



## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber at the Guildhall, Gainsborough, on Monday 28 July 2014, at 7pm.

**Present:** Councillor Malcolm Parish (In the Chair)

Councillor Gillian Bardsley	Councillor Malcolm Leaning
Councillor Owen Bierley	Councillor Pat Mewis
Councillor Mark Binns	Councillor Giles McNeill
Councillor Ken Bridger	Councillor Jessie Milne
Councillor Jackie Brockway	Councillor Roger Patterson
Councillor Alan Caine	Councillor Judy Rainsforth
The Rev. Councillor David Cotton	Councillor Tom Regis
Councillor Stuart Curtis	Councillor Di Rodgers
Councillor Chris Day	Councillor Lesley Rollings
Councillor David Dobbie	Councillor Jeff Summers
Councillor Ian Fleetwood	Councillor Mick Tinker
Councillor Paul Howitt-Cowan	Councillor Anne Welburn
Councillor Burt Keimach	Councillor Geoff Wiseman
Councillor Angela Lawrence	Councillor Trevor Young

**Apologies:** Councillor Sue Rawlins (vice chairman) (on Civic business)  
Councillor Nigel Bowler  
Councillor Chris Darcel  
Councillor Richard Doran  
Councillor Irmgard Parrott  
Councillor Reg Shore  
Councillor Lewis Strange

**In Attendance:**

Manjeet Gill	Chief Executive
Ian Knowles	Director of Resources
Alan Robinson	Head of Central Services and Monitoring Officer
Tracey Bircumshaw	Group Accountant
Dinah Lilley	Governance and Civic Officer

**Also Present:** two members of the public

## 22 PRAYERS

The meeting commenced with prayers by The Reverend Councillor David Cotton, during which he asked for thoughts to be with the family of Peter Ryan who had been a West Lindsey District Councillor and who had passed away, and also good wishes for Mr Len Parrott during his illness.

**Note** Councillor Keimach joined the meeting at this point.

**23 COUNCIL MINUTES 28 APRIL 2014 (Paper A)**

**RESOLVED** that the minutes of the meeting of Council held on 28 April 2014 be confirmed and signed as a correct record.

**24 ANNUAL COUNCIL MINUTES 19 MAY 2014 (Paper B)**

**RESOLVED** that the minutes of the meeting of Annual Council held on 19 May 2014 be confirmed and signed as a correct record.

**25 MEMBERS' DECLARATIONS OF INTEREST**

The Reverend Councillor David Cotton declared that as he knew the appointee in Paper F well he would not take part in any deliberation which may arise during consideration of that paper.

**26 MATTERS ARISING (Paper C)**

The Head of Central Services updated the meeting on the Matters Arising. It was noted that the Sheltered Housing Wardens were to be considered by the Prosperous Communities Committee in September. Councillors Brockway and Wiseman noted that positive work was ongoing in Nettleham and Middle Rasen and this was an issue to be addressed for the whole of West Lindsey.

The Head of Central Services noted that he had emailed Councillor Shore on the question of Committees having two Vice Chairmen, however Councillor Cotton requested that this response be sent to all Councillors.

The report on Councillor Caine as Health Champion was due to be considered by the Prosperous Communities Committee on 14 October 2014.

The Leader of the Council updated Members regarding the Eastern Bypass. "We are reviewing a Non Motorised Users (cyclists and pedestrians) design that would enable a route to be provided on the southern side of Hawthorne Road with connections to the existing footpath and bridleway to address the Inspector's concerns and the public concerns regarding the safety of the previously approved scheme.

This revised proposal will be consulted on with the local community following an initial meeting held with Cllr Davies to discuss the local concerns in light of the Secretary of State's decision.

This will then result in the submission of a revised planning application ahead of the re-issuing of the Traffic Regulation Orders and Compulsory Purchase Orders. It is

expected that the revised scheme will avoid the need for a Public Inquiry as it will have addressed the previous concerns.

Further work will then occur to ensure that the overall business case can be submitted to Department of Transport to secure the funding.”

**Note** Councillor Dobbie arrived at this point of the meeting.

## **27 ANNOUNCEMENTS**

### **Chairman of the Council**

The Chairman summarised some of the events that he had attended during a busy first few weeks.

It had been an honour to attend No.50 and No.61 Squadrons Association’s Annual Service at the Birchwood Memorial, Lincoln, and he had particularly enjoyed Lincoln Amateur Operatic & Dramatic Society’s Show ‘Anything Goes’ at the Lincoln Performing Arts Centre. Congratulations were to be passed to Caistor residents for the Caistor in Bloom Open Gardens Event.

Two excellent days were spent at the Lincolnshire Show, hosting a reception for Civic Heads, and the Induction and Collation of the Reverend Richard Crossland, the Chairman’s Chaplain, as Rector of Benefice of Nettleham had been enjoyable. The Youth Consultation Event, Primary School’s Gainsborough Plan - Presentation Day, at Gainsborough Academy had been encouraging to see.

The Chairman had also visited Mr Bill Baxter in Friesthorpe, at the request of the Vice Chairman, as Mr Baxter had, for the past 30 years, carried out much good work in his community, and was terminally ill. Mr Baxter sadly passed away shortly afterwards and his funeral was attended on 4 July 2014.

### **Leader of the Council**

The Leader of the Council acknowledged the contributions made by Jeannette McGarry and John Rice, the two interim Directors who had made significant strides in the time that they had been at West Lindsey, both in new ways of working and the property portfolio.

An agreement had now been signed with Quickline for Broadband provision in the area, and as the first Council in the UK to undertake such an exercise West Lindsey was leading the way.

Approval in principle had been agreed at the Policy & Resources Committee to develop land on Corringham Road which would be beneficial to Gainsborough.

Recent reports in the local press about the state of the pension fund were to be refuted by a statement from the Director of Resources.

Thanks and congratulations were to be extended to Karen Whitfield and her team for the success of the Trinity Arts Centre, with live streaming providing high quality entertainment.

Congratulations also to Councillor Milne on facilitating a £150k bid for the Gainsborough Rowing Club.

The whole of the Council meeting then applauded The Reverend Councillor David Cotton on his ordination as Deacon for the Lea group of parishes.

Councillor McNeill then gave a public apology to Councillor Rodgers for the offence that he had caused by comments during a meeting of the Planning Committee. Councillor Rodgers accepted the apology and thanked Councillor McNeill.

### **Head of Paid Service**

The Chief Executive had attended an LGA conference with the Deputy Leader and presented their work on the rural regeneration of ex MOD villages. Also at a national level, success had been achieved in the DWP bid in terms of the Council's Universal Benefits pilot.

Defra and DCLG had announced joint research into the next local government funding review and research was sought from individual Councillors and organisations such as SPARSE for examples of rural funding problems.

The next round of the LEP growth funding bid was imminent and work was being undertaken with other authorities which were members of more than LEP to see what opportunities this presented. Applications were being sought from small engineering companies.

Consultation was ongoing on the Selective Licensing Scheme, which if adopted would give a better ability to manage anti-social behaviour.

Members were reminded of the two Local Plan workshops being held in the Guildhall on 14 and 20 August, and attendance was encouraged.

Councillor Caine requested further information on LEPs and the Chief Executive resolved to circulate to all Councillors a briefing note on the different types of funds allocated, particularly in Lincolnshire and Humberside.

### **28 PUBLIC QUESTION TIME**

There were no questions from the public.

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

There were no questions pursuant to Council procedure rule 9.

### **30 UPDATE ON THE LOCAL PLAN**

The Leader of the Council informed the meeting that the members of the CLJSPC had attended a workshop briefing on 14 July to discuss the first draft of the Local Plan. Their comments and those of officers were being taken into account and a revised draft would be issued. This would again be taken to CLJSPC on August 4 to check that the overall approach was what was expected by Members. They would formally propose the First Draft for Consultation on 1 September. This would then become public. It would contain planning policies that were relevant to the whole Central Lincolnshire area. A number of questions would be posed which would form the basis of the formal consultation.

In the meantime – in order to hit the mid Aug committee deadlines, and recognising the need for WL members to be involved, officers would be running two workshops – 14 and 20 August. We will receive the document, which will be confidential at this stage, on the 12 August. We recognise that this is very close to the workshop and if we are able to release it earlier we will. Any comments from these workshops will be fed back as soon as possible after the event.

We will also be taking the Local Plan to the 2 September Prosperous Community Committee so that it has been through our processes. The workshops should have picked up any comments and these (if relevant) will have been incorporated into the document.

The first formal consultation period will start in October which gives us another opportunity to feedback comments through the formal process. The questions that will be posed at this time will help to frame our response.

An information sheet is currently being prepared to provide further information.

### **31 ANNUAL TREASURY MANAGEMENT REPORT (PAPER D)**

The Group Accountant presented the report to the Committee. The Treasury Management Annual Report reflected the Council's performance against both Treasury and Prudential Indicators. All reporting requirements had been complied with and no indicators had been breached.

£2.251m had been spent on capital investment and the issuing of capital grants which was fully financed without the need for borrowing. The Council continued to be debt free, however there were leasing commitments outstanding of £683k on operational vehicles. The Capital Financing Requirement which represented the underlying borrowing need had reduced by £97k reflecting the reduction in outstanding lease commitments.

With regard to investments, £15.292m was held as at 31 March 2014, which achieved a rate of return of 0.77% excluding Icelandic Investments and 1.45% including them. The benchmark was the 7 day London Inter Bank Bid rate of 0.35%.

The Treasury Management Strategy ensured security of investment as the primary consideration, investing mainly in Money Market Funds providing cash liquidity and fixed term deposits of less than 1 year. The investment level was comparable to the core cash resources of £17.308m, with the difference being made up of cash and bank balances and internal investments. General Fund reserves remained robust at around £14.453m.

Investments in Icelandic Banks were no longer held, having received a final dividend from Heritable, and having sold the investment in Landsbanki. Of the £7m original investment £6.661m (95.16%) had been recovered.

Clarification was given on the remaining Glitnir funds which were held in Escrow and awaiting repatriation, and explanations ensued as to the technical accounting that had been undertaken regarding anticipated interest levels and how much had been achieved. The Group Accountant would send further details to those Councillors who wished for further information.

Members referred to recent publicity in the local press which implied that the Council was in a weak financial position, and congratulated officers in keeping the Council debt free and in good stead, and stressed that the record should be put straight.

**RESOLVED** that the Annual Treasury Management Report for 2013/14 be noted and the actual 2013/14 Prudential and Treasury Indicators contained therein be approved.

## **32 ANNUAL REVIEW OF THE CONSTITUTION (PAPER E)**

The report was introduced by the Head of Central Services and Monitoring Officer. The Council was required by law to prepare and keep up to date a Constitution which explained how the Council operated, how decisions were made and the procedures which were to be followed to ensure that these were efficient, transparent and accountable to local people.

As a comprehensive review of the Constitution was undertaken in 2011 and in light of a number of mid-year changes having being made, a number of amendments were being proposed as detailed at Section 2 of the report.

Following recent appointments to the posts of Director of Resources and Commercial Director, further amendments would be required to reflect future changes to the Head of Service structure. Approval was sought for these amendments to be delegated to the Head of Central Services, in consultation with the Chairman of the Governance and Audit Committee and Deputy Leader of the Council.

A table in the report set out the proposed amendments for consideration along with the rationale for each. The report was considered by the Governance and Audit Committee at its meeting on 26 June 2014 in accordance with the agreed process.

Members sought assurance that, should the need arise, particularly in light of the new social media legislation, the Constitution could be changed in-year. This was affirmed. Members were also pleased to see the improvements to the decision making process of the Chief Officer Employment Committee.

Clarification was sought on the changes to the Land Transactions and it was described as an anomaly that it was not possible to take a quick decision on a purchase of land at less than market value. Decisions would still be undertaken with due consultation but at appropriate levels.

The Chairman of the Governance and Audit Committee informed Councillors that if they had any concerns with the Constitution, or items that they felt that the Committee should consider they should raise these with him.

It was requested that a list of all assets owned by the Council be provided to Councillors.

**RESOLVED** that:-

- a) the outcome of the annual review be noted;
- b) the amendments (1-15) as set out in the report and appendices be approved for immediate implementation; and
- c) in light of recent Director appointments and the on-going structure review at a Head of Service Level, the Monitoring Officer, in consultation with the Chairman of the Governance and Audit Committee and the Deputy Leader of the Council, be granted delegated authority to make any required housekeeping amendments to relevant sections of the Constitution.

### **33 APPOINTMENT OF INDEPENDENT GOVERNANCE AND AUDIT MEMBER (PAPER F)**

The Head of Central Services and Monitoring Officer introduced the report. Following approval at the Annual Meeting of the Council in May 2010 it was agreed to appoint an Independent Member from outside of the Authority to serve on the Audit Committee. An appointment was made in 2010 and subsequently extended until 2012. It was necessary therefore to re-advertise the post to appoint an independent member on the Governance and Audit Committee from 2012 onwards.

During the interview process both candidates proved eminently suitable, so it was agreed that they both be appointed, as the Council's Constitution states "the committee will include **at least one** independent member". These appointments were approved by Annual Council in May 2012 for the period up to Annual Council in May 2015, however following the resignation of Mr Wallace in February 2014, the Governance and Audit Committee's views were sought as to whether the vacancy should be filled, with the general consensus being that the Council should re-recruit.

The Council website was used to advertise the post and three people expressed an interest. One application was submitted. Shortlisting took place and the candidate was deemed to meet the person specification and thus was invited for interview on 16 June 2014. At interview, the candidate proved eminently suitable.

It was proposed that the appointment in this instance be until Annual Council May 2015 to bring it in line with other appointments.

**RESOLVED** that Peter Walton be appointed to serve as an Independent Member on the Governance and Audit Committee, with immediate effect, until the Annual Meeting of Council in 2015.

Councillor Milne declared at this point that she had worked closely with Mr Walton in the past.

**Note:** Councillors Cotton, Dobbie and Binns abstained from voting.

**34 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS PUBLISHED SINCE THE LAST COUNCIL MEETING ON 28 APRIL 2014.**

**RESOLVED** that the minutes of Committee meetings published since the last Council meeting on 28 April 2014 be received.

The meeting concluded at 8.02pm.

Chairman