

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the West Lindsey Leisure Centre, The Avenue, Gainsborough on 1 November 2021 at 7.00 pm.

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

Councillor Owen Bierley	Councillor Matthew Boles
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 John McNeill	Councillor Mrs Jessie Milne
Councillor Peter Morris	Councillor Keith Panter
Councillor Roger Patterson	Councillor Mrs Judy Rainsforth
Councillor Mrs Diana Rodgers	Councillor Mrs Lesley Rollings
Councillor Jim Snee	Councillor Mrs Mandy Snee
Councillor Jeff Summers	Councillor Robert Waller
Councillor Mrs Anne Welburn	Councillor Mrs Angela White
Councillor Trevor Young	1 x Vacancy

In Attendance:

Ian Knowles	Chief Executive
Emma Redwood	Assistant Director People and Democratic Services
Katie Storr	Democratic Services & Elections Team Manager (Interim)
Ele Snow	Democratic and Civic Officer
Trudi Hayes	Democratic & Civic Officer

Also in Attendance: Chairman's Chaplain.

Apologies Councillor Mrs Jackie Brockway
Councillor Tom Regis

40 CHAIRMAN'S WELCOME

The Chairman welcomed all Members and Officers to the Leisure Centre, as the Authority continued to hold its Full Council meetings away from the Guildhall due to ongoing capacity restraints. The Chairman reminded Members of the fire procedures and Covid measures in place before formally opening the meeting.

Referencing the tragic and senseless murder of Sir David Amess, MP, the Chairman expressed condolences on behalf of the Authority and encouraged all Members to remain vigilant.

41 MINUTES OF THE PREVIOUS MEETING

(a) Minutes of the Meeting of Full Council held on 6 September 2021

Having being moved and seconded, an update was sought, reference page 38 of the minutes (page 12 of the reports pack) and whether the Chief Executive had undertaken any further work in respect of this matter. In response, Council were advised the matter would be considered as part of the wider Annual Constitution Review as referenced at the previous meeting.

RESOLVED that the Minutes of the Meeting of Full Council held on 6 September 2021 be confirmed and signed as a correct record.

42 MEMBERS' DECLARATIONS OF INTEREST

No declarations were made.

43 MATTERS ARISING

Officers introduced the report advising Members that the report would be taken "as read" unless Members had any questions that they wished to raise.

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

44 ANNOUNCEMENTS

Chairman

The Chairman addressed Council and advised that October had seen him undertake few Civic engagements, it had, however, been an honour to attend a celebration of the life of the late John Matthews the former Mayor of Market Rasen and a dear friend to many.

The previous week, along with other Civic Leaders from across the County and beyond, the Chairman had attended a dinner hosted by the Station Commander at RAF Scampton.

The Chairman looked forward to increased engagements over the coming month.

Concluding his announcements, the Chairman advised Council that it was regret that he would be losing his Civic Officer, Trudi Hayes. On behalf of both he and his wife Kathryn, the Chairman thanked Trudi for her support and guidance over the past 3 years, which

would be greatly missed, wishing her well in her new role, elsewhere within the Authority.

Leader

The Leader made the following address to Council: -

“Naturally I’m absolutely delighted that our application to the first round of the Government’s Levelling-Up Fund was successful, with the full amount sought being awarded to us. I am aware of how competitive the process was and how many local authorities submitted proposals and I would like to thank all the Officers involved for putting together such a robust, strong bid. This amount of money will enable us to bring forward transformational change that is sustainable and long-term and that will be of significant benefit to our entire community. West Lindsey made a compelling case for funding on the basis of not only demonstrable need but also deliverability.

The first formal public consultation on the draft Central Lincolnshire Local Plan generated almost 400 responses with a total of 1421 comments made, with at least one on each of the policies. Huge thanks are due to all who took part. Joint Planning Unit Officers are now preparing a draft submission document informed by the representations received. It will be subject to a further public consultation period, which it is hoped will begin in March. Following that the document will be finalised for submission to the Planning Inspectorate. All of the comments received are available to view at: <https://central-lincs/inconsultuk/CLLP.Draft.Local.Plan/listRepsponses>

In the last financial year no fewer than ninety-one community-led projects were supported through the District Council’s grant schemes to the amount of £92,170.82. For every £1.00 invested from these funds £6.98 was matched or levered in to the benefit of West Lindsey organisations, equating to an overall sum of £643,931.05. A recent audit of the service resulted in a ‘high assurance’ opinion, the highest possible. Complementing this, weekly draws in the West Lindsey Lottery are now well established, supporting voluntary organisations through the acquisition of additional, reliable income. Registered Good Causes are on track to raise £24,679.20 this year!

Finally Chairman, in regard to the coronavirus pandemic, we now face a period of considerable challenge and uncertainty as winter approaches. Infection rates in West Lindsey increased significantly recently and currently exceed the national average, but there are encouraging signs of a reduction. Continued adherence to all official guidance and regular self-testing remain vital tools to help keep one another and our communities safe. Doing the right thing is still the best way to protect our National Health Service. The key messages remain Hands Face, Space and for those eligible, please accept both your booster and ‘flu vaccinations when offered them.”

Members raised concerns at the sound quality within the room, expressing concern that information could not be heard. The Chief Executive urged those speaking to position themselves accordingly, demonstrating how the sound could be distorted.

The Leader, given the sound concerns raised, re-stated his announcements, as set out above, for completeness.

Chief Executive

Following on from the Leader, the Chief Executive echoed his comments with regard to Levelling-Up Fund success, thanking everyone involved in producing the successful submission. Special thanks were expressed to Sally Grindrod-Smith, Assistant Director for Planning and Regeneration, for leading the bid on behalf of the Authority.

The Chief Executive advised of his attendance at the SOLACE conference in October and of an invitation he had received and accepted, to speak at an Excellence in Local Government event in September. Both opportunities had enabled the Chief Executive to establish a number of links, which would filter into the work of the Officer cohort over the next few months and would help inform delivery of the Executive Business Plan.

On the 1 October the Chief Executive had attended the Lincolnshire Day event organised by the County Council and the two unitary Councils to the North. It was understood this would become an annual event.

Finally, those Members who have hosted the most recent ward visits were thanked. With only five ward tours outstanding, the Chief Executive expressed his appreciation for the time Members had given to supporting his objective of having been able to visit every ward in West Lindsey.

45 PUBLIC QUESTION TIME

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

46 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that one question pursuant to Council Procedure Rule No.9 had been submitted to the meeting. This had been circulated to all Members, separately to the agenda.

The Chairman invited, Councillor John McNeill, Ward Member for Market Rasen, to put his question to the Leader, as follows: -

"One of the many achievements of the current administration at West Lindsey was to build a dry-sided leisure facility at Market Rasen, a decision I fully supported and an outcome I am very proud of. This fulfilled a manifesto commitment made by West Lindsey Conservatives to complete the leisure centre last year.

"However, West Lindsey Conservatives also made a manifesto commitment to support bringing forward plans to deliver a swimming pool at the Market Rasen

site, where this was able to be done on a sustainable and economic basis. This is something I continue to fully support.

"I am given to understand that the Assistant Director, Finance Business Support & Property Services has recently completed work on the viability of building and operating a swimming pool at the leisure centre in Market Rasen.

"Is the Leader aware of the detail of this work and can he share this with the Council?"

"If bringing a swimming pool to Market Rasen Leisure Centre has been determined as unviable, is this on an operational basis – i.e. there is insufficient evidence to suggest that enough users will make use of a swimming pool – or, on the longer term capital financing requirements of such a project – i.e. how we afford the £4-6m required?"

"If the viability of a swimming pool at Market Rasen rests upon the capital financing requirements, would the Leader agree that action to consider innovative ways of funding a swimming pool is needed? Would the Leader agree that, for example, one of the properties in our commercial investment property portfolio could be sold and the internal borrowing applied to the construction of a swimming pool at Market Rasen?"

Thank you
Councillor John McNeill"

The Leader of the Council, Owen Bierley, responded as follows: -

"Thank you for your question Councillor McNeill

Officers have undertaken some work on the feasibility of a swimming pool at Market Rasen. A high-level business case has been developed and is to be presented to the Corporate Policy and Resources Committee for consideration in December.

My understanding is that the financial case is proving challenging due to the cost of borrowing required for the scheme, but please be assured that Officers always seek innovative funding solutions as part of their work.

Whilst as you suggest an investment property could be sold, the receipt from the sale would need to repay outstanding borrowing in line with our Investment Policy and the impact of the loss of rent income on future budgets would need to be understood.

Internal borrowing is not always sustainable over the long term as we spend our reserves over time in schemes prioritised to deliver our Corporate Plan objectives.

Whilst financial considerations form a key part of this work our five case business model will also ensure that we take into account wider considerations including:

- The strategic case – assesses how the project will meet corporate priorities
- The commercial case – is there a market for the activity and will it generate income?
- The legal case – do we have the legal power and
- The operational case – what is the business need?

Thank you again for your question Councillor McNeill”

Following indications to speak, the Chairman reminded the Chamber that questions under procedure rule No.9 were not for debate by other Members.

In response, the Member suggested that the Chairman could permit such action, and considered time allowed for such, given the short agenda. Failing that constitution allowed for procedure rules to be suspended. It was moved that procedure rules be suspended, but this was not duly seconded nor the specific rule to be suspended identified.

The Chairman was insistent with the Member that he would not be permitting further debate on this matter, and that the Member had at his disposal other methods by which he could raise such matters.

47 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

The Chairman advised the meeting that no Motions, under Council Procedure Rule No.10, had been submitted to the meeting.

48 RECOMMENDATION FROM THE LICENSING COMMITTEE - GAMBLING ACT 2005 STATEMENT OF PRINCIPLES (GAMBLING POLICY) - APPROVAL

The Chairman of the Licensing Committee presented the Gambling Act 2005 Draft Statement of Principles (the Gambling Policy) to Council, which stood recommended by her Committee, following on from the statutory consultation period. Full Council were asked to approved the Policy for implementation with effect from 1 January 2022.

Members were advised that the Council was required to publish a Statement of Principles and review it every three years; the document formed the basis on which the Council's licensing decisions were made. The Statement of Principles applied to casino's, bingo clubs, betting shops, track betting, amusement arcades, gaming machines, prize gaming, lotteries and other forms of gambling.

Some minor amendments had been made following on from the consultation and these had been reflected within the final version presented to Members and were summarised in the report.

The statutory licensing role that the Council played was key to ensuring that businesses operated safely and responsibly and enabled residents to engage in these activities in a regulated and managed way. It also enabled the Council to take action where premises were not following those principles.

The Chairman of the Licensing Committee moved the recommendations, which were duly seconded.

On being put to the vote it was: -

RESOLVED that the recommendation from Licencing Committee on 16 September 2021 be accepted, and the Gambling Act 2005 – Statement of Principles 22-24 be approved for adoption, with effect from 1 January 2022.

49 RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - ADOPTION OF A NEW CODE OF CONDUCT FOR MEMBERS

The Chairman of the Governance and Audit Committee presented the report, which stood recommended from his Committee. The report recommended that West Lindsey District Council, and subsequently its Parishes, should adopt the new LGA Model Code of Conduct as the standard by which all Councillors should be expected to adhere.

Members had had the opportunity to engage in a workshop in advance of the decision, and reference was made to the pleasing level of engagement. The matter has had thorough debate at both the Standards Sub-Committee and the Governance and Audit Committee and as such Members' attention was drawn to the following points:

Section 2 of the report summarised the provisions of the new Code, many of which WLDC have already previously adopted, through its work in 2017/18. The new Code did now include a requirement to comply with any sanctions issued, and to undertake training on Standards Matters and the Code of Conduct.

West Lindsey's current ethos of declarations of interest wider than the legal requirements of the Localism Act were also supported within the new Code section 2.8 of the report provided details.

Members noted that whilst moving to the new Code was not a mandatory requirement, a national single code for all Members with clear wording, supporting guidance, working examples and explanatory text was something the Governance and Audit Committee had been of the belief should be welcomed.

Should the recommendations be supported the Authority would over the next few months work with Parishes across the District to encourage that they too adopted the new Code by May 2022. The National Association Of Local Councils had indicated their intention to withdraw their current code, instead promoting the LGA Model Code as the standard to work to, indicating the national support behind the new model.

Finally, Council were asked to support the Standards Sub-Committee in continuing to lobby the Government to respond to the outstanding recommendations from the Committee for Standards in Public Life, particularly those relating to sanctions, by requesting the Leader to write to relevant Ministers to further highlight this important issue.

Debate ensued and a Member questioned the need for a new Code, given the majority of

the provisions already existed in West Lindsey's current code. Declarations of interest did not need further confusing, the additional level was purported to be for greater public transparency however it was suggested it would just cause further confusion. Mandatory training in the absence of any sanction was considered pointless. It was questioned what action would be taken or could be taken if Councillors failed to attend training. It was suggested the LGA was a little late with its revision and whilst the regime lacked "teeth", the Code had little value regardless of its content. No sanctions could be applied and whilst accepting at a District Level group discipline could be applied and censure notices could be damaging to a Party's reputation, this could not be said with regard to Parish Councillors. The scope of when the code applied was always a contentious point and it was suggested, this matter had not been addressed, or further clarity offered by the revision.

In responding and in respect of mandatory training, the Monitoring Officer gave assurance that Officers would work with all Councillors to ensure they had the opportunity to engage in some form of training, making it as accessible as possible and in differing formats recognising competing responsibilities Members often had.

Members again sought indication of what action would be taken when a Member simply refused to undertake the training given they could not be removed or suspended from office.

Other Members across the Chamber spoke in support of the need for greater sanctions and the lack of credibility a system with no recompense held.

The Monitoring Officer again addressed the meeting, acknowledging the limited sanctions. She too was an advocate for their re-introduction and could fully sympathise with Members' comments and frustrations. However, under the current regime, to issue any stronger sanction would be illegal. Non-attendance at training could be dealt with by way of Public censure notice, but again the Monitoring Officer stressed, this was not in her interest nor her pre-planned intention, the approach taken would be one of working together, encouragement, and allowing ample opportunity for all to engage in at least some level of basic training.

The Chairman of Governance and Audit Committee supported the Monitoring Officer, noting it would not be lawful to issue greater sanctions. Group discipline and council acting as a collective body of peers carried weight at District level and should be used to deal with the worst of unacceptable behaviour. In the meantime the Authority and Sub-Committee could only continue to lobby and raise concerns, given the tone of the comments, he indicated Council appeared to be supportive of this action and he encouraged Members to therefore support the action proposed.

Having being moved, seconded and on being put to the vote it was: -

RESOLVED that the recommendation from the Governance and Audit Committee be accepted and in doing so, :-

- (a) the LGA's model code of Conduct and associated Guidance Notes be adopted as the Authority's Code of Conduct, with immediate effect.
- (b) all Parish Council's across the District be encouraged to adopt West Lindsey's new Code of Conduct by May 2022

- (c) the implementation of the roll-out process detailed in Section 3 of the report and set out below be approved ;

Communications to Parish and Town Councils	November 2021
Series of Workshops / Training to be held with Parish Councils to raise awareness and encourage adoption. These may be cluster events or attendance at individual Parishes Virtual arrangements will be used wherever possible	Jan – March 2022
All Parishes to have adopted the Code by their AGM in May 2022 and advised the DC accordingly	May 2022
Position Review	June 2022
Follow up work	June 2022 onwards

and

- (d) the Standards Sub-Committee’s previous recommendation that “Officers be requested to continue lobbying Government Ministers for a change in legislation to allow for the decriminalisation of “interests”, and the re-introduction of proper meaningful sanctions” be supported and as such the Leader of the Council writes to relevant Ministers to further highlight this important point.

Note: Councillors David Cotton, Chris Darcel and Tim Davies requested that their abstention against the above decision be recorded.

The meeting concluded at 7.43 pm.

Chairman