



WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday 29 July 2013, at 7.00pm.

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

Councillor Owen Bierley	Councillor Giles McNeill
Councillor Ken Bridger	Councillor Jessie Milne
Councillor Jackie Brockway	Councillor William Parry
Councillor Alan Caine	Councillor Roger Patterson
Councillor David Cotton	Councillor Judy Rainsforth
Councillor Stuart Curtis	Councillor Tom Regis
Councillor David Dobbie	Councillor Di Rodgers
Councillor Ian Fleetwood	Councillor Lewis Strange
Councillor Paul Howitt-Cowan	Councillor Jeff Summers
Councillor Burt Keimach	Councillor Mick Tinker
Councillor Stuart Kinch	Councillor Geoff Wiseman
Councillor Angela Lawrence	Councillor Anne Welburn
Councillor Malcolm Leaning	Councillor Trevor Young

Apologies: Councillor Gillian Bardsley
Councillor Mark Binns
Councillor Chris Darcel
Councillor Richard Doran
Councillor Lesley Rollings
Councillor Sue Rawlins
Councillor Reg Shore
Councillor Chris Underwood-Frost

Mark Sturgess	Director of Regeneration and Planning
Russell Stone	Chief Finance Officer
Alan Robinson	Head of Central Services and Monitoring Officer

In Attendance:

Manjeet Gill	Chief Executive
Eleanor Hoggart	Lincs Legal Shared Services – as Monitoring Officer
Michael Braithwaite	Central Lincolnshire Joint Strategic Planning Unit
Mary Hollingsworth	Lead Officer Enterprising Communities
Phil Hinch	Licensing and Support Team Leader
Dinah Lilley	Governance and Civic Officer

Also in Attendance: Peter Harold – The Mary Gordon Project
Kate Markey - Managing Director of CAN Invest.
James Alcock – The Plunkett Foundation
Rohan Martyres – CAN Invest

Also Present: 1 member of the public
1 member of the press
Chris Elkington - Standards Sub-Committee

33 PRAYERS

The meeting commenced with prayers by Councillor David Cotton, during which the thoughts of Members were with Councillor Underwood-Frost during his battle with his illness.

Note Councillor Keimach joined the meeting at this point.

34 COUNCIL MINUTES 17 JUNE 2013 (Paper A)

RESOLVED that the minutes of the meeting of Council held on 17 June 2013 be confirmed and signed as a correct record.

35 MEMBERS' DECLARATIONS OF INTEREST

Councillor David Cotton declared a personal interest in Item 11, the second motion, as a member of the clergy.

Councillor Giles McNeill declared a personal interest in Item 11, the first motion as being a member of the Lincoln Dial a Ride board.

36 MATTERS ARISING (Paper B)

The Council Chairman introduced the Matters Arising Schedule which set out the current position of all previously agreed actions as at 19 July 2013. All matters had been completed and none were outstanding.

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

37 ANNOUNCEMENTS

Chairman of the Council

The Chairman noted that a list of her engagements had been circulated to all Members, and stated that she was very proud to represent the district of West Lindsey on such occasions, it was a huge honour. Thanks were also expressed to the Vice Chairman for his support.

Leader of the Council

The Leader of the Council noted the recent good news announcement of the Royal baby. Councillor Summers also apologised for his negligence in previously failing to acknowledge the work done over many years by Councillor Keimach in his role as Leader of the Council. Councillor Keimach responded by thanking the Leader for his kind words and gave assurance that he would remain an active Member and look after his Ward.

38 PUBLIC QUESTION TIME

There were no questions from the public.

39 PRESENTATION ON COMMUNITY ASSETS FUND AND THE NATIONAL FUNDING PERSPECTIVE

Officers from CAN Invest and the Plunkett Foundation attended the meeting to give a presentation on the Community Assets Fund and the National Funding Perspective.

With a total fund of £1.2m the aim was to build a local community enterprise sector for the future and to empower communities to help themselves by developing financially sustainable enterprises. Funding and advice was available for West Lindsey residents to run community assets and enterprises.

Achievements to date included three feasibility grants, two grant/loan investments agreed and a pipeline of further community projects. Charts showed a breakdown of ideas expressed and also the areas involved.

It was announced that the Newtoft Community Centre bid to the Big Lottery Fund had been successful in getting through to the second stage.

An Inspiring Community Enterprise Event was to take place at the Epic Centre on 7 November, which would involve networking, showcasing and several workshops.

Members asked various questions as to what would be appropriate for funding, and looked forward to seeing schemes concluded. The Chairman thanked the officers for attending and giving an interesting presentation and Members showed their appreciation.

40 PRESENTATION ON THE MARY GORDON PROJECT

Councillor Di Rodgers introduced Peter Harold, Chairman of the Mary Gordon Trust, to the Councillors. Mr Harold described the Mary Gordon project with enthusiasm. The boat was based on an Edwardian clipper, dated around 1911 and had been operational in Roundhay Park, Leeds in 1920, as a pleasure cruiser. The craft was brought to Lincoln during the war and had its last passenger certificate in 1969, before sinking in the Trent at Nottingham.

Following reclamation it was listed on the National Register of Historic Ships, bought for £1 and a charity was formed. The Mary Gordon was currently at Newtoft and needed funds and time spending on her. One Heritage Lottery Bid had failed but a further submission was being compiled. It was hoped that once restored and operational, she could be used as a pleasure craft again, either on the Trent or in Burton Waters, also providing heritage, historical and environmental education, and a venue for disadvantaged and disabled children to enjoy.

Members asked what support was sought from the Council. Mr Harold stated that funding was desperately needed and the project would like to employ an apprentice in order to pass on the skills learned. Councillor Kinch offered assistance in the form of a mooring at Torksey. Mr Gordon had brought a number of mounted prints for Councillors and also promoted the boat's website. www.marygordon.org.uk

The Chairman thanked Mr Harold for his very interesting presentation and said she hoped one day to see the 'special lady' back in the water.

41 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9

Question from Councillor Burt Keimach

Policy Planning In West Lindsey – Role of the Joint Planning Unit

"The Core Strategy which sets the spatial development framework for the District is nearly complete and due to be submitted to the Secretary of State in the autumn. This was the principal task the JPU was set up to accomplish. This year we are due to contribute as a District £171,000 to the running of the unit. Would it be possible for the unit to either be deactivated following the completion of the Core Strategy or scale down its operations in order to reduce the cost it imposes on its partner councils?"

The Leader of the Council responded

"Councillor Keimach will be aware, as the former Chairman of the JPU, that the committee are starting to look at options going forward. He will be aware of costs and staffing required and know of the information circulated to communities during the consultation process. The level of workload will be less and changes to level of staffing will be made but not for discussion at this time due to the sensitive nature of the matter.

Councillor Owen Bierley asked the question
To the Leader of the Council

"It has been widely accepted for many years that councils in sparsely populated rural areas such as ours have been disadvantaged by the method by which the Local Government Finance Settlement is calculated. For example the Rural Penalty sees urban areas receive 50% more support per head than rural areas despite higher costs in rural service delivery. The case for change has been championed by many, including Cllr Strange, through 'The Rural Fair Share campaign' coordinated and organised by SPARSE. It

has been agreed that the next step is to prepare a petition to enable those Members of Parliament representing rural constituencies to continue to press the Government to reduce the Rural Penalty in staged steps by at least 10% by 2020. Would you join me in inviting members of our Council to take this opportunity and support Sir Edward Leigh MP by obtaining as many signatures as possible within their wards over the next couple of months?"

NB. For further information about the campaign and a copy of the petition form please see:

<http://www.rsnonline.org.uk/parliamentary/rural-fair-share-petition> "

The Leader of the Council agreed that he was aware of the inequity. Hard copies of the petition were circulated amongst Members for them to gather signatures and submit to the Rural Fair Share Campaign, and stated that he hoped Councillors would be able to obtain more than the 25 requested.

Councillor Giles McNeill asked the question
Madame Chairman,

I am certain many of us feel especially privileged to serve our communities in the role of district councillor. Individually we can all be proud that local electorates have put their faith in us to be their representatives.

Nevertheless, having recently passed the half-way point in this council's term of office we are aware that en-bloc we will all retire in 2015 and a new council will be elected.

The Leader and I participated in the New Local Government Network's report: "*Future Councillors: Where next for local politics?*" will the Council find the publication of this report useful? What can West Lindsey District Council do to ensure that our democracy is healthy in the future?

The Chairman agreed that all Councillors would find the publication useful and suggested that the future of local democracy was perhaps something that could be discussed by the Member Forum.

Councillor McNeill then asked a supplementary question, noting that as Boston and Lincoln had recently had Councillors removed from office for non-attendance, should not all West Lindsey District Councillors be encouraged to attend as many meetings as possible? The Chairman agreed that this should be the case.

42 NOTICE OF MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10

Lincoln Area Dial-A-Ride Service
Madame Chairman,
West Lindsey District Council notes:

1. That Lincoln Area Dial-A-Ride is currently an Industrial and Provident Society and is seeking to change its legal status to a fully Registered Charity.
2. That historically the Council's representative on the Lincoln Area Dial-A-Ride Management Committee has had voting rights. However, a leaner core management structure is proposed for the operation as a charity and this has the potential to lead to the loss of voting rights for the Council.
3. That the Council provided 4.45% of the income for the activities of Lincoln Area Dial-A-Ride in the last financial year with a grant of £8920.00 which remained unchanged from the preceding year.

West Lindsey District Council believes:

1. The Lincoln Area Dial-A-Ride service is a valuable asset for vulnerable person who might otherwise face being house-bound.
2. Many individuals and organisations contribute both their resources and time to ensure that Lincoln Area Dial-A-Ride make a positive contribution to our society.
3. That the way in which the public and third sectors operate is changing and that to ensure that services can be delivered going forward the delivery of services must be reviewed and changed appropriately.

West Lindsey District Council resolves:

1. To congratulate the work of Lincoln Area Dial-A-Ride in delivering important services to local residents across Lincolnshire, with activity centred on the city of Lincoln.
2. To accept the loss of the Council's representative's voting rights on any future management structure.
3. To take appropriate steps to raise the awareness of the Lincoln Area Dial-A-Ride Service.

I so move.

Cllr. Giles McNeill

Response by the Lead Officer Enterprising Communities

The work of Lincoln Area Dial-A-Ride (LADAR) had already been recognised through the current West Lindsey Voluntary Sector Review and financial support of £9,000 had been agreed for the next three years. Although the Council's contribution was relatively small, it provides a little more security to LADAR to know that it was available for three years and will help with their forward planning.

For the first time, a joint Service Level Agreement (SLA) with all the Local Authority funders (i.e. Lincolnshire County Council, Lincoln City Council, North Kesteven District Council and WLDC) was now in place and would be reviewed annually. This SLA contained performance measures which LADAR

had to report on to ensure that the organisation continued to perform satisfactorily and provided value for money.

LADAR had been working with the Community Transport Association to look at its business model and find ways for the organisation to become less grant dependent. The proposed change of legal entity from an IPS to a registered charity was part of this wider process. The loss of voting rights for the Council's representative would not affect the ability of the Council to influence the organisation as this was done through the management of the SLA. As an independent organisation, LADAR was entitled to seek whatever legal structure it felt would best fulfil its aims and objectives.

LADAR only worked within a six mile radius of Lincoln which encompassed the Lincoln Fringe villages. Therefore, promotion of the service would be most effective in those areas. The Market Rasen and Gainsborough areas were covered by Call Connect Plus which was a demand-responsive service run by Lincolnshire County Council.

This resolution would endorse the work already done by the Voluntary Sector Review Panel and support LADAR in their plans for change.

Councillor Bierley seconded the motion.

Members briefly discussed the abysmal state of public transport in the rural areas of West Lindsey, however it was pointed out that LADAR was for the use by people who were not physically able to access public transport, and that the CallConnect service was meant to partly address the deficit in rural areas.

The motion was seconded and voted upon. Councillor McNeill called for a recorded vote, however this was not seconded.

RESOLVED that the motion be supported.

Note Councillors Regis and Leaning left the meeting during consideration of the previous item.

Motion by Councillor Burt Keimach

As most councils in the UK now hold prayers before the official start of meetings, as does our own county council, since private belief is not part of public business and having religious proceedings may be offensive to many, I hereby propose that WLDC FULL COUNCIL begin AFTER any prayers members may wish to conduct.

The Chairman responded to the motion.

Members will remember the publicity surrounding prayers at Council meetings in early 2012. This involved a High Court ruling which questioned Bideford Town Council's right to summons Councillors to partake in prayers.

"A local authority has no power under section 111 of the Local Government Act 1972, or otherwise, to hold prayers as part of a formal local authority meeting, or to summon councillors to such a meeting at which prayers are on the agenda."

As a result of this ruling many councils changed their procedures and removed prayers from their formal agenda. West Lindsey like many other councils did not make this change, as no complaints or issues regarding this matter had ever been raised.

This is an issue for members to debate and decide how to take this forward and I would ask members for their views.

Councillor David Dobbie seconded the motion.

Councillor McNeill, as an antidisestablishmentarian, pointed out that the majority of the population had a faith of some description. Councillor Cotton stated that it was important to understand the reason for prayers, and that they were not about any specific religion or belief. Other Members felt that it was important to maintain tradition, and prayers being part of the agenda set the scene for the meeting and allowed for a quiet moment of reflection.

A recorded vote was then proposed and seconded.

For: Councillors Dobbie and Keimach.

Against: Councillors Bierley, Bridger, Brockway, Caine, Cotton, Curtis, Fleetwood, Howitt-Cowan, Kinch, Lawrence, McNeill, Milne, Parish, Parrott, Parry, Patterson, Rainsforth, Rodgers, Strange, Summers, Tinker, Welburn and Wiseman.

A total of 2 votes for and 23 votes against. The **MOTION FAILED** therefore the status quo remains.

Note Councillors Young and Kinch left the meeting at this point.

43 SETTING OF KNOWLEDGE TEST FEES FOR TAXI LICENCES (PAPER C)

The Licensing and Support Team Leader introduced the report, describing the path that the item had taken, being supported by the Licensing and Regulatory Committee and the Prosperous Communities Committee. The report now sought approval for a fee to be set, for all applicants to undertake a knowledge test during application for a taxi and private hire licence. Approval was also sought for delegated authority for the Head of Public Protection to be able to refuse applications.

Councillor Cotton wished it to be recorded that acknowledgement be made to the great amount of work done by the licensing team and the Taxi and General Licensing Committee.

The recommendation was moved, seconded and voted upon.

RESOLVED that

- a. the recommendation from Prosperous Communities Committee meeting held on 16 July 2013 be approved and the fee set for Knowledge Tests at £15.00; and
- b. authority be delegated to the Head of Public Protection to be able to refuse applicants who are unable to pass the Knowledge Test.

44 AMENDMENTS TO THE CONSTITUTION (PAPER D)

Councillor McNeill, as Vice Chairman of the Governance and Audit Committee sought approval for a report which set out minor amendments to the Council's Constitution, namely clarification to the Building Control delegations, and the change of name of the Monitoring Officer, following the appointment being confirmed at the last Council meeting.

The recommendation was moved, seconded and voted upon.

RESOLVED that

- a. the inclusion of delegations regarding Building Control, be approved
- b. the name of the Monitoring Officer be changed.

Note Councillor Milne left the meeting at this point

45 CORE STRATEGY (PAPER E)

Mike Braithwaite, Manager of the Joint Planning Unit had attended the meeting to present the report on the Core Strategy. The Strategy had been approved on 8 July for a six week consultation period (from 29 July to 9 September 2013) prior to submission to the Secretary of State. The document was the culmination of much work undertaken and the draft policies had been discussed at a previous Council meeting.

Councillor Cotton, as one of West Lindsey District Council's member representatives on the Committee noted that compiling the Strategy had not been easy with input from four separate authorities. Councillor Cotton proposed, with reference to the second recommendation, that the Council should make a considered response, and that in addition to the delegation in the third recommendation, the four JPU members be involved in the co-ordination of the response.

Members briefly discussed policies within the Strategy, noting that they would like to see more done for Gainsborough and acknowledged the need for the replacement of poor quality housing.

The amendments proposed by Councillor Cotton were seconded and voted upon.

RESOLVED that

- a the report be noted;
- b a formal response be submitted by the Council over and above responses already provided as part of WLDC's representation and influence on the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC)
- c the Director of Regeneration and Planning, in consultation with the Chairman of Prosperous Communities Committee, be delegated to co-ordinate and send a response before the end of the consultation period in consultation with the Leader of the Council, and Councillors Cotton, Curtis, and Underwood-Frost.

46 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS PUBLISHED SINCE THE LAST COUNCIL MEETING ON 17 JUNE 2013.

RESOLVED that the minutes of Committee meetings published since the last Council meeting on 17 June 2013 be received.

The meeting concluded at 9.10 pm.

Chairman