

## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday, 16 January 2012, at 7.00 pm.

**Present:**

Councillor William Parry (In the Chair)  
Councillor Jessie Milne (Vice-Chairman)

Councillor Gillian Bardsley	Councillor Irmgard Parrott
Councillor Owen Bierley	Councillor Roger Patterson
Councillor Nigel Bowler	Councillor Judy Rainsforth
Councillor Ken Bridger	Councillor Sue Rawlins
Councillor Jackie Brockway	Councillor Tom Regis
Councillor Alan Caine	Councillor Di Rodgers
Councillor David Cotton	Councillor Lesley Rollings
Councillor Stuart Curtis	Councillor Ray Sellars
Councillor Chris Darcel	Councillor Reg Shore
Councillor David Dobbie	Councillor Lewis Strange
Councillor Richy Doran	Councillor Jeff Summers
Councillor Ian Fleetwood	Councillor Mick Tinker
Councillor Paul Howitt-Cowan	Councillor Chris Underwood-Frost
Councillor Burt Keimach	Councillor Anne Welburn
Councillor Stuart Kinch	Councillor Geoff Wiseman
Councillor Angela Lawrence	Councillor Trevor Young
Councillor Malcolm Parish	

**Apologies:** Councillor Malcolm Leaning

**In Attendance:** Chief Executive  
Director of Communities and Localism and Monitoring Officer  
Financial Services Manager  
Democratic Services Team Leader

**Also in Attendance:** The Reverend Gillian Barrow  
Fiona White (CEO Community Lincs)  
Helen Kearsley-Cree (CEO Urban Challenge)

**Also Present:** Peter Walton (Standards Committee)  
Director of Regeneration and Planning  
Revenues, Benefits and Customer Services Manager

## **71 PRAYERS**

The meeting commenced with prayers by the Reverend Gillian Barrow.

## **72 APOLOGIES FOR ABSENCE**

Apologies were given for Councillor Malcolm Leaning.

## **73 COUNCIL MINUTES (Paper A)**

**RESOLVED** that the minutes of the meeting of Council held on 21 November 2011 be confirmed and signed as a correct record.

## **74 MEMBERS' DECLARATIONS OF INTEREST**

Councillors Sellars and Underwood-Frost declared personal interests in Paper C – Collection Fund Surplus – as being members of the Police Authority.

## **75 MATTERS ARISING (Paper B)**

The Democratic Services Team Leader summarised the items listed on the Matters Arising Schedule.

**RESOLVED** that the Matters Arising Schedule be noted.

## **76 ANNOUNCEMENTS**

### **Chairman**

Councillor Parry informed the meeting that he and Mrs Parry had had the privilege of meeting HRH Prince Charles on his recent visit to Riseholme College on the inauguration of the new Countryside Fund. The Chairman had also attended Foxby Court and Ferndene Care Homes and then went on to Gainsborough House at lunchtime on Christmas Day.

### **Leader of the Council**

Councillor Keimach announced that he had received a letter from the Secretary of State for Communities and Local Government, Eric Pickles MP. Mr Pickles had stated that he had enjoyed his visit to Hemswell School and felt that it was a fantastic community asset in that it had a shared facility of a library and parish council meeting room. Unfortunately the Council's bid to the Neighbourhood Pilot Community Budget had not been successful, but that the need for assistance for communities subject to the MOD property disposal was acknowledged. An asset transfer unit was to be set up to provide advice and management to communities, enabling them to purchase assets and

have a say on local issues. Phillip Hammond had been written to, to ensure that local views were taken into account.

### **Chief Executive**

The Chief Executive passed on thanks that had been received for the community clean up that had taken place for Caistor in Bloom, and also from Sturton Parish Council for the flood diversion work undertaken. Whilst acknowledging that the bid to the Department of Communities and Local Government had failed, it was felt that awareness had been raised regarding the issues of ex-MOD communities. Mrs Gill also informed Members that a closer working relationship was being formed with the County Council which was achieving good work through bi-monthly meetings. The Chief Executive also noted that the Localism agenda was beginning to gather momentum and at one of the recent Area Summits the main topic of concern was metal thefts in the area.

## **77 PUBLIC QUESTION TIME**

No public questions had been received.

## **78 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9**

**Councillor Chris Darcel submitted three questions to the Council meeting:-**

Boundary Changes.

Now that Fiskerton and Langworth and a number of other single wards are written out of the district's history I would like to thank The Chief Executive Officer, Mrs Gill, for her stated opinion against the electoral unfairness in merging small wards with larger.

Clearly, in the new mega, 2 and 3 seat wards, voters in the previously separate smaller wards are clearly at a disadvantage. Over thirty letters of objection were sent in to the LBC, only one was for reducing the number of councillors to 25, one was for renaming an existing ward, and the rest against the proposals. In particular these objections emphasised the uniqueness of each ward from its neighbour and a number of objections raised the point that under the proposals, the smaller communities will be voiceless.

Question 1. Who drafted the final submission from West Lindsey District Council to the Local Boundary Commission?

Question 2. Why did the final submission not take conscience of comments raised by the objectors and the members concerned and why was no regard taken in drawing up the proposals of the LBC's

assurance, that, if the council changed to four yearly elections, no further changes would be required?

Question 3. Why was the 5 day rule not waived, so I could have raised the matter at the last full council meeting. Had the Council then wished, it would have had time to ask our MP to raise the issue in Parliament and get the report thrown out?

It seems to me that someone, somewhere, is working to a different agenda and trying to suppress local democracy.  
Can we please investigate the matter?

In the interests of democracy, this council should be encouraging more single seat wards rather than trying to merge them.

Councillor Keimach responded to the questions summarising the history which had followed from the Parliamentary Order. There had been extensive consultation with both Members and the public. Concerns had been expressed and correspondence exchanged. Vociferous objections had been raised to the proposal at the end of the Stage 1 consultation for only 33 Members, a working group had been formed, and the resulting figure was 36. It was clarified that the Boundary Commission had stated that those Councils which elected by thirds would have three Member wards imposed, but that if all out elections were implemented, some wards would be able to retain one or two Members. The main objective of the exercise was to obtain electoral parity, which in West Lindsey meant approximately 2,000 electors per Member. Ward boundaries had to be accepted as they had been determined. There was now political stability over a four year cycle.

Councillor Shore echoed the views of Councillor Keimach, stating that the District had been lucky to retain 36 Members and have some single Member wards.

## **79 NOTICE OF MOTION PURSUANT TO COUNCIL PROCEDURE RULE 10**

Councillor Summers submitted the following motion in accordance with Council Procedure Rule No. 10:

Mr. Chairman.

During the eight and a half years I have been a west Lindsey Councillor there have been many changes. As a council we have evolved into a caring and creative council. Significant work has been done by officers and members, past and present.

As indicated in our corporate plan, our aspirations are still high.

We revel in what we do.

We volunteer as councillors and take responsibility for which we are rewarded through members' allowance.

Outside of this council but within West Lindsey there are lots of people who give their time free in many instances, helping communities and individuals. They either stand alone or work in groups. Parish Cllrs, clerks, carers for the young, elderly and disabled to name a few.

Mr. Chairman.

As part of our Localism Agenda, I believe it is time we recognised these outstanding contributors to our communities and I propose a paper is taken to the Prosperous Communities committee for members to discuss what criteria and format should be applied to a “West Lindsey Award for outstanding community work”, presented at annual council annually.

I so move.

Councillor Parish (Chairman of Prosperous Communities Committee) responded by welcoming the Motion, which clearly highlighted the important contribution made by the many individuals and communities of West Lindsey in making the District such a great place to live and work.

Councillor Parish agreed that as part of the Council’s commitment to Localism it would be a great idea to explore ways of specially recognising and celebrating the achievements of these local people. He would also be really keen to see how the Council’s civic arrangements through the auspices of the Chairman could be potentially utilised to achieve this vision. He would thus recommend that this motion be passed to the Prosperous Communities committee to explore the various options on how such a process could be developed and promoted.

There followed some discussion on whether Parish Clerks should be included for the recognition of voluntary work as these were remunerated for the work they did. It was pointed out that many clerks did do much work in their own time. It was moved and voted upon that the reference to Clerks be removed, however subsequently pointed out that a motion submitted by a Member under Council Procedure rule 10 could not be amended. The comments would be passed to the Prosperous Communities Committee for consideration.

## **80 PRESENTATION ON THE ROLE OF THE VOLUNTARY SECTOR INFRASTRUCTURE.**

The Director of Communities and Localism introduced Fiona White (CEO Community Lincs) and Helen Kearsley-Cree (CEO Urban Challenge) who had attended the meeting to give a presentation on the role of the Voluntary Sector Infrastructure.

The Policy and Resources Committee had recently approved a review of the Council’s voluntary sector strategy which also affirmed support for Community Lincs and Voluntary Centre Services.

The two organisations complemented each other's work and as well as directly providing services gave support to and enabled the work of other voluntary organisations. Focus was also directed to economic development, with attention being given to such projects as affordable housing, Redundant Rural Building Grants, and bulk oil buying. A bid had been made to the Lloyds TSB foundation, the outcome of which was anticipated shortly for additional community development capacity to support the ex MOD communities. It was acknowledged that West Lindsey District Council was the most supportive of the district councils in Lincolnshire for the voluntary sector.

Members acknowledged that the two organisations did an excellent job, questions were asked on the administrative costs and reserves held, in order to ascertain best value was being achieved. The organisations' accounts were publicly available for scrutiny, and Members agreed that the work they did was invaluable.

Ms White and Ms Kearsley-Cree were thanked for their interesting and informative presentation.

## **81 COLLECTION FUND SURPLUS (Paper C)**

The Financial Services Manager presented the report which was self explanatory. The report had been considered by the Policy and Resources Committee and recommended for Council approval.

Members questioned why the report had to be submitted to two meetings, so the Financial Services Manager explained that this was part of the overall budget framework, and that the Policy and Resources Committee had the authority to scrutinise the process.

### **RESOLVED** that

- a) it be noted that the estimated surplus of £552,000 be declared as accruing in the Council's Collection Fund at 31 March 2012 relating to Council Tax transactions, and
- b) the Council uses its element of the Council Tax surplus in calculating the level of Council Tax in 2012/13

## **82 COUNCIL TAX BASE (Paper D)**

Following the previous report which noted the accrual of surplus Council Tax collection, this report sought to set the Council Tax Base for West Lindsey, as part of the budget cycle. Summaries of the calculations were set out in the appendices to the report.

**RESOLVED** that the calculations of the Council's tax base for 2012/2013 as set out in Appendix A be approved, and that in accordance with the Local Authorities' (Calculation of Council Tax

Base) Regulations 1993 (as amended), the tax base for each part of the Authority's area shall be as set out in Appendix B.

### **83 EXTENSION OF STANDARDS REGIME (Paper E)**

The Director of Communities and Localism summarised the content of the report which set out the status of the existing Standards regime. The Localism Bill had sought to abolish the Standards regime, but as a result of extensive debate at the House of Lords stage and on receiving assent the Localism Act required local authorities to have a local Code of Conduct. General principles were to be applied but there was no mandatory code. Arrangements were to be set out to handle breaches of the Code, but sanctions would be limited. There was to be a new regulation requiring the registration and declaration of pecuniary interests, for which failure to comply would be a criminal act. The Act also required an independent member to be appointed who could not be a serving or past co-opted or other member of the authority .

Parish Councils would remain under the jurisdiction of the District Council. The new regime would mean the loss of some of the bureaucracy and increase flexibility for local control. The report asked Members to note the extension of the existing regime until the end of June as per legislative change, whilst new arrangements were agreed, which it was hoped would build on previous good work. The Governance and Audit Committee would be kept apprised of ongoing work.

The Council was working closely with the County Council on a voluntary Code, as one that was consistent across the county would be useful.

Members felt that the lack of sanctions available was not useful, but that if the committee appointed at Annual Council could be retained through the transition period there would be some stability and a continuation of the experience and competence already acquired. The Director of Communities and Localism indicated that the Independent member had to be changed under the new regime.

Questions were also asked about a procedure to deal with standards of conduct for officers; however it was acknowledged that accountability was different as Members were elected, not employed, and that there were sanctions in place for officer misconduct.

Members also felt that the publicity surrounding Standards investigations should be addressed.

**RESOLVED** that

- i) the continuation of the Standards regime until June 2012 prior to which a revised code and process will be submitted for approval, be noted;

- ii) that the existing Members of the Standards Committee be authorised to continue in office until a new code is introduced and a new committee appointed if required;
- iii) that the Standards Committee be requested to review and amend the procedures under which allegations of breach of the Code can be investigated and decisions on allegations taken, in light of experience over the last few years;
- iv) that the Monitoring Officer be requested to implement arrangements for the appointment of an Independent Person in accordance with the requirements of the Act.

#### **84 APPOINTMENTS TO OUTSIDE BODIES (Paper F)**

The Director of Communities and Localism presented the report which was to formalise the appointment of members on the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations Outside London

**RESOLVED** that Councillor Malcolm Parish be approved as the nominated Member to sit on the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations Outside London, and that Councillor Jeff Summers be the nominated substitute

#### **85 RENEWABLE ENERGY STATEMENT (Paper G)**

Councillor Howitt-Cowan, Chairman of the Renewable Energy Task and Finish Group, presented the report which summarised a 30 page document. The report and proposed statement had emanated from the Challenge and Improvement Committee had been considered by the Prosperous Communities Committee, and Policy and Resources Committee.

The Prosperous Communities Committee had suggested minor amendments to the statement and these were circulated. Debate then ensued on the amendments from the Prosperous Communities Committee, the discussion that had taken place at the Policy and Resources Committee and further suggested amendments.

In light of all the proposed amendments it was suggested that approval of the statement be deferred in order for revised wording to be prepared and then submitted to the next meeting of Council.

The work of the Task and Finish Group was however commended and thanks were expressed to all the Members and officers involved for the good work done to date.



**RESOLVED** that the wording in Renewable Energy Statement be reconsidered and submitted to the next Council meeting for approval, and an update on actions.

**86 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS  
PUBLISHED SINCE THE LAST COUNCIL MEETING ON 12 NOVEMBER  
2011**

**RESOLVED** that the minutes of Committee meetings published since the last Council meeting on 12 November 2011 be received.

The meeting concluded at 8.52 pm.

Chairman