

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday, 21 November 2011, at 7.00 pm.

Present:

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

Councillor Gillian Bardsley	Councillor Angela Lawrence
Councillor Owen Bierley	Councillor Malcolm Leaning
Councillor Nigel Bowler	Councillor Malcolm Parish
Councillor Ken Bridger	Councillor Irmgard Parrott
Councillor Jackie Brockway	Councillor Roger Patterson
Councillor Alan Caine	Councillor Judy Rainsforth
Councillor David Cotton	Councillor Tom Regis
Councillor Stuart Curtis	Councillor Lesley Rollings
Councillor Chris Darcel	Councillor Reg Shore
Councillor Richy Doran	Councillor Mel Starkey
Councillor Ian Fleetwood	Councillor Lewis Strange
Councillor Paul Howitt-Cowan	Councillor Jeff Summers
Councillor Burt Keimach	Councillor Chris Underwood-Frost
Councillor Stuart Kinch	Councillor Geoff Wiseman

Also Present: 1 Member of the public

Apologies: Councillor Di Rodgers
Councillor Ray Sellars
Councillor Anne Welburn

Deputy Chief Executive and Director of Resources

In Attendance: Chief Executive
Director of Strategy and Regeneration and Monitoring Officer
Director of Neighbourhoods and Health
Chief Finance Officer
Business Improvement Manager
David Lomas – Chairman of Remuneration Panel
Democratic Services Team Leader

Also in Attendance: The Reverend Gillian Barrow
Revenues, Benefits and Customer Services Manager
Peter Walton – Standards Committee

53 PRAYERS

The meeting commenced with prayers by the Reverend Gillian Barrow.

54 APOLOGIES FOR ABSENCE

Apologies were given for Councillor Di Rodgers, Councillor Ray Sellars Councillor Anne Welburn, and the Deputy Chief Executive and Director of Resources.

55 COUNCIL MINUTES (Paper A)

RESOLVED that the minutes of the meeting of Council held on 12 September 2011 be confirmed and signed as a correct record.

56 MEMBERS' DECLARATIONS OF INTEREST

A blanket declaration of personal interest, in the Notice of Motion at item 9 on the agenda, was recorded for all those Councillors who were members of the Local Government Pension scheme, or who had other committee or union connections.

57 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.

58 ANNOUNCEMENTS

Chairman

The Chairman noted that with 28 engagements it was difficult to choose which to mention. The Battle of Britain commemorative service had been a particularly moving occasion, and the familiarisation day at RAF Waddington had been very interesting. The Chairman had also enjoyed the visit to HMS Brocklesby, which came to Grimsby every two years, on which he had had lunch on board. The MP Eric Pickles had also visited the area and the tour included Hemswell School and Marshall's Yard, Mr Pickles had been impressed by what he saw and with the work of the Council.

The Chairman also noted the imminent retirement of James Nicholson, Director of Neighbourhoods and Health. James had been with the Council 11 years in January and had been in a number of different roles. He had seen the Council through some tremendous changes and was well respected, but was now looking forward to a happy retirement.

Councillor Jeff Summers was called upon to update Members on Chris Dowse of Sutton Estates. Following a presentation to a Council meeting earlier in the year, several Councillors had been on a tour of the estate which had been very interesting. Councillor Summers announced that Mr Dowse had won a National award as Countryside Farmer of the Year. It was proposed that the Council write to Mr Dowse to congratulate him on his achievement.

It was proposed that the Council pay their respects to two late Councillors who had recently passed away, 'Suzy' Heathershaw and Maurice French. A minute's silence was held.

Leader of the Council

The Leader of the Council wanted to add to the Chairman's comments regarding the retirement of James Nicholson, and wished him a long and happy retirement, and hoped he would come back to visit.

The Leader then informed Members that he had recently attended a meeting in Scunthorpe with North Lincolnshire Council, North East Lincolnshire Council and East Lindsey District Council to explore partnerships and common projects. The Leader was hoping to bring back the outcomes of the discussions and realise potential savings in due course.

Councillor Keimach had recently given a radio interview on the matter of pigeon nuisance in Market Rasen, which had plagued the town for decades. It was hoped that the matter had now been resolved using a humane method of deterrent, and thanks were expressed to all officers involved in the work along with Network Rail. Updates would be given in due course.

Chief Executive

The Chief Executive informed Members that the Council had been re-inspected by Investors in People (IIP), to assess the commitment to the workforce and its development. The outcome was successful and the report positive, complimenting the Council on its clarity of vision, and that staff feel empowered and informed.

The Council had also received an award for Positive About Young People.

The Chief Executive also expressed thanks to James Nicholson for the support he had given over the last 18 months that she had been in post, he had been loyal, committed and considered in the way he had supported colleagues. A lunchtime reception was to be held on 7 December to which all were invited.

In updating on Localism the Chief Executive thanked Rachel North and the Area Managers, and emphasised that the project was about directing resources across the whole of the District. The Chief Executive described the three Community Funding pots which were all beginning to work effectively.

The first of the new Area Summits were to take place in Caistor and Trent areas in January, to enable mobilisation of key champions and partners. Work was also ongoing in the priority neighbourhoods and villages such as the ex MOD sites. A bid to a Government proposal had been submitted and shortlisted which would see the release of Civil Servants to focus on neighbourhoods. Further details were awaited. Good work was also ongoing on Trinity Street.

59 PUBLIC QUESTION TIME

No public questions had been received.

60 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9

Councillor David Cotton submitted two questions to the Council meeting:-

“Whilst I am willing to freely acknowledge I had some reservations on the introduction of the triple bin system and the move to fortnightly residual waste collections, I now acknowledge, and believe, that the triple bin system is one of the best things this authority does and which receives general support from all residents across the District.

However, I as a Councillor for Saxilby ward have had at least thirty complaints from constituent residents, in the ward, who are dismayed and disappointed at the suspension of the Green Waste Collection for the whole of the winter months. Many say that the ending of the collection was too soon, as leaves had not fallen; others say that there is potential for a mild winter to produce early growth before the collection is re-instated. Still others say they garden, albeit at a reduced rate, all winter long with pruning and tidying tasks in gardens still needing to be done.

Residents were happy with the once a month collection in previous years but believe a total suspension is taking it too far. I am also given to believe, in an answer to a constituents' complaint, that 60% of residents questioned, through the citizens panel and other means, said they were happy for a reduction in the green waste during the winter months while only 45% were happy with a total cessation.

Would the leader of the Council give some assurance that, after this winter, where-in the arrangements we have prepared will have to go ahead, there will be a review of the green waste collection in time for the 2012/13 winter and if it is felt appropriate reconsideration be given to re-instating a monthly collection throughout the winter months?”

A response was given by the Leader of the Council

“I would like to thank Councillor Cotton for his question and would wish to clarify some points relating to the reason why the decision was made to alter the collection arrangements over the winter months for green waste. Firstly we made the decision because of the financial pressures that the Council faced and secondly this was made by the Prosperous Communities Committee who took into account the views that had been expressed by our community. Of over 40,000 households only a small percentage had raised complaints, and although the difficulties of these few were acknowledged it was necessary to go with the democratic majority, and these issues will be considered in a review. The matter will be reviewed in May but there was a need to be mindful of the budget and a key consideration would be that the Council was possibly looking at further reductions in the grant settlement. In the meantime the system will continue through this winter.

Along with additional Comments from Councillor Jeff Summers

“The Council has been faced with a significant reduction in funding as has all of the public sector. This meant that the Council had to look at ways to reduce costs and also to look at income opportunities. Careful consideration was given to those parts of services that were least efficient and were poor value for money. It was clear that green waste collection over the five months November through to March were the times when the service was least well used and was least efficient. We also asked the community in 2010 about what they thought about the idea of reducing green waste collections in the winter and we found that from the Citizens Panel Survey 78% supported this idea. Work was carried out on a package of measures to look at reducing costs in waste collections and it was identified that annual savings of over £150,000 could be made by making changes to the collection rounds, days of collection and the ceasing of garden waste collections over a 3 or 4 month period. The Prosperous Communities Committee considered this very carefully in July and Members debated the matter and in particular the period that green waste would not be collected. Seasonal issues could not be foreseen when the Committee considered the matter. Pruning could be done over a long period of time depending on species, and fallen leaves make excellent compost returning nutrients to the soil. Hard prunings could be burned appropriately or put to one side until collections resumed. It was agreed at the time that the matter would be reviewed in 2012 and very recently the Challenge and Improvement Committee also asked for the review in Spring 2012.”

Second question from Councillor David Cotton to the Leader of the Council.

I am sure the Leader of the Council, along with most members of the authority, will join me in celebrating the fact that the Olympic Torch will be visiting West Lindsey on its route round the country in 2012.

Obviously we are surprised and delighted, that, as announced on the 7th of November, the Torch is to come to Saxilby, as the only part of West Lindsey it will visit, and equally disappointed that it will not be coming in to other parts of the District.

This is a once in a lifetime opportunity, as it is some 64 years since the United Kingdom last hosted the Olympic Games, and it is perhaps unlikely that they will come to these shores again for a similar period of time.

I would hope that many members of the District Council will come and join us in Saxilby for the celebration, and make it a celebration for the Area as well as just Saxilby.

The eyes of the nation will be on West Lindsey for that time when the Torch is passing through Lincolnshire and West Lindsey, and while many details, I understand, are still to be finalised and confirmed, given the prestigious nature of this event, would the leader of the Council, despite the economic hardship we all face, pledge to try and find some money to enable the District to celebrate this event properly, as there is limited, if any, financial support coming from the Olympic organisation for this actual event?

In celebrating this event we can celebrate all that is good in this great District of ours and show to the world what West Lindsey can do.

Response from Councillor Keimach

I would like to thank Councillor Cotton for his question and can advise that this announcement of the Olympic Torch coming to Saxilby is great news and we are looking at how we can get the very best out of this for both Saxilby and the rest of the District. We are in the process of establishing a small group to look at this topic and to consider the proposed route and how we can get wider involvement. We will need to explore the funding opportunities and the support that a range of organisations are able to give. It is very early to determine what may be required to ensure this is a real success and something that will have a lasting impact on the area. We will ensure that the Prosperous Communities Committee is kept up-to-date with how things are progressing and that consideration is given to any budgetary implications. We shall do our best to find money to celebrate this unique event.

61 NOTICE OF MOTION PURSUANT TO COUNCIL PROCEDURE RULE 10

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

Motion in Support of the Local Government Pension Scheme

”Council notes that the LGPS is a sustainable, good quality pension scheme that benefits from being funded and locally managed. It is valuable to employers and employees alike.

Council is concerned by proposals announced by the Chancellor to impose an extra 3.2% contribution tax on scheme members, increasing scheme average member contributions from 6.6% to 9.8% and notes that none of the additional revenue will go towards improving the financial security of the scheme and that in addition, research indicates that 40-50 per cent of affected members may opt out of the scheme as a result of this policy, thereby undermining the viability of the largest pension scheme in the UK.

Council notes that public service workers have suffered an ongoing pay freeze and cuts and closures of many vital services on which our communities rely.

Council further notes that the LGA wrote to the Chancellor on 16 February 2011 to express concerns that mass opt-outs would be both undesirable and damaging to the scheme – Council shares these concerns.

Council is disappointed that the Government has failed to negotiate fully and openly with the Trade Unions and regrets that the Government’s intransigence has increased the possibility of industrial action.

Council resolves to ask the Leader to write to the Chief Secretary to the Treasury within the next month to express Council’s concerns and urge the Government to rethink their proposals. I so Move.”

Councillor Shore seconded the motion, stating that it was bad news for anyone with a pension. If the scheme was damaged it would affect others in the future and the need for industrial action was understandable.

The Leader of the Council then announced that his Group would not be supporting the motion. The Government was making changes to the pension scheme and the proposal was to raise contributions in order to provide decent pensions. No-one earning less than £15,000 would pay any extra, and those earning over £150,000 would pay 5% more. This decision was made by the coalition government and was necessary because of the country’s massive deficit which was costing £120 million per day. The crisis had arisen because the credit crunch had not been addressed and to do nothing now would be sheer folly. The Leader would not be writing to the Chief Secretary to the Treasury.

The motion was then voted upon and LOST.

Note Councillors Cotton, Caine, Bridger wished for it to be recorded that they had abstained from voting.

Mr David Start of Heritage Lincolnshire attended the meeting to give a presentation on the work of the organisation, which had been a Lincolnshire County Council initiative in 1988 and which was now an Independent Charitable Trust. The principal aims of the Trust were Pride and Enjoyment of the local heritage. The organisation worked with many councils in the area, but would particularly like to work more with West Lindsey District Council.

Membership of the Trust and its volunteers came from all over and there was an active events programme. Heritage Open Days were held every September with themed events, and there was close work ongoing with the Lincolnshire Wolds Walking Festival. Historic sites were managed by the Trust along with building preservation, and the Trust had the ability to draw in millions of pounds of funding.

Volunteers were trained to survey the environment to seek out heritage at risk and worked with professional archaeologists. The organisation also published a number of books.

Members applauded the presentation and complimented Mr Start on its content. It was agreed that West Lindsey was missing out on potential opportunities to preserve its heritage.

Note Councillors Regis and Fleetwood left the meeting at this point.

63 PRESENTATION BY DAVE CARTER OF LINCOLNSHIRE ACTIVE COMMUNITIES NETWORK

Councillor Rollings introduced Dave Carter of Lincolnshire Active Communities Network (LACN), stating that in recent years sport had been a low priority and Dave Carter's job was to increase the number of clubs. The way he worked was to do things differently, by understanding the needs of the communities. West Lindsey was a large district and greater use needed to be made of its assets.

Dave Carter then gave his presentation using the quote from the film 'Field of Dreams' – "If we build it they will come" – to state that "they don't always come".

The presentation went on to describe the purpose of LACN, who the organisation worked with, and the current situation. To date 51 new activities in 27 new venues had been provided for 22,500 visits. Participation was throughout all age groups, and there were many benefits to be gained.

Points of interest included facts that the Olympic Rowing trials were held in the area, and that Lincolnshire effectively finished 15th in the last medals table. International matches of hockey and lacrosse had taken place locally and there were also international visits from various people. Lists of those activities provided were circulated.

The Director of Strategy and Regeneration then spoke on how the project, and also the presentation from Heritage Lincolnshire, had links with the Localism programme, in helping communities to help themselves.

Members thanked Mr Carter for a very interesting presentation and some asked for further details and clarification on what was involved in some of the new sports listed.

Note Councillor Kinch left the meeting at this point.

64 REVIEW OF MEMBERS' ALLOWANCES (Paper C)

David Lomas, Chairman of the Remuneration Panel presented the report which had also been considered by the Governance and Audit Committee and recommended to Council for approval. No increases in basic allowances were recommended as Councillors had been unanimous in not having a pay rise. However, changes to the Committee structure had led to an increase in activity and responsibilities, therefore some changes in remuneration were proposed.

Changes to the HMRC travel allowance were recommended to be copied, and work was ongoing to investigate the possibility of tax allowances for using home as office.

Note Councillor Malcolm Parish, as Chairman of the Prosperous Communities Committee declared a prejudicial interest in this item and left the meeting.

The Leader of the Council thanked Mr Lomas for presenting the report and for the work of the Remuneration Panel, but in light of the current financial situation could not accept the recommendations of the report. It was proposed that the report be considered again when the economic situation improved, but that the recommendations be deferred at this point.

It was clarified that if the recommendations in the report be not approved the Members' Allowance Scheme would stand as was currently contained within the Council's Constitution.

RESOLVED that the recommendations in the report be deferred indefinitely.

Note Councillor Parish returned to the meeting.

65 DESIGNATION OF RETURNING OFFICER (Paper D)

The Director of Neighbourhoods and Health presented the report setting out the reasons for the need to re-designate the post of Electoral Registration Officer and Returning Officer, which required a formal resolution of Council.

RESOLVED that:-

- a) in terms of the Representation of the People Act 1983 and all related legislation, and with effect from the 1 December 2011, Manjeet Gill, the Council's Chief Executive and Head of Paid Service, be appointed as Electoral Registration Officer for the Council;
- b) in terms of section 41 of the Local Government Act 1972 and all related legislation, and with effect from 1 December 2011, Manjeet Gill, the Council's Chief Executive and Head of Paid Service be appointed as Returning Officer for the Council, with authority to act in that capacity for elections to the Council and all or any parish and town councils within the Council area;
- c) the Council's Electoral Registration Officer be also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including in relation to County Council elections, elections to the European Parliament, and for national and regional polls or referendums;
- d) in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such an appointment, the Returning Officer be entitled to be remunerated in accordance with scale of fees approved from time to time by the Council or the relevant scale or fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums.
- e) in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done;
- f) in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council and/or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid; and

- g) in the event of such insurance carrying an ‘excess’ clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer up to the value of any and all such excesses.

66 AMENDMENTS TO THE CONSTITUTION (Paper E)

The Director of Neighbourhoods and Health presented the report which set out proposed amendments to the Council’s Constitution, as recommended by the Governance and Audit Committee, in light of the agreed changes to the management structure following the retirement of the Director of Neighbourhoods and Health. The next level of Senior Management structure would be addressed in due course.

These amendments were not part of the annual review of the Constitution which would be brought before Council at the Annual Meeting in May 2012. The majority of changes were to post titles and were highlighted in the appendix to the report.

RESOLVED that the amendments to the Council’s Constitution as detailed in Section 2 and Appendix 1 of the report be agreed and that these changes come into effect on 1 December 2011.

67 MID YEAR REVIEW OF TREASURY MANAGEMENT (Paper F)

The Chief Finance Officer presented the report which set out the position to the end of September 2011.

The report had been to Policy and Resources Committee as part of the Council’s standard monitoring process, but it was a requirement of the Code of Practice that a mid year review be reported to full Council.

The key issues were that no breaches of prudential indicators had occurred so far and no issues were envisaged going forward; and in the Icelandic situation – test cases had found in our favour, and there was now a need to see how those cases would be applied to the wider group.

RESOLVED that

- a) the report be noted
- b) the treasury management activity for the six months to 30 September 2011 be noted.

68 REVIEW OF POLLING DISTRICTS AND POLLING PLACES (Paper G)

The Director of Strategy and Regeneration and Monitoring Officer presented the report to consider the outcome of the recent review of polling districts and places.

There was a requirement to conduct a review every four years and Members had been involved in the consultations. The issue was a question of balancing the needs of the electorate and the authority. 23 responses had been received during the review, of which only three had minor concerns. Authority was to be delegated to the Returning Officer to make subsequent changes during the election period

Members were concerned that changes to the venues of polling stations be advertised sufficiently as confusion on election days could lead to a reduced turn out and in some wards this could have a significant impact on the outcome.

The proposed changes were set out in appendix 2 of the report.

RESOLVED that:-

- a) the Polling Districts and Polling Places identified in Appendix 2 of the report be approved; and
- b) following consultation with the Chairman and Leader of the Council, delegated powers be given to the Returning Officer, to approve changes to polling places occurring during an election period.

69 COMMUNITY GOVERNANCE REVIEW – MORTON PARISH COUNCIL (Paper H)

The Director of Strategy and Regeneration and Monitoring Officer presented the report seeking approval for the reduction of the number of Parish Councillors on Morton Parish Council from 11 members to nine members.

A request had been received from Morton Parish Council to reduce the number of seats as there had been difficulty in filling these places, despite every effort being made to recruit new members.

Members were concerned that a precedent not be set and some felt that the number should remain at 11 but that the Parish Council operate with nine. Reassurance was given that the case was exceptional and that Morton Parish Council had been proactive in attempting to fill the vacancies, but that this cost time and money. A letter had been sent to every household in the Parish.

It was confirmed that if the situation changed in time it would be possible to reverse this decision.

RESOLVED that the request from Morton Parish Council to reduce the number of councillors from 11 to nine be approved with effect from 7 May 2015.

**70 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS
PUBLISHED SINCE THE LAST COUNCIL MEETING ON 21 SEPTEMBER
2011**

RESOLVED that the minutes of Committee meetings published since the last Council meeting on 21 September 2011 be received.

The meeting concluded at 9.15 pm.

Chairman