

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Via MS Teams at <https://west-lindsey-public-i.tv/core/portal/home>, on 12 April 2021 at 7.00 pm.

Present: Councillor Steve England (Chairman)
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Owen Bierley	Councillor Matthew Boles
Councillor Mrs Jackie Brockway	Councillor Stephen Bunney
Councillor Liz Clews	Councillor David Cotton
Councillor Mrs Tracey Coulson	Councillor Christopher Darcel
Councillor Timothy Davies	Councillor Michael Devine
Councillor David Dobbie	Councillor Jane Ellis
Councillor Ian Fleetwood	Councillor Mrs Caralyne Grimble
Councillor Cherie Hill	Councillor Paul Howitt-Cowan
Councillor Mrs Cordelia McCartney	Councillor Giles McNeill
Councillor John McNeill	Councillor Mrs Jessie Milne
Councillor Keith Panter	Councillor Roger Patterson
Councillor Mrs Judy Rainsforth	Councillor Tom Regis
Councillor Mrs Diana Rodgers	Councillor Jim Snee
Councillor Mrs Mandy Snee	Councillor Jeff Summers
Councillor Robert Waller	Councillor Mrs Anne Welburn
Councillor Mrs Angela White	

In Attendance:

Ian Knowles	Chief Executive
James O'Shaughnessy	Head of Policy Strategy and Sustainable Environment / Deputy Monitoring Officer
Katie Storr	Democratic Services & Elections Team Manager (Interim)
Ele Snow	Democratic and Civic Officer

Apologies Councillor Mrs Lesley Rollings

66 REGISTER OF ATTENDANCE

Prior to requesting the Deputy Monitoring Officer to undertake the formal roll-call to confirm all Members were in attendance, having offered Prayers for HRH The Duke of Edinburgh, prior to the start of the meeting, the Chairman opened the meeting sombrely. He asked that Members join him in a minute's silence, as mark of respect to Britain's longest serving Consort and beloved husband of Her Majesty The Queen.

Both the Chairman and Leader of the Council paid tribute to the Duke and spoke of his service and dedication to both Queen and Country.

The roll-call for both Members and Officers was undertaken, during which apologies were noted from Councillors Lesley Rollings. Councillor Tracey Coulson had indicated she may need to leave the meeting prior to it's conclusion.

67 MINUTES OF THE PREVIOUS MEETING

- a) Minutes of the Meeting of Full Council held on 1 March 2021

Having being moved and seconded, and with no questions raised, it was: -

RESOLVED that the Minutes of the Meeting of Full Council held on 1 March 2021 be confirmed and signed as a correct record.

68 MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made at this point of the meeting.

69 MATTERS ARISING

The Chairman introduced the report advising Members that the report would be taken "as read" unless Members had any questions.

Members commented on the notably brief response received from the United Lincolnshire Hospital Trust, appended to the report.

With no further comments or questions and with no requirement for a vote, the Matters Arising were **DULY NOTED**.

70 ANNOUNCEMENTS

Chairman

The Chairman started his announcements advising that Civic commitments for obvious reasons continued to be limited. He was hopeful for more positive times ahead due to the successful vaccine rollout. However the Chairman had had the pleasure of supporting the Armed Forces Charity, who would usually hold a local event at Hemswell Court. This year the event had taken place virtually, and had been a national event.

The Chairman had also joined the Leader of the Council in a visit to the vaccination centre at the Lincolnshire Showground. Both had been tested on entry, providing negative results, before both then having the opportunity to see behind the scenes and thank all involved for their amazing efforts to deliver a successful roll-out.

Leader

The Leader made the following address to Council: -

“To begin with the coronavirus pandemic, or more specifically the recovery from it, it is hugely reassuring to note that progress is still in full alignment with the roadmap originally set out by Government. The vaccination programme continues to be delivered at pace and scale with increasing focus on second doses for older age groups and with younger economically active ages being invited for their first appointments. Thinking around self-testing using lateral flow devices has evolved to make the kits much more widely available with people encouraged to collect a supply and to adopt their own testing routine. The devices are simple to use and hugely valuable for the reassurance they provide as well as for the data.

May I take this opportunity to thank the team for the remarkable work they have done so far in preparation for the delivery of a Covid-safe Elections day on Thursday, 6th May? Whilst more electors than usual may opt for a postal or proxy vote others will undoubtedly prefer to follow the traditional route of visiting a polling station, many of them in buildings that have been either fully or partially closed since the announcement of the initial lockdown last year. Members will be aware that the regulations allowing Council meetings to be held remotely are due to expire on 6th May. There is a legal challenge, to be heard in the High Court, seeking an extension beyond that date and having implications for all tiers of local government.

I'm delighted that, in March, Lea Fields Crematorium received a prestigious and highly regarded Civic Trust Award for 'demonstrating excellence in architecture and design, whilst being sustainable, accessible and providing a positive civic contribution'. This adds to the award last year of 'Best Service Team of the Year: Cemetery and Crematorium Services' by APSE, the Association of Public Service Excellence. It again reflects great credit on all those involved in the delivery, opening and running of the facility, which is genuinely an initiative that the District Council collectively can take enormous pride in.

On 3rd March the Chancellor announced two new grant schemes, the UK Community Renewal Fund (CRF) and the Levelling Up Fund (LUF) to which Councils are invited to apply before the first round deadline of 18th June. The CRF is a forerunner to the UK Shared Prosperity Fund (due to be introduced in 2023) however both funds are intended to assist those areas at risk of being left behind. Importantly they create a direct relationship between government and those local areas with a desire to move at pace to effect change. West Lindsey is listed as a Priority 2 area and accordingly work is already underway both within the district and with our partners in Lincolnshire to produce a compelling, well-evidenced and strong application.

Finally Chairman, Members will be aware that our own new grant schemes to support businesses and help to promote sustainable economic recovery are being finalised for their launch. Whilst I recognise that much remains to be done and will be done on behalf of those we represent, my heartfelt thanks go to each

and every one of you, to our colleagues in local government and to all of our partners in the community for what has been achieved and delivered so far.”

Chief Executive

The Chief Executive addressed Council and commenced with a Covid Update as follows: -

Covid infections as at the 4th April, 54 cases across the District. The Infection rate for the District was 48.1 per 100,000, England’s comparable rate was 40.9 per 100,000, and the rate for Lincolnshire as a whole was 48.2 per 100,000. The Over 60’s infection rate had fallen from 111.8 per 100,000 to 9.9 per 100,000 with the England average of 10.8per 100,000. A testing centre had been opened within Gainsborough and plans were well underway for a second centre in Market Rasen.

The Chief Executive was pleased to confirm to Members two appointments he had recently made; the appointment of James O’Shaughnessy to the post of Head of Policy, Strategy and Sustainable Environment and the appointment of Emma Redwood to the role of Assistant Director of People and Governance.

Personal condolences were offered to Her Majesty the Queen and the Royal family. Thanks were paid to the civic team and colleagues for responding swiftly on Friday and ensuring that West Lindsey District Council responded well and met all our responsibilities.

The Chief Executive concluded his announcements, with the pleasure of announcing the Crematorium which opened in February 2020, had won a fourth award. He placed on record his thanks to the team for the work they were doing, with special thanks to Celia Chapman and Trudi Hayes who had become qualified to operate the cremator over the last twelve months.

71 PUBLIC QUESTION TIME

The Chairman advised the meeting that no public questions had been received.

72 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that no questions, Under Council Procedure Rule No.9, had been received for consideration.

73 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

The Chairman advised the meeting that one motion pursuant to Council Procedure Rule No.10 had been submitted to the meeting, this was as set out in the agenda.

Councillor Anne Welburn, Ward Member for Cherry Willingham, was invited to put her motion to the meeting, as follows: -

Support for Farmers

“Chairman, Councils in England dealt with 976,000 fly-tipping incidents in 2019-20, according to figures released by Defra. These figures account for waste illegally dumped on public land, reported to the local authorities and represent a 2% increase from the 957,000 reported incidents in 2018-19.

Just under two thirds (65%) of these fly-tips involved household waste. The most common place for fly-tipping was on pavements and roads, which accounted for 43% of total incidents in 2019-20. Fly-tipping incidents in England have risen by nearly 40% in the past five years, according to official council figures. Significantly, these figures do not include incidents of dumping on private land and there is therefore widespread under-reporting.

Farmers and landowners are plagued by fly-tipping and there is widespread anger and frustration that existing laws do not go far enough in supporting victims.

Responsibility for dealing with fly-tipping on private land rests with the private landowner and is not subject to mandatory data reporting, so is not included in the Defra report and cases of fly-tipping on privately owned land are significantly more than on public land.

When litter and fly tipping occur on private land such as farmers' fields, it is down to the owner to have it removed – and to foot the bill for doing so. The costs involved are huge. The effects are not all financial either. Fly tipping takes time to clear responsibly, can block access and can cause safety issues not only for farmers and their employees, but also for livestock and wildlife.

Part of the problem is that it's currently too simple to gain a waste-carriers licence, these are issued by the Environment Agency to businesses who wish to transport waste. Residents may check online whether a business has one of these licences, however there is no guarantee that their waste will be disposed of responsibly. This system needs urgent reform in order that residents can be reassured their waste is being disposed of in the correct way. A revamped system would act as a deterrent; in addition, there should be new legislation which would allow farmers to recover the cost of fly tipping on private land when it is obviously household waste.

I ask that Councillors support a motion to write to the Government and ask for new legislation around waste carriers licences and farmers rights to help with removal of household waste. We should also commission our Member representative on Lincolnshire Waste Partnership to encourage partners in that forum to similarly raise concerns with the Government.

I so move.
Councillor Anne Welburn”

The Leader of the Council made an initial response to the motion: -

“Thank you Chairman and thank you Cllr Mrs Welburn for bringing this important issue forward, I would like to second your motion and trust others will support it too.

You are absolutely right to set out the scale of the problem and to highlight the inequity whereby responsibility for (and the cost of) clearing fly-tips from private land falls on the landowner. The most recent estimate I’ve seen suggests this equates to an average cost to farmers of £900.00 a year.

Much work is underway to achieve a sustained reduction in instances of fly tipping, based on the recognition that partnership working is crucial to success. For example 2019’s Fly-Tipping Roundtable brought together representatives from local authorities, the Environment Agency, Lincolnshire Police, the Internal Drainage Boards, the Country Land and Business Association and the National Farmers Union to share insight and best practice and to discuss the most effective use of powers. Subsequently the SCRAP campaign, of which West Lindsey is a leading and proactive member, was introduced throughout Lincolnshire.

More clearly needs to be done, so I welcome your proposals as being most helpful and timely and will be pleased to action them as requested, should the Chamber support that.

Thank you Chairman.”

Debate ensued and Ward Member for Nettleham, Councillor G McNeill made reference to recent complaints regarding the state of the roadsides on the approach into Lincoln City. This matter had been discussed with the relevant Director and the Ward Member indicated he shared the concerns of the resident. The location given the numerous local drive through lent itself for fly tipping. He considered the Authority previously had undertaken a good job in maintaining such areas. However given a recent change in legislation, which now required roads with a speed limit in excess of 50mph must be closed for such work to be undertaken, made it very difficult to undertake such work; work which residents would consider a very much ordinary and expected activity for the Council to undertake. It was suggested the Council in considering the motion from Councillor Welburn, should also maybe consider lobbying on this connected matter; questioning whether the Government had made the correct decision with this regard. This change in legislation seriously affected how the Council considered its approach to the environment and the countryside and its ability to deal with issues raised by residents in the area.

Many Members spoke in support of the motion, it was suggested that the Authority as the disposal authority, should be permitted to assist those farmers where fly tipping had clearly occurred on their land. Private landowners not only were left to deal with household waste but often waste which could also cause a contamination hazard. As the disposal Authority, the Council had much easier access to resources required to appropriately and safely dispose of such waste.

Some Members suggested the revised rules and regulations at local recycling sites were to some degree responsible for increased fly tipping, citing recent experiences. Members also

questioned the recent change in practice and operation of the site and considered this had been at the detriment of the service, which had previously worked well. Members concurred that licences were granted too readily and with few checks.

Councillor Brockway as a serving Member of the County Council spoke to clarify why it had been necessary to amend practices at recycling sites and confirmed that these were temporary measures only.

With further Members speaking in support of the motion and of the other matters raised throughout the course of the debate, on being put to the vote, it was **RESOLVED** that the motion as submitted, be **ACCEPTED**.

As such Full Council requests the Leader writes to the Government requesting new legislation around waste carriers licences and farmers rights to help with removal of household waste. Furthermore, West Lindsey District Council's Member representative on Lincolnshire Waste Partnership is requested to encourage partners in that forum to similarly raise concerns with the Government.

74 REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS ON COMMITTEES AND SUB-COMMITTEES

The Chairman presented the report, which set out details of the political groups on the Council, the number of Members to be appointed to serve on each Committee, and the allocation of seats on each of the Committees based on political groupings.

The requirement to review the allocations was as a result of Councillor Paul Howitt-Cowen giving due notice under regulation 10 of the Local Government (Committees & Political Groups) Regulations 1990 that he no longer wished to be treated as a member of the Conservative Group nor the Administration. Councillor Jeff Summers had also given due notice under Regulation 9b that he wished to be treated as Member of both the Conservative Group and the Administration.

This was a matter, which had been determined by the Head of Paid Service under his delegated authority, and as such, there was no requirement for a vote.

With no questions posed, the following was **DULY NOTED**: -

- (a) the details of the political groups, as set out in Appendix A of the report,
- (b) the number of Members to be appointed to serve on each committee and sub-committee; and
- (c) the allocation to different political groups of seats on committees/sub-committees, as set out in Appendix B of the report.

75 APPOINTMENT OF COMMITTEES

The Chairman of the Council presented the report which set out the wishes expressed by

the political groups in respect of the appointment of Members to serve on each of the Council's formal Committees for the remainder of the 20/21 Civic Year.

Requests had been received that the Overview and Scrutiny be not politically balanced.

Members were asked to suspend the rules relating to proportionality in respect of the Overview and Scrutiny Committee and appoint the Members named in the report to the respective Committees.

Whilst the Council had had the need to re-appoint the Committees in accordance with its duty to make appointments to Committees in accordance with the wishes expressed by political groups, all Group Leaders had indicated they have no wish to amend the Chairmen and Vice-Chairmanship appointments previously made.

In light of this position, Members were merely asked to re-affirm the appointments previously made to these positions.

With no questions posed, following a unanimous vote in favour it was

RESOLVED that: -

- (a) the rules relating to proportionality be suspended in relation to the Overview and Scrutiny; and
- (b) in accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, the following members be appointed to serve on the Council's committees for the remainder of the civic year as follows:

Chief Officer Employment Committee (10 Members)

Councillor Owen Bierley (Vice-Chairman)

Councillor Jackie Brockway – Chairman

Councillor Mick Devine

Councillor Cherie Hill

Councillor Angela Lawrence

Councillor Diana Rodgers

Councillor Lesley Rollings

Councillor Anne Welburn

Councillor Angela White

Councillor Trevor Young

Corporate Policy and Resources Committee (14 Members)

Councillor Owen Bierley

Councillor Matthew Boles

Councillor Stephen Bunney

Councillor David Cotton

Councillor Mick Devine

Councillor Ian Fleetwood
Councillor Paul Howitt-Cowan
Councillor Giles McNeill
Councillor John McNeill
Councillor Mandy Snee
Councillor Jeff Summers – Vice-Chairman
Councillor Robert Waller
Councillor Anne Welburn –Chairman
Councillor Trevor Young

Governance and Audit Committee (7 Members)

Councillor Jackie Brockway – Vice Chairman
Councillor Stephen Bunney
Councillor Tracey Coulson
Councillor David Dobbie
Councillor Caralyne Grimble
Councillor John McNeill – Chairman
Councillor Angela White

Licensing Committee (11 Members)

Councillor David Cotton
Councillor Liz Clews
Councillor Tim Davies
Councillor Caralyne Grimble
Councillor Paul Howitt-Cowan
Councillor Angela Lawrence – Vice Chairman
Councillor Cordelia McCartney
Councillor Jessie Milne – Chairman
Councillor Judy Rainsforth
Councillor Jim Snee
Councillor Jeff Summers

Regulatory Committee (11 Members)

Councillor David Cotton
Councillor Liz Clews
Councillor Tim Davies
Councillor Caralyne Grimble
Councillor Paul Howitt-Cowan
Councillor Angela Lawrence – Vice Chairman
Councillor Cordelia McCartney
Councillor Jessie Milne – Chairman
Councillor Judy Rainsforth
Councillor Jim Snee
Councillor Jeff Summers

Planning Committee (14 Members)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Mick Devine
Councillor Jane Ellis
Councillor Ian Fleetwood – Chairman
Councillor Cherie Hill
Councillor Cordelia McCartney
Councillor Jessie Milne
Councillor Keith Panter
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Robert Waller – Vice Chairman
Councillor Angela White

Prosperous Communities Committee (14 Members)

Councillor Owen Bierley – Chairman
Councillor Stephen Bunney
Councillor Tracey Coulson – Vice-Chairman
Councillor Chris Darcel
Councillor Mick Devine
Councillor Steve England
Councillor John McNeill – Vice Chairman
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor Tom Regis
Councillor Jim Snee
Councillor Mandy Snee
Councillor Anne Welburn
Councillor Trevor Young

Overview and Scrutiny Committee (12 members – not politically balanced)

Councillor Liz Clews
Councillor Tim Davies
Councillor David Dobbie
Councillor Jane Ellis
Councillor Caralyne Grimble
Councillor Cherie Hill
Councillor Angela Lawrence
Councillor Keith Panter
Councillor Roger Patterson

Councillor Diana Rodgers – Vice Chairman
Councillor Lesley Rollings – Chairman
Councillor Angela White – Vice Chairman

- (c) the current committee Chairmen, and Vice-Chairmen (shown in bold above) be re-affirmed.

Note: Councillor Coulson left the meeting following consideration of the above item.

76 APPOINTMENTS TO NEW OUTSIDE BODIES - GAINSBOROUGH TRANSPORT STRATEGY DELIVERY BOARD (GTSDDB) AND THE LINCOLN TRANSPORT STRATEGY DELIVERY BOARD (LTSDB)

As advised within the accompanying report, now active within West Lindsey are the Gainsborough Transport Strategy Delivery Board (GTSDDB) and the Lincoln Transport Strategy Delivery Board (LTSDB).

Both meetings of, and attendance at these Boards, had to date, been on an ad hoc basis.

In order that the Council could maintain effective partnerships within these Boards and in recognition that WLDC holds the role of a key stakeholder it was recommended to Members that Membership of these Boards be formalised beyond the current ad hoc arrangements.

Members were therefore asked to formally recognise the Gainsborough Transport Strategy Delivery Board (GTSDDB) and the Lincoln Transport Strategy Delivery Board (LTSDB) as formal outside bodies and to formally appoint Members to serve on each of the Boards as set out within the report.

Members were made aware of a recent appointment made to the North Notts Community Rail Partnership, which was a welcomed development.

A Councillor who had attended some of the meetings questioned the description of the Gainsborough group. The report suggested that the Group looked at an area wider than Gainsborough, however this had not been the case. As such he was disappointed that Gainsborough Members were not being proposed for appointment.

The Chief Executive confirmed the description of the Group had been provided by the organiser of the meetings at the County Council, however further investigations could be undertaken.

The Chief Executive at the request of a Member clarified, that he would seek confirmation that the Group were operating within their description and make amendments if deemed necessary either to the description of the Group or the Membership, should that seem appropriate.

It was suggested that the appointments be revisited at Annual Council, in response to numerous comments and points raised. The Democratic Team Manager confirmed that whilst the Group had been in operation for a number of years, the Council had never

formally appointed representatives. Representation appeared to have changed and had fluctuated. This paper merely served to formalise membership and recognise the appointments as outside bodies. It was not being suggested that those Members listed in the report had been the Members previously attending such meetings. The report had been shared with the two leading groups Group Leaders' and the nominations had arisen as a result. Whilst all outside body membership could be reviewed at any time should Members deem it necessary the report did recommend these appointments be made until 2023 to bring them in line with the vast majority of the Council's other outside body appointments.

Councillor Boles confirmed this to be his understanding and confirmed he had been in attendance as a County Councillor. Re-affirming his position that the Group very much had a Gainsborough focus and that the description was inaccurate.

On being put to the vote it was **RESOLVED** that : -

- (a) Council formalises appointments to the Gainsborough Transport Strategy Delivery Board (GTSDDB) and the Lincoln Transport Strategy Delivery Board (LTSDDB) and as such these Boards be recognised as Outside Bodies; and
- (b) That the following Councillors be appointed to the following Boards until Annual Council in May 2023.

Gainsborough Transport Strategy Delivery Board –GTSDDB

Councillor Tracey Coulson
Councillor Trevor Young
Councillor Jim Snee (Reserve)

Lincoln Transport Strategy Delivery Board - LTSDDB

Councillor Steve England
Councillor Giles McNeill
Councillor Angela White (Reserve)

Note: The Deputy Monitoring Officer left the meeting prior to consideration of the next item of business due to a conflict of interest.

77 APPOINTMENT OF MONITORING OFFICER

Members gave consideration to a report which sought the re-designation of the statutory position of Monitoring Office under the provisions of the Local Government Act Housing Act 1989.

Members commented positively on the capability of the Officer proposed for appointment and offered him congratulations in his absence.

On being put to the vote it was **RESOLVED** that: -

- (a) In accordance with the terms of Part I, 5 of the Local Government and Housing Act 1989 (as amended) and all subsequent related legislation, Mr James O'Shaughnessy be appointed as the Council's Monitoring Officer, with immediate effect; and
- (b) the Constitution be amended, as necessary, to reflect this revised appointment.

The meeting concluded at 8.09 pm.

Chairman