoint would take the place of Councillor Sharpe

RESOLVED

1. That Council agree the committees and panels to which the political proportionality rules are applied continue as at present, as detailed in Appendix A.

2. That Council agree the revised allocation of seats to political groups be approved as detailed in section 2.1 of the report and Appendix A.

3. That Council agree Group Leaders' changes to the current appointments to committees and panels as set out in Appendix A and that the Council approves any such changes in accordance with its duty to give effect to the wishes of the political group.

152 REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2023

The Assistant Director – Governance & Monitoring Officer confirmed that under section 17 of the Electoral Registration Administration Act 2013 it was a requirement for Local Authorities to undertake a review of their Parliamentary Polling Districts and Polling

places every 5 years. The last review of the Boston Borough area was completed in January 2019.

Council passed thanks to the Returning Officers for being apt in responding to the needs of the Councillors and Local Residents.

RESOLVED:

- 1. That Council agree to adopt the polling districts and polling places as listed in Appendix A to this report which include the following changes:**
 - a. To split the current polling district HC in the Witham Ward to create a new polling district.**
 - b. As a result of the creation of a new polling district in the Witham Ward, that Boston Town Football Club be used as a Polling Place for the newly created polling district.**
 - c. To relocate the Polling Place for Polling District IC in the Coastal Ward from Freiston Parish Hall to the Danny Flear Community Centre.**
- 2. That Council agree to amend the polling district reference codes as listed in Appendix A.**
- 3. That Council agree the (Acting) Returning Officer be granted delegated authority for keeping polling districts and polling places under review and amending any such arrangements (following consultation with local Ward Member(s)) where there was an operational need, prior to the next compulsory Borough wide review.**

153 RISK MANAGEMENT FRAMEWORK

The Leader presented the report which brought forward a partnership-wide Risk Management Framework to ensure a consistent approach across the South & East Lincolnshire Councils Partnership. The Framework was based on good practice and feedback from Internal Audit.

Audit & Governance had previously reviewed and approved the Framework for consideration at Council.

Members expressed their appreciation for the commitment to effective risk management outlines on page 49 of the document.

RESOLVED:

That Council considered and approved the recommendation of the Cabinet that the Risk Management Framework (Appendix A), with delegation to the Assistant Director – Governance & Monitoring Officer to make any small amendments to the Framework in future in consultation with the Leader as Portfolio Holder.

154 MID TERM TREASURY MANAGEMENT UPDATE 2023/24

The Portfolio Holder – Finance presented the Mid-Term Treasury Management Update 2023/24. The report updated Members on the performance and activity to ensure best practice was maintained. The report had been to Audit & Governance Committee and Overview & Scrutiny. The Treasury Management Strategy Statements for 2024 were approved by Council 6th March 2023 and there had been no policy changes since this approval.

The Following comments were made;

- The Portfolio Holder – Finance and Officers were thanked for a clear and readable audit report, praising the administration's budget management. The Council's positive standing despite government challenges were highlighted and the tactful wording regarding creditworthiness was appreciated.
- Special thanks were passed to the Interim Treasury and Investment Manager and the Deputy Chief Executive – Corporate and Development & Section 151 Officer for their role in securing the Council a £6.5Million discount on the Public Works Loan Board loan.
- It was confirmed that Link Group were advising the Council on ethical investments

RESOLVED

The Council received and approved the contents of the report attached at Appendix A.

155 2023/24 QUARTER TWO FINANCE UPDATE

The Portfolio Holder – Finance presented the 2023/24 Quarter Two Finance Update which included the recommendation from Cabinet to amend the capital programme as reported at Quarter 2.

Members made comment to the wording in the summary and expressed their concerns regarding ending the year in a deficit.

It was confirmed that cuts to frontline services were being treated as a last case scenario.

RESOLVED:

That Council agreed to amend the Capital Programme to take into account the changes set out in the report at Appendix A to Table 5

156 AUDIT & GOVERNANCE COMMITTEE'S ANNUAL REPORT 2022/23

The Chairman for Audit & Governance explained the Audit & Governance Committee was required, by its Terms of Reference, to publish an Annual Report on the work of the Committee. This agenda item covered the Committee's Annual Report for 2022/23 which also included coverage of the activities undertaken of the Committee during the previous municipal year, including but not exclusive too:

- Internal Audit
- External Audit
- Treasuring Accounts – which included a review of the Council's financial statement for 2021/22, and reviews of the Council's treasury management arrangements.
- Risk Management

The work of this Committee covered oversight and monitoring and sought assurance from management and independent auditors on the effectiveness of the governance framework, which included appropriate scrutiny regarding the completion of all recommendations.

Members passed their compliments to the Chairman of the Audit and Governance Committee and welcomed the new Co-Opted Independent Member to the Committee.

RESOLVED:

That Council received the Audit and Governance Committee's Annual Report 2022/23.

157 DEVOLUTION DEAL FOR GREATER LINCOLNSHIRE

The Leader presented the report which provided Council with an update on the proposed Devolution Deal and sought input from Council Members to inform the Leader's response to the Consultation.

In their Autumn Statement the Chancellor of the Exchequer, the Rt Hon Jeremy Hunt MP, announced that a Devolution Deal had been developed for Greater Lincolnshire. The development and negotiation of the Deal, which to progress requires the formation of a Mayoralty Combined Authority, with Directly Elected Mayor, was led by Greater Lincolnshire's Upper Tier Councils – Lincolnshire County Council, North East Lincolnshire Council and North Lincolnshire Council.

The Leader confirmed that the Devolution Deal was one of the first things to be picked up following the election in May 2023 and decisions had already been made, however there had been no previous consultation to Members prior. It was confirmed at that time that only two seats were available to the seven District Councils. Following discussion this was subsequently increased to four seats.

As at the 2021 Census; North Lincolnshire's population was 169,700, North East Lincolnshire's population was 156,900. In total the two Northern unitary Councils had a population of 326,600. In the same census, Lincolnshire Council had more than double the number of the two constituent Councils in the North with a population of 768,364. On the Mayoral Combined County Authority the North had two thirds of the seats despite having a significantly lower population.

The Leader informed Council that, following a discussion with the Leader of Lincolnshire County Council, Martin Hill, it was confirmed that the average spend per District Council was £65million between 2017 and 2022. The average spend in Boston was £23.7million, which was the lowest in Lincolnshire at 5.2% of the overall total. The Leader put the question to Boston's Lincolnshire County Council's representatives as to why the underspend was allowed to occur.

Lincolnshire County Council were awarded £20million of funding to be shared out amongst all of the Districts, despite placing a bid Boston received no funding. It was reported that Lincolnshire County Councillors voted for Boston to receive nothing.

Ahead of debate the Council resolved to suspend Council procedure rule 17.5 which allowed Members to speak more than once.

Council made the following comments:-

- The Deal would not create anything beneficial for Lincolnshire

- The document and consultation had been worded in a way to ensure a positive response
- The Mayoralty should not have the authority to issue a precept without consultation
- Members raised concern regarding the number of seats available to District/Borough and as a result the Borough may not be represented on the combined authority.
- The deal would create an unneeded and unwanted additional layer of bureaucracy
- The Deal did not include reference to the Docks, and little reference to agriculture and heritage

RESOLVED:

- 1. That Council noted the progress on the Greater Lincolnshire Devolution as part of the 'Level three deal' offer from the Government**
- 2. That Council noted that a consultation was currently taking place on the proposed Devolution Deal for Greater Lincolnshire and that Council Members provided their own views to inform the Leader of the Council' response to the Consultation.**
- 3. The Council was disappointed that the governance arrangements do not allow for each of the 7 District Councils to have a seat on the Mayoral Combined County Authority.**
- 4. The Council was concerned that the funding arrangements were not linked to any inflationary increases, therefore, we question what the value of £24 million per annum will be in the year 2054.**
- 5. Given the content of the entire proposal and deal the Council cannot support it in its current form.**

(The meeting ended at 8.30 pm)