



WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday 17 June 2013, at 7.00pm.

Present: Councillor Irmgard Parrott (In the Chair)
Councillor Malcolm Parish (Vice-Chairman)

Councillor Gillian Bardsley	Councillor Angela Lawrence
Councillor Owen Bierley	Councillor Giles McNeill
Councillor Nigel Bowler	Councillor Jessie Milne
Councillor Ken Bridger	Councillor William Parry
Councillor Jackie Brockway	Councillor Roger Patterson
Councillor Alan Caine	Councillor Di Rodgers
Councillor David Cotton	Councillor Lesley Rollings
Councillor Stuart Curtis	Councillor Reg Shore
Councillor Chris Darcel	Councillor Lewis Strange
Councillor David Dobbie	Councillor Jeff Summers
Councillor Ian Fleetwood	Councillor Mick Tinker
Councillor Paul Howitt-Cowan	Councillor Geoff Wiseman
Councillor Burt Keimach	Councillor Anne Welburn
Councillor Stuart Kinch	Councillor Trevor Young

Apologies: Councillor Richard Doran
Councillor Malcolm Leaning
Councillor Judy Rainsforth
Councillor Sue Rawlins
Councillor Tom Regis
Councillor Chris Underwood-Frost

In Attendance:

Manjeet Gill	Chief Executive
Mark Sturgess	Director of Regeneration and Planning
Rachel North	Director of Communities and Localism
Russell Stone	Chief Finance Officer
Alan Robinson	Head of Central Services
Nicoya Palastanga	Project Manager – Universal Credit Pilot
Dinah Lilley	Governance and Civic Officer

Also in Attendance: Reverend Penny Green
Linda Burden Credit Union

Also Present: two members of the public

22 PRAYERS

The meeting commenced with prayers by Reverend Penny Green.

23 COUNCIL MINUTES 29 APRIL AND 20 MAY 2013 (Paper A and B)

RESOLVED that the minutes of the meeting of Council held on 29 April 2013 be confirmed and signed as a correct record.

RESOLVED that the minutes of the Annual Meeting of Council held on 20 May 2013 be confirmed and signed as a correct.

24 MEMBERS' DECLARATIONS OF INTEREST

Councillor Anne Welburn declared an interest in Item 9 (b) as her husband had a non-remunerated directorship of a business in Market Street.

25 MATTERS ARISING (Paper C)

The Governance and Civic Officer introduced the Matters Arising Schedule which set out the current position of all previously agreed actions as at 7 June 2013. The Chief Executive noted that the Prince's Trust participant, who had missed their placement, no longer required one, but that the Council was continuing to work with the Trust to support young people with work experience.

The Director of Regeneration and Planning stated that with regard to the support for Neighbourhood Plans, a meeting had taken place between Lincolnshire County Council and the District Council to resolve the issues in Caistor.

Councillor Cotton enquired as to the status of the West Lindsey Honours report. Officers resolved to establish its progress.

RESOLVED that progress on the Matters Arising Schedule, as set out in Paper C be noted.

26 ANNOUNCEMENTS

Chairman of the Council

The Chairman highlighted two of the events on the list of engagements which had been circulated, both of which had been humbling and inspirational. The first was a sponsored walk from Burton Waters to Lincoln, with Dean Bousfield who had been badly injured in Afghanistan and was re-learning how to walk and talk. Secondly, was meeting with other disabled soldiers who were on a refreshment break during a sponsored bike ride from Edinburgh to London. Both events were in aid of Help For Heroes.

Councillor Parrott also made note of getting stuck in the lift during a visit to the Trent Vale Landscape Partnership Celebration.

Leader of the Council

The Leader had no announcements to make.

Head of Paid Service

The Chief Executive firstly apologised for the power and telephone failure last week and expressed her thanks for the support of officer colleagues and the patience of Councillors. It was a good example of team work in a crisis.

The Chief Executive then acknowledged that it was to be the last Council meeting for Rachel North, Director of Communities and Localism, before she left to take up a Deputy Chief Executive post in Tewkesbury. Mrs Gill thanked Mrs North for her work over the previous 12 years, both as a valued colleague and member of the Council's management team. She had undertaken a wide range of tasks and projects which she had undertaken with her passion for people and communities. The Council Chairman then presented Mrs North with a bouquet of flowers and the Chief Executive's comments and congratulations were echoed by Councillors Summers and Shore.

Mrs North's last working day would be 12 July, during which a lunchtime reception would be held with light refreshments and an opportunity to say goodbye and wish her well.

27 PUBLIC QUESTION TIME

There were no questions from the public.

28 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9

- a) Question to the Leader of West Lindsey, from Councillors Geoff Wiseman and Lewis Strange.

Leader would you agree that it is unacceptable, that present conditions allowing people to stand for District or County council, do not prohibit those living in unregistered or UN licensed properties, or who are seriously in arrears with the rates, that would be due if the District council were aware of their residency in the district, are still permitted to take part in the democratic process of standing for election.

Would you further accept, that this council should debate this matter at a future council meeting, and if accepted should raise this matter with the

electoral commission. We feel this should be debated by council, as there is evidence proving that this has taken place during the recent County elections.

The Leader of the Council responded to the question.

Members will no doubt be aware that there is already legal provision relating to serving Councillors with arrears of Council Tax which prevents them from taking part in any votes relating to financial matters which obviously limits their ability to carry out their Council duties.

In terms of the right to stand in an election the restrictions placed on potential candidates are limited to being resident in the UK and either living or having a business within the County or District which they hope to represent.

There is no legal provision to prevent candidates with arrears or who are not registered for Council Tax. As you would be aware Council Tax applies to householders and candidates for office do not have to be householders or indeed tax payers.

Should the Council agree with Cllrs Wiseman and Strange's suggestion then I will ask the appropriate officer to write to the Electoral Commission on behalf of the Council.

I would also like to remind members that it would not be appropriate to discuss individual matters of Council Tax at Council as payment of Council Tax is a private matter.

Councillor Wiseman posed a supplementary question noting that this was a serious matter and proposed that Council agree to write a letter to the Electoral Commission. The motion was seconded and subsequently voted upon.

RESOLVED that a letter be sent to the Electoral Commission on the above matter.

b) Questions submitted by Councillor Reg Shore

i) How far are we on with the renting out of floor two at the Guildhall?

The Leader of the Council responded to the question.

Negotiations were underway with a potential occupant for 542 m² and it was hoped that this could be finalised by the end of June. The Marketing Strategy was being reviewed which could include a banner on the outside of the building, which had been approved by Planning.

- ii) Why has the demolition of the Old Guildhall stalled? Or so it appears. What is the progress?

The Leader of the Council responded to the question.

The demolition had not stalled. Asbestos had been stripped out and contractors were then able to access the site to price the contract, and the Health and Safety Executive had been notified. The next stage of works was expected to commence in July, there had been four weeks slippage.

Councillor Shore then asked a supplementary question on the timescale for completion of a flat, landscaped site.

Councillor Summers was not able to provide the information but undertook to find out.

- iii) Roles such as the Assistant Chief Executive and Heads of Service do not constitutionally fall under the definition of 'Chief Officer' and appointments are not carried out by the Chief Officer Committee. Considering these roles have more broader responsibilities, should the constitution be changed so that the Committee's remit extends beyond Directors and Chief Executive appointment?

The Chief Executive responded to the question.

Should Councillors wish the matter to be explored further this could be added to the Governance and Audit work programme. On being voted upon this was agreed.

RESOLVED that the remit of the Chief Officer Employment Committee be added to the work programme of the Governance and Audit Committee.

29 NOTICE OF MOTION PURSUANT TO COUNCIL PROCEDURE RULE 10

- (a) Madam Chairman

West Lindsey DC is leading the way in developing an approach to Entrepreneurial management for the benefit of council tax payers and other residents alike which is something I believe we all wish to encourage and support.

To this end this council has a carefully drawn up constitution and guide lines by which the council should conduct its business.

In particular, the acquisition of goods and services are covered under our "Contract Procedure Rules"

I propose the exception rules contained within the Contract Procedure rules (part 5 page 50) are removed and that these rules are adhered to without exception.

Furthermore, the details of all such bids, tenders and negotiations should be available for full member and public scrutiny once the bids have been opened.

My reason for the motion is simple. Protection.

Protection for staff and members so that they cannot at some future time be accused of favouring one bidder rather than another or for lack of diligence and

Protection for the Council Tax Payer to ensure that best value is achieved for each £1 of council tax paid and

Protection for the Council from legal action from failed or unhappy potential bidders who were denied the opportunity to bid or quote.

I appreciate that adhering to the motion may cause officers some extra work but this is the nature of our business and short cuts can only lead to bad deals.

Please support this motion by asking “ The Governance and Audit Committee to review the exceptions contained in part 5 page 50 of the contract procedure rules with a view to them being removed.”

I so move.
Councillor Chris Darcel

The Council Chairman sought a mover and seconder for the motion to be submitted to the Governance and Audit Committee for consideration. The matter was subsequently voted upon.

RESOLVED that the motion be submitted to the Governance and Audit Committee.

Note Councillor Trevor Young declared an interest in the following item as being the owner of a town centre business.

(b) Chairman

Whilst thanking this Council for its efforts in ensuring that the Market Street Gainsborough refurbishment began as scheduled, I would like to draw attention to the unfortunate delays that have taken place during this upgrading process.

Myself and others estimate that the completion of this project will be over time by approximately 50 days. During this extra period of time the Town Centre Traders have suffered an elongated period where their income which is already challenged has been slashed.

I am led to believe that the contractors have to pay a penalty of around £300.00 per day for any time taken over that which was originally scheduled, which I estimate to be around £15,000 what could be done with any cash recall.

The amount of money could go considerably towards compensating the traders who have been most affected during this time.

I would therefore move that this Council targets any money generated under any penalty clause in this Contract to go directly to the Towns Traders who have suffered most during this period.

I so move.

Councillor Mick Tinker

Councillor Bardsley seconded the motion. The Leader of the Council responded to the motion and stated that whilst the contract was not yet finally complete, discussion would take place to assess if any compensation was appropriate. It was noted that as a highways matter the remit lay with the County Council. Members were generally happy that work had commenced on time and with the resulting upgrade and regeneration of the area.

Following the motion being seconded, it was voted upon that the matter be pursued with the County Council.

RESOLVED that discussions take place with the County Council and the contractors on the implications arising from the completion of works going over schedule.

Note Councillors Welburn and Young requested that it be recorded that they had abstained from voting, having declared an interest in the item.

30 PRESENTATION BY THE CREDIT UNION

The Head of Central Services firstly outlined the changes to the benefits system following the Welfare Reform Bill on 17 February 2011. Universal Credit would simplify the benefits system by bringing together a range of working-age benefits into a single streamlined payment. The first applications to Universal Credit would be made in October 2013. It was expected that all working age claimants would have moved onto Universal Credit by October 2017.

The Project Manager – Universal Credit Pilot then described how West Lindsey was part of the 2013 focus pilots - Twelve pilots would run from autumn 2012 to September 2013 to explore how local expertise can support residents to claim Universal Credit. Further 2013 focus pilots would look at:

- encouraging claimants to access online support independently;
- improving financial independence and managing money;
- delivering efficiencies and reducing fraud & error; and
- reducing homelessness.

Finally, Linda Burden of the Credit Union described how the Union worked to the benefit of its members and was a legitimate and ethical alternative to high cost credit and loan sharks. Appreciation was expressed for the support of the Council and the attendance by the Chairman at the Union's launch. The aim of the organisation was to provide support and assistance to the financially excluded and give advice on budgeting and prioritisation. It was requested that Councillors publicise the work done by the Credit Union and leaflets would be provided to assist in this.

Both adults and children were able to open accounts with the Union and it was hoped that a wider range of services would be offered in the future, including ISAs. Staff were able to save using payroll deduction and members enquired if they could also participate. The scheme was noted as the perfect example of localism, and volunteers to assist in the scheme were very welcome.

Members congratulated officers on an interesting presentation and commended the work done by the Credit Union, however concerns were expressed regarding the payment of rent to tenants rather than directly to landlords, which could potentially lead to arrears. The Head of Central Services informed Members that experiences from the Pilots would feed into Government decision making.

Note Councillor Rollings left the meeting at this point.

Note Alan Robinson left the meeting prior to consideration of the following item.

31 APPOINTMENT OF MONITORING OFFICER (PAPER D)

The Director of Localism and Communities presented the report which sought the appointment of a new Monitoring Officer due to the departure of the current post holder.

RESOLVED - that, in terms of Part I, 5 of the Local Government and Housing Act 1989 and all related legislation, and with effect from 18 June 2013 Alan Robinson be appointed as the Council's Monitoring Officer.

32 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS PUBLISHED SINCE THE LAST COUNCIL MEETING ON 29 APRIL 2013.

RESOLVED that the minutes of Committee meetings published since the last Council meeting on 29 April 2013 be received.

The meeting concluded at 8.40 pm.

Chairman