

West Lindsey District Council

Guildhall, Marshall's Yard, Gainsborough

Notice of Meeting of the Council

To be held on
Monday 17 June 2013
at 7.00pm



1. a) **Points of Order** are just that. They must relate to the Council Procedure Rules or conduct of the meeting and generally will be drawing attention to a perceived breach, e.g.

- (i) absence of a quorum;
- (ii) content and length of speeches
- (iii) irrelevance;
- (iv) misconduct
- (v) motion not seconded

The member must indicate the Rule or law and the way in which he/she considers it has been broken.

(b) Examples of common intervention which are **NOT** points of order:-

- (i) Points of information or personal explanation (as to which see below);
- (ii) Disagreement with a speaker;
- (iii) Further thoughts or clarification of a previous speech prompted by the speaker (unless amounting to a personal explanation);
- (iv) Correction of a speaker's **opinion** (rather than **fact**, which is a point of Information);
- (v) An attempt to "reply" to another Member's speech or a point made in it;
- (vi) Second speeches other than those provided for in the Council Procedure Rules

2. (a) **Point of Information** – when **a Member** is speaking and is obviously proceeding on the basis of information which is wrong or of which the Member is ignorant, **another Member may** properly **seek to intervene to provide the correct or missing information**, thereby saving the Council from being misled and saving its time.

(b) **ASKING FOR** information is **NOT** a Point of Information; a member who has spoken may be able to request a colleague who has not yet spoken to ask.

3. (a) **A Personal Explanation** is a proper intervention only when an earlier speech by the Member is being misquoted or misrepresented.

(b) It must **not** be used as a spurious pretext for reiteration of the Member's earlier speech or as a second speech.

4. **Practice**

Members rising to make one of the Points must specify which one is being used. The Member speaking should give way. The point should be made briefly. The Chairman will then rule on it promptly, firmly and finally. There will be no debate nor will the ruling of the Chairman be open to discussion.

5. **Voting**

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

The number of votes each member has is restricted to the number of vacancies to be filled.



**Guildhall
Marshall's Yard, Gainsborough
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Tel: 01427 676676 Fax: 01427 675170**

This meeting will be Recorded and published on the Council's website

AGENDA

Notice is hereby given that a meeting of the Council will be held in the Council Chamber, Guildhall, Marshall's Yard, Gainsborough, on **Monday 17 June 2013 at 7pm**, and your attendance at such meeting is hereby requested to transact the following business.

To: Members of West Lindsey District Council

1. PRAYERS
2. APOLOGIES FOR ABSENCE
3. COUNCIL MINUTES
 - i) To confirm as a correct record the Minutes of the Meeting of Council held on 29 April 2013.
PAPER A herewith
 - ii) To confirm as a correct record the Minutes of the Annual Meeting of Council held on 20 May 2013.
PAPER B herewith
4. MEMBERS' DECLARATIONS OF INTEREST
Members may make any declarations of interest at this point but may also make them at any point during the meeting.
5. MATTERS ARISING
PAPER C herewith
6. ANNOUNCEMENTS
 - i) Chairman of the Council
 - ii) Leader of the Council
 - iii) Head of Paid Service

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio Tape: Native Language

7. PUBLIC QUESTION TIME

8. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

9. NOTICE OF MOTION PURSUANT TO COUNCIL PROCEDURE RULE NO. 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

(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
Gainsborough East Ward.

10. PRESENTATION FROM THE CREDIT UNION

11. APPOINTMENT OF MONITORING OFFICER
PAPER D herewith

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

M Gill
Chief Executive
The Guildhall
Gainsborough

7 June 2013

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