

## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday, 5 March 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 Jackie Brockway	Councillor Sue Rawlins
Councillor Alan Caine	Councillor Tom Regis
Councillor David Cotton	Councillor Di Rodgers
Councillor Stuart Curtis	Councillor Lesley Rollings
Councillor David Dobbie	Councillor Ray Sellars
Councillor Richy Doran	Councillor Reg Shore
Councillor Paul Howitt-Cowan	Councillor Mel Starkey
Councillor Burt Keimach	Councillor Jeff Summers
Councillor Angela Lawrence	Councillor Chris Underwood-Frost
Councillor Malcolm Parish	Councillor Anne Welburn

### Apologies:

Councillor Ken Bridger  
Councillor Chris Darcel  
Councillor Ian Fleetwood  
Councillor Malcolm Leaning  
Councillor Stuart Kinch  
Councillor Lewis Strange  
Councillor Mick Tinker  
Councillor Trevor Young

### In Attendance:

Manjeet Gill	Chief Executive
Rachel North	Director of Communities and Localism and Monitoring Officer
Mark Sturgess	Director of Regeneration and Planning
Russell Stone	Financial Services Manager
Ralph Gould	Principal Accountant
Dinah Lilley	Democratic Services Team Leader

**Also in Attendance:** The Reverend Gillian Barrow  
One member of the press

### Also Present:

Peter Walton	Standards Committee
Alan Robinson	Revenues, Benefits and Customer Services Manager

## **87 CHAIRMAN'S ANNOUNCEMENT**

The Chairman noted that the meeting would commence with Prayers as it had done in the past, and that if any Members felt particularly strongly on the matter they should contact Democratic Services to have their view recorded.

## **88 PRAYERS**

The meeting commenced with prayers by the Reverend Gillian Barrow.

## **89 APOLOGIES FOR ABSENCE**

Apologies were given for Councillors Ken Bridger, Chris Darcel, Ian Fleetwood, Malcolm Leaning, Stuart Kinch, Lewis Strange, Mick Tinker and Trevor Young

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

**RESOLVED** that the minutes of the meeting of Council held on 16 January 2012 be confirmed and signed as a correct record.

## **91 MEMBERS' DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **92 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.

## **93 ANNOUNCEMENTS**

### **Chairman**

The Chairman noted that he had had the pleasure of attending the Lord Lieutenant of Lincolnshire's 2012 reception held in honour of Reservist Personnel. It had also been an honour to welcome the new Commanding Officer of HMS Brocklesby to the Guildhall, and a tour of Gainsborough and the Heritage centre. The Chairman also stated that he had spent an interesting afternoon visiting Hooton UK Ltd (Gainsborough engineering company) with the Director of Regeneration and Planning.

## 94 PUBLIC QUESTION TIME

No public questions had been received.

## 95 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9

Councillor Underwood-Frost submitted the following question to the Prosperous Communities Committee

“Following my question to council regarding pollutants last year, I have once again been asked by members of the public to raise the question Again. You may recall that in the BBC Focus article the question was "Do coal fired power stations produce radio active waste" the answer was "Yes"!

Even though my question made reference to power stations it was formally about pollutants in general.

However I read in the Gainsborough Standard on the 09.02.12 that a potentially dangerous chemical leak happened at West Burton power station on the 01.02.12!

Last year the council was given some reassurance from some people that had specific interest in power stations, plus info from the NHS. We were given figures and data that is accepted within the industry. But I was sceptical regarding this response because it was aimed at pollution from the power station only and who sets those statistics and regulates them, the power companies! Now there is a reason to ask further questions regarding the safety of the people we serve.

Following the potentially dangerous chemical spillage of Hydrazine on the 01.02.2012. The Gainsborough Standard reported that Hydrazine is highly toxic and can be dangerously unstable unless handled in solution. Plus an EDF spokesman who runs the station was reported to say "no one was harmed or injured in the leak". However one of my neighbours pointed out to me recently that his car has a chemical like problem on the paint that he can not wash off! I therefore need to ask my question about pollutants again to give the people of Gainsborough some answers.

- What measures have been put into Gainsborough/WLDC to monitor pollutants in general and following the Hydrazine spillage at West Burton Power Station,
- Has any monitoring taken place to ensure that the chemical spillage or evaporation did not get into the atmosphere and affect this area?
- Who sets the national standards of acceptability regarding levels of pollutants in the power station industry?

I would like an answer at full council regarding the above.

Cllr Chris Underwood-Frost”

Councillor Malcolm Parish, Chairman of the Prosperous Communities Committee gave the following response:-

Thank you to Councillor Chris Underwood Frost for his question to which I wish to respond to as follows;

Members may recall that Councillor Underwood-Frost posed a very similar query in a motion to Full Council on 23<sup>rd</sup> May 2011 where it was resolved that the matter would be referred to the Prosperous Communities Committee.

A Task and Finish Group was established by this committee to take this work forward and Councillor Underwood Frost was invited to sit on the Group. Chris Allen, Public Protection Services Manager and Chris Weston, Consultant and Assistant Director of Public Health at NHS Lincolnshire were commissioned to undertake research and determine whether there was any link between emissions from power stations and ill health amongst the population in West Lindsey.

Both experts, having conducted their research and analysis work, concluded that there is no causal link between cancer rates and power station emissions and that air quality within the West Lindsey area meets statutory (health based) air quality objectives. These conclusions were reported to the Task and Finish Group and then Prosperous Communities Committee who accepted the recommendations at their meeting on 28<sup>th</sup> September 2011.

Given the in-depth, thorough and far reaching nature of these enquiries, which were commissioned only six months ago and formally accepted at the time, I can see no benefit in re-visiting the evidence relating to the general impact of the potential health impact from power station emissions again.

However, Councillor Underwood-Frost has referred specifically in his question to reports in the press concerning the spillage of Hydrazine at West Burton Power Station in February of this year. Health and Safety standards and environmental emission standards are regulated by the Health and Safety Executive and the Environment Agency respectively. The Council has no statutory jurisdiction relating to this site which is outside of our district boundary.

Having said that, I would like to offer Members and residents within West Lindsey the following reassurance in response to the specific questions put by Councillor Underwood-Frost :

(Note that the following bullet point responses relate to the bullet pointed questions in Councillor Underwood-Frost’s question)

- Since the inception of the Environment Act 1995, Councils have had a duty to review and assess air quality within their area. Prescriptive

technical guidance dictates how and when we do this and assessments required by statute are submitted to DEFRA for approval. Our local air quality management report for 2010 shows that air quality objectives for all pollutants was met and this has been the case since the first Air Quality Assessment was required. All our air quality reports have met the approval of DEFRA. The Council will continue to implement their duties under this regime and the recent spillage of hydrazine at West Burton does not alter this fact.

- Any monitoring or remediation works required following the recent hydrazine spillage at West Burton will have been prescribed by the Environment Agency and/or the Health and Safety Executive who regulate site operations. Officers will gladly work with Councillor Underwood Frost to seek to secure answers to his specific queries from these agencies.
- Emissions from power stations are prescribed and regulated by Government legislation and not the industry. Environmental legislation prescribes health based emission standards that power stations must meet under their permit to operate. These standards are enforced by the industry regulator who is the Environment Agency however the investigation we undertook last year determined West Burton Power station to be operating well within its prescribed environmental emission limits.

I would like to conclude by assuring Members, the public and Councillor Underwood-Frost of our continued best endeavours to manage air quality within our district to protect public health. I am prepared to meet with Councillor Underwood-Frost to discuss a way forward”.

## **96 MEDIUM TERM FINANCIAL PLAN 2012/13 TO 2015/16 AND COUNCIL TAX REQUIREMENT 2012/13 AND SENIOR PAY POLICY (PAPER C)**

The Chief Finance Officer presented the Medium Term Financial Plan stating that the report outlined the Council’s revised financial plans having taken into account changes in government funding, the economic environment, local engagement and the priorities of the Council. The plan reflected the revisions to the previous estimates for the years 2012/13 to 2014/15 and the inclusion of estimates for 2015/16.

In presenting this report he confirmed that the budget was balanced and sustainable and based on robust assumptions; and that considering the size of the organisation and the current environment the Council does have a sufficient level of reserves. Some amended pages had been circulated, this was due to the late inclusion of a precept request – the total impact is £1,500 and only those pages affected had been re-circulated. These did not influence significantly the position presented, but did affect the Council Tax resolutions at appendix H.

The report brought forward a budget and proposals to set the District Council Tax for 2012/13 and as the billing authority for the area the report also

proposed a Council tax that included the County Council, Police Authority and Parish/Town Council requirements. The report also brought forward the proposed treasury management and investment strategy for the coming year and the updated prudential indicators which now reflected the revised capital programme and revenue budgets.

As required by the Localism Act a draft annual pay policy statement had also been included for consideration by Council.

The Leader of the Council addressed the meeting noting the current state of the country's economy and the problems that all Councils faced in terms of funding cut backs and radical reforms of public services. The previous government had failed to correct a huge deficit, and other countries in Europe were facing economic crises, so the current funding reduction measures were understandable.

In spite of all the gloom, no increase in Council Tax for West Lindsey was being proposed, in line with Lincolnshire County Council, and the government grant incentive not to do so. The Council undertook no borrowing and was in a healthy financial position but still had to bear the cuts. There was the potential to borrow in the future, to generate income, if required.

The Council maintained constant vigilance over its finances and no staff redundancies were proposed. Initiatives such as paperless working, reduced winter waste collections and changes at the Trinity Arts Centre were all helping to maintain the Council's financial position, as was the New Homes Bonus.

The Council's priorities included strategic housing and rural Broadband, and these were to benefit from investment. Changes to Community Infrastructure Levy (CIL) and also National Non-Domestic Rates (NNDR) were imminent but uncertainty remained as to their impact.

The benefits of the Local Councillor Initiative Fund and the Community Asset Fund were noted, in that they helped local communities to help themselves.

The Leader of the Council expressed his thanks to the Chief Finance Officer and his team for their assiduous work on the Council's finances, and also gave thanks to officers and Members for the maintenance of essential services to the District. The Leader therefore moved, with pride and confidence, that the recommendations in the report be approved.

The Leader of the Liberal Democrat Group then commented on the report and suggested amendments. He commended the Council on plans for spend and development at a time when there was little room for manoeuvre. The opposition group was together with the administration on proposed achievements, however more detail and substance would be welcomed.

Although welcome, the £1.1m was not much in real terms for the new homes bonus and the £1.35m for growth and investment was vague and lacked imagination. The investment in Broadband was wholly supported, with the

rider that the upgrade must include improvements to mobile phone coverage in the area which was totally inadequate, and caused problems for local businesses.

Two amendments to the budget recommendations were proposed. Firstly, that one million pounds from the Council reserves be set aside to support small businesses which were struggling to pay NNDR, this would still leave an adequate amount in the general fund balance.

Secondly, that, if the funding was available, the Councillor Initiative Fund be added to – i.e. the current £4,000 for 2011-13, plus an additional £4,000 for 2012-14, making a maximum total of £148,000, with the rider that any unspent funds be clawed back at the end of the period.

With the addition of the amendments the Leader of the Opposition moved the approval of Medium Term Financial Plan.

Both motions were then seconded.

The Leader of the Council responded, stating that the matter of mobile phone coverage was being researched. Regarding the support for businesses with NNDR and the increase to the Initiative Fund, it was not felt that such decisions should be taken ‘on the hoof’ without due consideration. A working group to consider “are we open for business?” plans to research problems faced by local companies, so will give consideration to NNDR in the course of its work. Neither proposed amendment was being rejected, however further consideration was recommended prior to any decision.

The Chairman of the Challenge and Improvement Committee also noted that a Broadband working group was being co-ordinated to consider rural access issues and would report back to Council in due course.

Members agreed that it was important not to make hasty decisions, there could be legal implications relating to rules of state aid, and it was questioned how differentiation would be made between small and large businesses.

Questions were also asked about the government’s grant funding to freeze Council Tax and how long this would continue, and what would happen to the shortfall once this ceased. The Chief Finance Officer informed Members that it would have been possible to increase Council Tax by up to 3.5% without needing a referendum. When the government grant ceased there would be a 2.5% shortfall, but at this point in time it was felt appropriate to adopt the freeze, and that West Lindsey District Council was in a strong enough financial position to cope. It was acknowledged that there could be more difficult times ahead and views were mixed on the recovery of the economy, with a potential double dip recession, the impact of which was not yet known.

It was moved that the proposed amendments be noted and passed to the Policy and Resources Committee for further investigation. The Leader of the

Opposition affirmed that if this was agreed he would withdraw his motion that the amendments be agreed at this meeting.

It was then seconded, voted upon and **AGREED** that the amendments be noted.

The recommendations as set out in the report were then voted upon with the addition of the above proposal.

**RESOLVED** that:-

- a) Council agrees to set the 2012/13 Budget for Revenue and Capital (detailed in Appendices A and D) and approve the update of the Medium Term Financial Plan;
- b) a freeze in the 'Basic Amount' of Council Tax for 2012/13 for West Lindsey DC be approved;
- c) the following Codes that were revised in 2011 – the CIPFA Prudential Code and the Code of Practice and Cross-Sectoral Guidance Notes for Treasury Management in the Public Services be adopted;
- d) the Capital Prudential Indicators and Limits for 2012/13 to 2014/15 contained within Appendix G (section 2) of the report be adopted;
- e) the Minimum Revenue Provision (MRP) Statement contained within Appendix G (section 2) which sets out the Council's policy on MRP be approved;
- f) the Treasury Management Strategy 2012/13 to 2014/15, the Investment Strategy 2012/13, detailed counterparty criteria 2012/13 and the treasury and borrowing Prudential Indicators contained within Appendix G (section 3) be adopted;
- g) the amounts determined in Appendix H section 3 of the report for 2012/13 in respect of the Council Tax requirements be approved;
- h) the 2012/13 Pay policy statement be adopted; and
- i) the proposed amendments, that £1m be used to support small businesses, and £148,000 (if available at out-turn) be added to the Councillor Initiative Fund, be noted and referred to the Policy and Resources Committee for consideration.

## **97 RENEWABLE ENERGY STATEMENT (PAPER D)**

Councillor Paul Howitt-Cowan introduced the Renewable Energy Statement which had been deferred for amendments at the Council meeting on 16 January 2012. The Statement was contained at paragraph 3.3 of the report and demonstrated the Council's commitment to the green agenda.

The Director of Regeneration and Planning confirmed that he had considered the implications of the Statement and stated that it did not amount to predetermination of any applications for renewable energy initiatives. The



Development Management Committee would support renewable energy in the right locations only if it was deemed appropriate, and applications which did not meet requirements of mitigation would not be granted.

Members then discussed the merits or otherwise of different forms of renewable energy, such as wind turbines and bio-fuel. An open day in Caistor on 17 March would reconsider the merits of an anaerobic digester.

It was proposed that the words “in principle” be incorporated into the first sentence of the statement, to read thus:-

“West Lindsey supports, in principle, the use and application of renewable energy technology within the District provided that any adverse impacts on communities are mitigated as far as practicable.

Where appropriate, and where any adverse impacts can be minimised, the Council will use its best endeavours to encourage everyone to invest in and use renewable energy technology within the district. It is intended that this will reduce the carbon emissions from the activities that take place and maximise other benefits, such as job creation, residents’ wellbeing and social equity.

The Council will consider installing renewable energy generation systems on its own assets where financially and practicably viable.

In supporting renewable energy the Council will ensure the principle of the right technology and renewable energy solution is applied in the right location”.

It was moved and seconded that the Statement be approved.

**RESOLVED** that:-

- a) the revised Renewable Energy Statement and be approved and formally adopted;
- b) the proposed future actions referred to in the report be noted and agreed that an update report will be made to the Challenge and Improvement Committee in April 2012 on the proposals; and
- c) the additional words, “in principle” be inserted into the first sentence of the statement.

**Note** Councillors Underwood-Frost, Doran, Rainsforth, Caine and Curtis (members of the Development Management Committee) abstained from voting in order for there to be no perception that they had predetermined any planning application for renewable energy.

**98 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS  
PUBLISHED SINCE THE LAST COUNCIL MEETING ON 16 JANUARY  
2012.**

**RESOLVED** that the minutes of Committee meetings published since the last Council meeting on 16 January 2012 be received.

The meeting concluded at 8.18 pm.

Chairman