



AGENDA

For a meeting of the
COUNCIL
to be held on
THURSDAY, 26 JANUARY 2006
at
2.00 PM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM
Duncan Kerr, Chief Executive

Members of the Council are invited to attend the above meeting to consider the items of business listed below.

- 1. Public Open Forum**
The public open forum will commence at **2.00 p.m.** and the following formal business of the Council will commence at **2.30 p.m.** or whenever the public open forum ends, if earlier.
- 2. Apologies for Absence**
- 3. Declarations of Interest**
Members are asked to declare any interests in matters for consideration at the meeting.
- 4. Minutes of the Ordinary meeting held on 27th October 2005 and the Extraordinary meeting held on 5th January 2006. (Enclosure)**
- 5. Communications (including Chairman's Engagements) (Enclosure)**
- 6. Notice of Motion given under Council Procedure Rule 12:**

By Councillor Don Fisher:

"That this Council deplores reductions in the Health Services and requests the following:-

- (1) That there be no reduction in mental health service beds (said to be 8) moving from the Resources Centre at Stamford to Grantham. (This to

the Peterborough and Stamford Hospital NHS Trust).

- (2) That at least one Chemist shop be open part time on Sundays for prescriptions to be obtained locally. (This to the Lincolnshire S.W. Primary Care Trust.)
- (3) That there be no reductions in the Carers Service in South Kesteven as a result of a review taking place at present. (This to Lincolnshire S.W. Primary Care Trust.)”

7. Change of date of scheduled Ordinary meeting

Having regard to the fact that the Police Authority is to meet on 24th February, it will not be possible for this Council to set the council tax at its scheduled meeting on 23rd February. The Council is asked to agree to re-scheduling this meeting to Thursday 2nd March 2006.

8. Overview & Scrutiny Annual Report to Council

Report number DLS54 by the Scrutiny Officer. **(Enclosure)**

9. Amendments to the Constitution - Delegation to Officers

Report number DLS59 by the Corporate Manager, Democratic & Legal Services. **(Enclosure)**

10. Recommendations from the Constitution & Accounts Committee

Report number DLS60 by the Corporate Manager, Democratic & Legal Services. **(Enclosure)**

11. Appointment of Council Board Representatives for new Large Scale Voluntary Transfer Registered Social Landlord

Report number DRS30 by the Director of Regulatory Services. **(Enclosure)**

12. District Council Representatives on Town Centre Management Partnerships

Report number PLA551 by the Head of Planning Policy & Economic Regeneration. **(Enclosure)**

13. District Council Representation on Grantham Canal Partnership

Report number PLA552 by the Head of Planning Policy & Economic Regeneration. **(Enclosure)**

14. Questions without Discussion



MINUTES

COUNCIL
THURSDAY, 27 OCTOBER 2005
2.00 PM

PRESENT

Councillor John Kirkman Chairman

Councillor Pam Bosworth
Councillor Ray Auger
Councillor Teri Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor Elizabeth Channell
Councillor Nick Craft
Councillor Brian Fines
Councillor Donald Fisher
Councillor Mrs Joyce Gaffigan
Councillor Yvonne Gibbins
Councillor Harrish Bisnauthsing
Councillor Bryan Helyar
Councillor Reginald Howard
Councillor John Hurst
Councillor Fereshteh Hurst
Councillor Mrs Maureen Jalili
Councillor Kenneth Joynson
Councillor Albert Victor Kerr
Councillor Reg Lovelock M.B.E.
Councillor Mano Nadarajah
Councillor Mrs. Linda Neal
Councillor John Nicholson

Councillor Stephen O'Hare
Councillor Alan Parkin
Councillor Stanley Pease
Councillor Mrs Angeline Percival
Councillor Norman Radley
Councillor Mrs Margery Radley
Councillor Bob Sandall
Councillor Ian Selby
Councillor John Smith
Councillor Mrs Judy Smith
Councillor Lee Steptoe
Councillor Ian Stokes
Councillor Michael Taylor
Councillor Gerald Taylor
Councillor Jeffrey Thompson
Councillor Frank Turner
Councillor Graham Wheat
Councillor Mrs Mary Wheat
Councillor John Wilks
Councillor Mike Williams
Councillor Avril Williams
Councillor Paul Wood
Councillor Mrs Azar Woods

OFFICERS

Chief Executive
Director of Regulatory Services

OFFICERS

Corporate Manager, Democratic & Legal
Services (Monitoring Officer)
Member Services Manager

[Vice-Chairman – Councillor Gerald Taylor]

Before the formal start of the meeting, the Chairman advised Members that the Chief Executive's role would be taken by the Director of Regulatory Services as part of her professional development.

1. PUBLIC OPEN FORUM

(2.00 p.m. – 2.10 p.m.)

Prior notice in accordance with Council Procedure rule 10.3 had been given of the following questions put by a member of the public:-

Question: Mrs. Mary Patrick, 119 Essex Road, Stamford

I notice that you have a motion that you are moving before the Council at Agenda item 6. May I assume that you extend this scope to include both Stamford Hospital and, as importantly, provision for Mental Health services that appear to be being cut. For example – 8 beds at the Stamford Resource Centre are being transferred to Grantham without increasing the provision at Grantham. This leaves Stamford, Bourne and Deepings without direct cover at night putting very vulnerable people in the community with other vulnerable people.

Response: Councillor John Kirkman, Chairman of the Council

Can I thank Mrs Patrick for taking the time and trouble to raise some very important issues concerning health provision in the District. The concerns over acute provision at both Grantham and Stamford are quite rightly, at the forefront of all our minds and feature prominently on today's agenda. Mrs Patrick is right to remind us that the provision of mental health services may not enjoy the same profile, but is just as vital for our residents.

Her question refers to the motion before Council, which was written and submitted several days ago. At that time the events to which Mrs Patrick refers were not known to me and therefore not included in the motion. As members will know there are different providers of health services in Stamford and Grantham and although it is tempting to seek a composite motion dealing with both towns, there is a danger that such an approach has the effect of diluting the message. The situation faced by each community is different and important enough to be dealt with separately. I have therefore spoken to the Chairman of the Healthy Environment DSP and asked him to consider discussing the issues raised by Mrs Patrick at a future meeting.

Supplementary question: Mrs Patrick

The reason I brought this question is that Mrs King has said she can give an assurance that the Stamford centre will be open from eight in the morning to six in the evening, but where is the cover for these most vulnerable people between six and eight when they need the most care? Also, it is proposed that Grantham will only take these people for a very short time – they are overloaded now at Grantham and cannot manage the mental health and also you will be losing that service and it

is going to be in the community. It has come to my knowledge that the three PCTs are amalgamating. I was at a meeting when they said they are going to do this in the community. They do damm all in the community now because there is no money. So how can three amalgamate into one to give you a service in the community that is not there now? The carers do not do the job they are paid to do to look after these poor people. I'm having to deal with a case at the moment where they are being bullied – then they end up in prison where they are drugged up. They used to be able to go to Rauceby that had a thousand plus beds. This is not good enough. We pay all this money – we the taxpayer pay this money. We've got to stop and stand our ground.

Response: Councillor Kirkman

Mrs Patrick I think you really answered your own question. As I said earlier, the whole matter will be discussed at the Healthy Environment DSP. That DSP has the authority to seek anyone to attend the meeting and give evidence if they so wish.

2. CHAIRMAN'S ANNOUNCEMENTS

The Chairman first welcomed Councillor Steptoe, new ward member for St. Anne's ward, to this his first Council meeting. The Chairman expressed the hope that Councillor Steptoe would find the environment he had joined to be interesting and invigorating.

The Chairman then advised those present that Councillor Howard had achieved a remarkable seventy years service with the St. Johns Ambulance Brigade as of 23rd October this year. Councillor Howard was presented with a gift by the Chairman's Lady to mark this achievement. Councillor Howard responded by thanking the Chairman and pointing out that today was also his birthday. He said that his work on the Council and his abiding interest in serving the community was what had kept him going, particularly over recent years.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chivers, Conboy, Hewerdine, Martin-Mayhew, Shorrocks, and Waterhouse. Apologies for late attendance were also given on behalf of Councillor Helyar and Councillor Lovelock. Councillor Lovelock's late attendance was due to his attendance at the funeral of Bill Cook, a former Treasurer of this authority.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

5. MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2005.

The minutes of the meeting held on 27th October 2005 were confirmed as a correct record, subject to

- (1) the minutes reflecting that the Vice-Chairman is Councillor Gerald Taylor having regard to the reference before minute 65 indicating that the Vice-Chairman assumed the chair;
- (2) the list of attendees showing Councillor Bisnauthsing and Councillor Gerald Taylor in correct alphabetical order.

The Chairman stated that although it had not been past practice to do so, he had asked for the minutes to indicate "Vice-Chairman" alongside the name of the holder of that office in the future.

The Chairman drew members' attention to the fact that, apart from the above minor details, the minutes had been very competently prepared for the first time by the Trainee Democratic Support Officer, Miss Jo Toomey. The Council expressed its appreciation of Miss Toomey's efforts.

6. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

(1) Chairman's Engagements

An addendum to the list was the Chairman's and His Lady's attendance at the Bourne branch of the Royal Naval Association's Battle of Trafalgar dinner on 21st October 2005. The Chairman's own transport had been used.

(2) Fun Run on 2nd October 2005 at Wyndham Park, Grantham

The Chairman reported that Councillor Mrs Frances Cartwright took part in the Fun Run and raised £150 for Children with Leukaemia. She had also raised £150 for the Chairman's Charity LIVES. The Chairman expressed his thanks to Councillor Mrs Cartwright commending the effort she had made to enter into the spirit of the event. He suggested members might wish to help increase her sponsorship total.

(3) Correspondence

The Chairman reported on the following letters which had been received, relating generally to the question of health provision within the district. In view of the importance of this issue, he read out the contents of each of the letters:

- (a) Letter dated 3rd October 2005 from a representative of the

Department of Health responding to the Chief Executive's letter addressed to Patricia Hewitt seeking a meeting with the Minister and the Council's Health Scrutiny Committee. The letter stated that it would be inappropriate for the Minister to attend such a meeting before investigations into the Lincolnshire NHS Recovery Plan had been concluded.

- (b) Letter dated 13th October 2005 from the Chief Executive of Peterborough & Stamford Hospitals NHS Foundation Trust to acknowledge the resolution passed by the Council on 8th September 2005 (minute 60 refers);
- (c) Letter dated 14th October 2005 from the Chairman of the Health Scrutiny Committee for Lincolnshire, Councillor Mrs M.W. Davidson updating the Council on the outcome of the latest meeting of the scrutiny committee held on 13th October.
- (d) Letter dated 11th October 2005 from the Chief Executive of Staffordshire County Council seeking support for a resolution passed by that authority concerning the funding of the Air Ambulance Service by central government. The Chairman explained he had brought this letter to the attention of this Council as Lincolnshire faced a similar situation.

(4) Leader's announcement: Portfolio changes

The Leader thanked the Chairman for allowing her to raise this matter at short notice. She advised the Council that, owing to Councillor Peter Martin-Mayhew's continuing personal difficulties, she had made some changes to his portfolio responsibilities which she was required to report to the Council. With immediate effect Councillor Mrs Frances Cartwright would assume portfolio responsibility for all Housing related matters, to include private housing, care services, affordable housing and homelessness. Councillor Martin-Mayhew's would continue to hold the remaining responsibilities under his Community Safety portfolio, which included such key issues as tackling anti-social behaviour.

(5) Health Provision in Lincolnshire

The Chairman advised that Lincs FM had contacted him about his motion before the Council meeting. Representatives of the radio station would be conducting interviews in the offices to be broadcast today. In connection with this matter, Councillor John Hurst had agreed that the Council consider the Chairman's motion first before his own.

The Chairman then referred to a document that had been circulated within the Council Chamber. This document related to a situation at Grantham Hospital on 8th October 2005 that had consequences for a particular employee of the hospital and subsequently covered by the local press. He stressed this document had not been circulated by the

Council and was not part of the agenda.

The Monitoring Officer advised that, on the face of it, the document appeared to be confidential. During consideration of the Chairman's motion, he urged caution about referring to the individual concerned. Councillor Avril Williams stated she had circulated the document which she did not believe to be confidential. The Monitoring Officer further advised that the document concerned an employee of another organisation outside the Council. Members could refer to the document in general terms, but not to a specific individual or individuals.

7. NOTICES OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:

(1) by Councillor John Kirkman, Chairman of the Council

DECISION:

(1) This Council deplores the proposed reduction across all services at Grantham & District Hospital and other hospitals within the County managed by United Lincolnshire Hospitals NHS Trust.

(2) That this Council requests Trent Strategic Health Authority find extra funding in order to overcome the current crisis looming over Grantham & District Hospital and other hospitals within the County. We also request that an investigation be carried out into the management of United Lincolnshire Hospitals NHS Trust that has led to the current critical situation.

(3) That this Council gives its full support to the staff at Grantham Hospital.

(4) That the Chief Executive write a further letter to the Secretary of State for Health inviting her to meet the Health Scrutiny Committee and advising that this time the Council will continue to request such a meeting until it is held.

The following motion had been proposed by Councillor Kirkman:

(1) This Council deplores the proposed reduction across all services at Grantham & District Hospital and other hospitals within the County managed by United Lincolnshire Hospitals NHS Trust.

(2) That this Council requests Trent Strategic Health Authority find extra funding in order to overcome the current crisis looming over Grantham & District Hospital and other hospitals within the County. We also request that an investigation be carried out into the mismanagement of United Lincolnshire Hospitals NHS Trust that has

led to the current critical situation.

(3) That this Council gives its full support to the staff at Grantham Hospital .

In presenting his motion, the Chairman gave notice that he wished to make a small amendment – to delete the letters “mis” from the word mismanagement in the second part of the motion. To refer to mismanagement would give the appearance that the Council sought to prejudge the issue. Subject to this amendment, the motion received a seconder.

A Stamford member asked the Chairman if he would agree to include Stamford Hospital within the wording of his motion. The Chairman declined to do so but stated he would accept an amendment to that motion. An amendment was so moved and seconded that the first part of the motion read: *(1) This Council deplores the proposed reduction across all services at Grantham & District Hospital, Stamford Hospital, and other hospitals within the County.*

Support was expressed for the amendment on the grounds that it would send a clear message to residents and the government about the community’s united front. Whilst expressing sympathy for the problems faced in the south of the district, other speakers felt that the Grantham hospital issue should be kept separate to avoid danger of clouding the issue; two distinct health authorities were involved and combining the different circumstances of both hospitals in one motion could dilute the message. It was pointed out that the Council was already in dialogue with the Peterborough & Stamford Hospitals Trust and therefore that issue was at a different stage to Grantham. The mover of the amendment was asked to withdraw her proposal but she declined. Accordingly, a vote on the amendment was taken and lost.

A further amendment was then proposed: *This Council condemns the appalling behaviour of the United Lincolnshire Hospitals NHS Trust Executives when they suspended a member of staff and we demand his immediate reinstatement.*

After the amendment was seconded, the mover of the motion stated he considered that the Chairman’s motion was “tame” and that the Council should be united in supporting both Grantham and Stamford hospitals. He referred to recent treatment he had received at Grantham Hospital and warned of the danger of losing such valuable community services. He began to make mention of the press coverage about the hospital employee who had recently been suspended and suggested he had been made a scapegoat. The Monitoring Officer immediately reiterated the advice he had given earlier in the meeting in relation to publicly speaking about individual staff in other organisations and the inherent dangers of doing so. The amendment was then put to the vote and also lost.

There followed an impassioned debate on the original motion. Very strong concerns were expressed about the threat to local health services and the effect this was having on the morale of those employed in the NHS. The Health Scrutiny Committee for Lincolnshire was due to meet again on 9th November and both Councillor Mike Williams and Councillor Mrs Radley would be attending. Fears were expressed that Grantham was gradually being reduced to a cottage hospital status with taxpayers' money being used to fund more managers than frontline staff where it was needed most. A comment was made that the Government was implementing a nationwide policy on the NHS but the country was made up of very different areas where local solutions ought to apply.

Councillor John Hurst stated that the crisis in health provision went to the heart of the issue of democracy, whereby the community had to find a way to make a difference. He had recently been permitted a meeting with the Secretary of State for Health, Patricia Hewitt at which she had asked what could be done to restore confidence in Grantham hospital and the NHS. Councillor Hurst's response to this question was for the present Chairman of the NHS Trust Board to be replaced; the community could not engage in a meaningful dialogue with someone they did not trust. The case put forward for a centre of excellence at Lincoln was, he asserted, a lie – there was only an aspiration for a centre of excellence. A further lie was that safe services could be provided at a remote location; they were not safe because they were not accessible. He called for the Council to join with the other 28% of those who lived in rural areas to form an irresistible resistance to the notion that a rural health service could be run in the same way as city hospitals. The Secretary of State has the power to resolve this issue.

Comment was made that in an increasing affluent society, how much money was allocated to the NHS had always be a bone of contention whichever government was in power. This was not a party political issue and has united all sections of the community for a return to the principles on which the NHS was founded in 1945-46. A call was made for the government to reorganise its thinking; hospitals need to be accessible by the majority of those who need them. It was suggested that one of the problems lay in the targets set by the Government and the fact that funding was dependent upon these targets being met. Hospitals should have flexibility so that services can be driven according to the local need.

A member expressed anger that the Secretary of State had stated she was unable to meet with the Council's DSP, yet had time to meet an individual Councillor from this authority. He asked if he could make an addendum to the motion to ask that another letter be sent to the Secretary of State for her to attend the DSP meeting and that the Council would not accept another refusal.

The Chairman advised that this was not permissible under the Council procedure rules. However, he was willing to accept a proposal to suspend procedural rules in accordance with rule 23.1 for this matter. A vote was taken on suspension of procedure rules and supported by more than two thirds of those present.

An additional motion was proposed and seconded that the Chief Executive write a further letter to the Secretary of State for Health inviting her to meet the Council's Healthy Environment DSP and advising that this time the Council was not prepared to accept a refusal. Upon being put to the vote, the motion was unanimously carried.

In his summing up, the Chairman stated he was putting his motion to the Council on behalf of the Council; this was a non-political matter. He was confident that members would give it their full support so that the Council could do whatever it could to ensure proper health care for its residents. A vote was taken on the original motion and again unanimously supported.

[The meeting was adjourned at 3.35pm and resumed at 3.52pm. Before moving to the next item of business, Councillor Selby made a public apology to the Council for comments he had made during debate on the Chairman's motion. He acknowledged that he had made the comments contrary to the advice previously given by the Monitoring Officer.]

(2) by Councillor John Hurst

DECISION: To not support the motion proposed by Councillor John Hurst.

The following motion had been proposed by Councillor John Hurst:

"This Council considers that a policy of gradual and large-scale selling off of the provision of services – together with human and physical resources – would not be in the interests of the people of South Kesteven; of the employees of SKDC or of local and effective democracy: that a Council with merely "strategic" powers would be a denial of democratic local government."

Speaking in support of his motion, Councillor Hurst stated that it concerned the issue of effective, non-partisan democracy. Although he acknowledged that tenants would have the right to vote on how the Council's housing stock was to be managed, he was aware of rumours within the authority that there was a firm intention to sell off virtually all services, assets, and human assets the Council has. He asked the Cabinet to deny those rumours. He asserted that if services were sold off, Councillors would no longer have the same responsibilities and

powers. The essence of his motion was about having those powers to take effective action on behalf of the people whom the Council represents. The motion received a seconder.

A debate ensued during which support for and disagreement with the motion was expressed. In support of the motion, speakers agreed with Councillor Hurst's statement that this was a fundamental principle of local democracy; the transfer of the Council's housing stock representing an attack on this concept and local accountability. It was no surprise that there was a very low turnout in local elections as local accountability was being eroded through turning local authorities into merely commissioners of services. It was therefore legitimate and vital to defend Council services, including housing. The fear was expressed that if the Council disposed of its physical assets it would become an organisation that only dealt with agencies. It was difficult to encourage people to stand as Councillors now with the services the authority did provide; this situation could only get worse as more services are outsourced. Concern was also voiced over proposals to pursue handing over the leisure and cultural services to a Trust. The Council provided excellent services in these areas which had a role to play in preventing anti-social behaviour. Concern had been raised at the Stamford LAA about the future of the Arts Centre; here was an excellent facility in which the council had made significant investment. A plea was made for the Council to not lose sight of the things it did well. The motion therefore sought to draw attention to the increasing loss of control over services to unelected bodies. If the Council only retained a strategic role, this effectively would trample over democracy.

Speaking against the motion, the Portfolio Holder for Large Scale Voluntary Transfer stressed that democracy extended to the council's tenants who would have the opportunity to vote on the issue. If transfer was the preferred option, staff would not only be protected but could have opportunities to further their careers. Other views were expressed that the Council had a duty to ensure value for money in the delivery of its services. It could not fund all the services it would like and some may benefit from being outsourced. Any savings achieved could be redirected to other areas and give better value for residents.

In responding to Councillor Hurst's request to deny rumours, the Leader began by emphasising the need to consider what is best value for money for each particular service. There was no policy on the part of the administration to outsource all the Council's services. She stated she was disappointed to hear what had been said about LSVT. It had been the Stock Option Appraisal Commission who had undertaken the detailed work and analysis to arrive at the recommendation to transfer the housing stock. The Council was a good landlord but it underestimated tenants' aspirations for their homes, particularly in the area of security. Members had been given the opportunity not to support the SOAC recommendation but had concurred with it. The process was now moving forward to investigate the possibility of

transferring the housing stock. The Council had given tenants the opportunity they had asked for. This process would be conducted as fairly as possible.

In his right of reply, Councillor Hurst re-asserted that the Council would face the situation of responsibility without power; it was not solely about housing or money in particular, but the throwing away of democracy. He requested a recorded vote in accordance with Council procedure rule 16.4. This was supported by more than ten members.

The vote on the motion was as follows.

FOR	AGAINST	ABSTAIN
Councillor Bisnanuthsing	Councillor Auger	Clr Kirkman
Councillor Miss Channell	Councillor Mrs Bosworth	
Councillor Mrs Gaffigan	Councillor Brailsford	
Councillor Gibbins	Councillor Bryant	
Councillor Fereshteh Hurst	Councillor Carpenter	
Councillor John Hurst	Councillor Mrs Cartwright	
Councillor Howard	Councillor Craft	
Councillor Mrs Jalili	Councillor Fines	
Councillor Joynson	Councillor Fisher	
Councillor Kerr	Councillor Helyar	
Councillor O'Hare	Councillor Lovelock	
Councillor Selby	Councillor Moore	
Councillor Steptoe	Councillor Nadarajah	
Councillor Thompson	Councillor Mrs Neal	
Councillor Wilks	Councillor Nicholson	
Councillor A. Williams	Councillor Parkin	
Councillor M. Williams	Councillor Pease	
Councillor Wood	Councillor Mrs Percival	
Councillor Mrs Woods	Councillor Mrs Radley	
	Councillor Radley	
	Councillor Sandall	
	Councillor John Smith	
	Councillor Mrs Judy Smith	
	Councillor Stokes	
	Councillor G. Taylor	
	Councillor M. Taylor	
	Councillor Turner	
	Councillor G. Wheat	
	Councillor Mrs Wheat	
19	29	1

The motion was lost.

8. MEETING BETWEEN SKDC REPRESENTATIVES AND REPRESENTATIVES OF THE PETERBOROUGH & STAMFORD HOSPITALS NHS FOUNDATION TRUST

DECISION: To note the summary of the meeting held on 27th September 2005 between representative of this Council and representatives of the Peterborough & Stamford Hospitals NHS Foundation Trust.

The Chairman presented the notes of the above meeting that he had attended with Councillor Joynson and the Director of Community Services. As mentioned earlier, the issues raised would be taken on board by the Healthy Environment DSP.

A member stated that, whilst not being critical of the SKDC representatives, she could not see that anything definite had come from this meeting. A view was expressed that written assurances should come forward that there was to be no reduction in health provision. Members were advised by a local Stamford member that local residents were so concerned over the future of the hospital that they would be prepared to set up a trust to run the facility.

The Chairman acknowledged that the notes of this meeting were brief and orally expanded on some of the issues discussed which included day care cases, the closure of Hurst ward, contingencies for pandemics and population growth, reduction in demand for hospital beds. The Trust representatives had stated there were no plans to sell off land or close the hospital. The Chairman reminded the Council that these issues would now go forward to the DSP who would subject them to robust scrutiny.

9. MEMBERSHIPS: COUNCIL COMMITTEES AND PANELS

DECISION:

- (1) To note that no changes are required to the number of seats held by each political group following the uncontested by-election for the St. Anne's ward;**
- (2) To approve the appointment of Councillor Joynson to the Resources DSP;**
- (3) To approve the appointment of Councillor Wilks to the Engagement DSP;**
- (4) To approve the appointment of Councillor Mrs Jalili to the Licensing Committee and the Alcohol & Entertainment Licensing Committee.**

Members had before them report number CEX303 by the Chief Executive which detailed vacancies which had arisen on the Resources DSP and the two Licensing Committees following notification of

resignation by Councillor O'Hare from these committees. The report also made reference to the un-contested election for the St. Anne's ward as a result of which Councillor Lee Steptoe had become a member of the Council. Councillor Steptoe had joined the Labour Group. The resultant calculations on political balance demonstrated that no change was required to the number of seats held by each political group. There was currently one vacancy on the Engagement DSP to be filled by a member of the Independent Group.

Following nominations submitted, the Chairman advised that any additional changes to committee and panel memberships would require prior approval of the Council.

10. MODERNISATION AGENDA: AN UPDATE

DECISION:

- (1) To thank Councillor Nadarajah for his informative presentation on the extent of the work undertaken to date in moving forward the E-Government modernisation agenda;**
- (2) To note that the issue of investment in Broadband for members is under consideration.**

Before Councillor Nadarajah began his presentation, the Portfolio Holder for Access & Engagement gave a brief introduction to the substantial changes which were needed in order to meet the e-government targets. A modernisation programme had been approved by the Council in December 2004. Although a subsequent Gateway review had concluded no noticeable changes at the front end, this belied the significant amount of work that had gone on to lay the foundations for the future. As with any major construction, the initial building blocks were not immediately visible. The Engagement DSP had set up an e-government working group led by the Chairman, Councillor Kirkman to oversee the development of the work.

Councillor Nadarajah began by emphasising that the slides he was about to show did not convey the huge amount of background work that had been done, much of which had been delivered in-house. He commended the staff of ICT services for their hard work.

A detailed overview followed during which Councillor Nadarajah explained progress made with the creation of the Customer Service Centre, the introduction of new customer based software, and the modified accommodation to provide a dedicated telephony centre. He also outlined current progress with the electronic records management system which was running as a pilot for Environmental Health & Licensing services and how all this would translate into new methods of working and thinking for the Council. The authority was now on target

to meet 100% electronic service delivery by the end of the year. The presentation also covered the development of on line web forms, enhanced website content, and an analysis of payment activity to determine ways of achieving savings in this area.

Councillor Nadarajah concluded by referring to the Members' IT Working Group set up to help iron out issues and encourage greater use of ICT by members. The future plans focused on transferring all services to the Customer Service Centre where 80% of customers could be dealt with at the first point of contact. The timescale included for the Banking Hall to be relocated in January 2006 and the Customer Service Centre to be opened in July 2006.

[During Councillor Nadarajah's presentation the meeting reached the point of being in progress for three hours. In accordance with Council procedure rule 9, the majority of members present voted for the meeting to continue until 6 pm.]

11. ALIGNING COUNCIL AND LSP PRIORITIES

DECISION:

(1) To adopt the new corporate planning calendar as follows:

	2006
Residents' survey	February
Update of area profile	March
Gateway reviews by LSP and Council	April
Review of LSP priorities	May
Review of Council priorities	June
Approval of Service Planning pro-forma	July
Budget Preparation	August to December

(2) To promote Affordable Housing and Communications from Category B to Category A.

(3) That contingency plans are prepared to secure savings, if required, from Category Y services.

[The following Councillors requested that their vote against part (3) of the above decision be recorded: Councillors Mike Williams, Avril Williams, Ian Selby, John Hurst, Fereshteh Hurst, Joyce Gaffigan, Lee Steptoe, Harrish Bisnauthsing, Jeff Thompson, Vic Kerr, Angeline Percival, Ken Joynson, and Maureen Jalili.]

The Council had before it the Cabinet's recommendations from its meeting held on 10th October concerning the adoption of a new corporate planning calendar and proposed revisions to the priority categorisation of services. Members had also been previously

circulated with a copy of the Chief Executive's report CEX300 to the Cabinet.

The Economic Portfolio Holder submitted the Cabinet recommendations, subject to two amendments to minute CO73(3):

- to delete the words "that scored 12 points or less" following the reference to Category Y services.
- to remove reference to the Citizens' Advice Bureau in the table at page 6 of report CEX300 in connection with the Grants to Voluntary Bodies service on the grounds that it was considered inappropriate to single out one grant recipient from the others.

Subject to these amendments, the motion was seconded.

A member addressed the Council to express his strong concern about the relatively low priority being given to leisure and cultural services, particularly having regard to the significant contribution these services made towards a healthier environment – a shared national priority. He suggested that this categorisation should be rethought especially in the light of the next Olympic games being held in this country where Centres of Sporting Excellence would be required. As an amendment, he moved that part (3) of the recommendation concerning contingency arrangements to secure savings from Category Y services be deleted. The amendment was seconded.

Several speakers indicated support for the amendment. The Leader then advised that it would be foolish to remove making contingencies plans. She referred to how the balance between authorities' mandatory spend versus discretionary spend had shifted from about 50:50 to now 80:20; for some authorities, the spend ratio on discretionary services was less than 20%. The threat of capping still remained and it would place the Council at risk if it failed to have such plans in place. The Economic Portfolio Holder stated he did place great importance on the role of leisure and cultural services but the Council must strive to operate as efficiently as it could. The work currently in progress was examining whether a leisure trust option would enable the Council to achieve this and accrue savings. The new corporate plan would enable priorities to be reviewed over the year; it should not be too prescriptive about savings as it may be that savings within Category Y services could be made without a reduction in the level of service.

On being put to the vote, the amendment was lost. A further vote took place on the original motion and subsequently carried.

12. PROPOSED NEW PROTOCOL FOR MEMBER AND OFFICER RELATIONS

DECISION: Noting the extensive consultation undertaken, to

endorse and accept the new Protocol for Member and Officer Relations as appended to report DLS46.

Members had before them the Corporate Manager, Democratic & Legal Services' report number DLS46 which appended a copy of the suggested new protocol for Member and Officer relations.

The Chairman drew members' attention to the fact that the document had been the subject of extensive consultation and when recommended by the Cabinet at its meeting held on 5th September 2005, had not been subject to a call-in. Adoption of the new protocol was so moved and seconded.

Questions were put to and answered by the Corporate Manager on paragraphs 29 and 98. A member expressed concern at the implications of paragraph 125 about the seeking of advice from the Council's Public Relations unit when a member wished to issue a press release. He suggested that no member should have their statements vetted in this way as it could lead to the appearance that the public were being kept in the dark. An amendment was proposed and seconded to remove the third bullet point from paragraph 125 that referred to PR advice in relation to press releases.

The Corporate Manager explained that the paragraph did contain a proviso that excluded party political statements from the requirement to seek PR advice. The Chief Executive clarified that the words which the amendment sought to delete concerned occasions where a member wants the Council to issue a factual press release. The mover of the amendment had interpreted this as meaning when an individual Councillor wants to issue a press release. A vote on the amendment took place and was lost. A further vote on the original motion to adopt the new protocol as presented was carried.

13. STAKEHOLDERS' CONFERENCE AND EXTRAORDINARY COUNCIL MEETING: 8TH DECEMBER 2005

DECISION:

- (1) To approve the proposals for the format of this year's Annual Stakeholders' Conference as detailed in report CEX302 and the Engagement DSP be asked to finalise the arrangements by its meeting on 17th November 2005;**
- (2) That an Extraordinary meeting of the Council be held at 2.00 pm on Thursday 5th January 2006 to consider the strategic choice of landlord.**

In his report CEX302, the Chief Executive referred to the scheduled meeting of the Council's Annual Stakeholders' Conference on 8th December 2005. He went on to outline proposals for the conference to adopt the format of a Citizens' Jury charged with the responsibility to investigate whether the Council delivers value for money to its residents. Details were given as to how such an event could run and the anticipated outcomes.

The report contained a further proposal to hold an Extraordinary meeting of the Council at 4pm later the same day to consider the strategic choice of landlord. Members' attention was drawn to a paper circulated at the meeting by the Director of Regulatory Services. In this paper, she explained that a key feature of the decision on the strategic choice of landlord would take account of the feedback from the visits to other organisations and the resulting views of tenants, members and staff. Mention was made that the ability of other organisations to receive the SKDC party had been delayed, which left little time between visits for detailed discussion by the interested parties. Whilst officers believed that a decision on 8th December could be achieved, members may prefer that there is more opportunity to discuss the issue within their political groups before the matter comes before the full Council. An alternative date for the Extraordinary meeting of 5th January 2006 was suggested. Acceptance of the proposed Citizens' Jury theme of the conference and 5th January 2006 for an Extraordinary meeting of the Council was moved and seconded.

14. COUNCILLOR DEVELOPMENT CHARTER

DECISION: That the Council acknowledges the public commitment and actively supports elected member development within the Improvement & Development Agency Councillor Development Charter Framework.

Members had previously been circulated with report number HR&OD80 by the Training and Development Manager. This report referred to the Non Key decision made by the Deputy Leader on 7th March 2005 to support the Councillor Development Charter and authorise the Leader and Chief Executive to sign a statement of commitment to works towards the Charter. One of the requirements of the Charter Statement of Commitment was to make a public announcement in the Council of the intention to achieve the Charter. This announcement also served to ensure all Councillors were aware of the continued support for elected member development within a good practice framework.

15. REPRESENTATIVES ON OUTSIDE BODIES:

DECISION:

- (1) That Councillor O'Hare being appointed to fill one of the two vacancies as this Council's representative on the South Kesteven Citizens' Advice Bureau;**
- (2) Noting that one vacancy on the South Kesteven CAB remains unfilled;**
- (3) That Councillors Alan Parkin and Mrs Mary Wheat be appointed to serve on the Grantham TCMP Strategy Group once the new structure has been effected;**
- (4) That Councillor Nick Craft be appointed to serve on the Grantham TCMP Project Group once the new structure has been effected.**

Before nominations were considered, the Monitoring Officer drew the attention of members to new guidance received from the Standards Board about the declaration of interests for members who had been appointed by the Council to sit on an outside body. The guidance stated that a member appointed to an outside body could report back on its activity and take part in general discussion about that organisation. However, if the matter concerned assets and other financial aspects, that member should declare a personal and prejudicial interest and act accordingly.

Only one nomination was put forward and seconded for the two vacancies on the South Kesteven Citizens' Advice Bureau, that of Councillor Stephen O'Hare.

[Before consideration of nominations to the positions on the proposed re-structured Grantham TCMP, the Chairman indicated that it was now 6 pm and that he proposed a further 10 minute extension to the meeting in order to conclude the business on the agenda. The members present indicated their agreement.]

The Monitoring Officer explained that the existing membership of the Grantham Town Centre Management Partnership (TCMP) had been suspended pending the re-arrangement of the management of its structure and operations. To effect the new structure would require a Non Key decision by the Economic Portfolio Holder. Any appointments made at this meeting would therefore not take effect until this matter had been resolved by way of a Non Key decision.

For the two vacancies on the TCMP Strategy Group, two nominations were forthcoming, Councillors Alan Parkin and Mrs Mary Wheat.

For the vacancy on the TCMP Project Group, both Councillor John Wilks and Councillor Nick Craft were proposed and seconded. The Chairman instructed members to vote for only one of these two candidates. On being put to the vote, Councillor Craft received the higher number of votes.

16. OUTCOME FROM THE MEMBERS' FORUM ON COMMUNICATIONS AND THE COMMUNITY STRATEGY

DECISION: To note the report.

The Chairman referred to report DCS30 prepared by the Director of Community Services summarising the events which took place at the recent Members' Forum on Communications and the Community Strategy. The Chairman stated that the forum had been extremely informative and the presentation given by Mr Ben Page, Director of MORI was probably one of the best heard in the Council Chamber.

The Chairman said he was very disappointed the event had been attended by only 28 of the Council's 58 members. He expressed the view that when the authority was able to secure speakers of such high calibre like Mr Page, members should make every effort to attend. In response to these comments, a member asked if more notice could be given for these events.

17. QUESTIONS WITHOUT DISCUSSION.

Three questions had been submitted prior to the meeting.

Verbatim details of the questions, together with supplementary questions and responses, are set out in the appendix to these minutes.

18. CLOSE OF MEETING

The meeting closed at 6.08 p.m.

APPENDIX

APPENDIX TO COUNCIL MINUTES: 27th OCTOBER 2005

MINUTE 88: QUESTIONS WITHOUT DISCUSSION

QUESTION 1

TO: COUNCILLOR JOHN KIRKMAN, CHAIRMAN OF THE COUNCIL

Mr Chairman, do you like me feel that any member who resigns from all DSPs and fails to diligently represent his or her electorate at every opportunity available to them, should at the very least, refuse to accept his/her full salary and should only accept a

pro rata payment, as happens in the commercial world.

COUNCILLOR M. D. TAYLOR

RESPONSE TO QUESTION 1

Is it not really appropriate for me to respond as the role of your Chairman requires me to be impartial in such matters. However, I should point out, that it is the right of every elected Member to represent the community he or she serves in a way which that Councillor sees fit. There is no legal requirement for a councillor to serve on a committee, panel or working group. The only requirement is for that Councillor to attend a minimum of one meeting every six months.

The only comment I feel able to make is that it is a matter ultimately for the judgement of the electorate who will indicate their views when a future election takes place.

COUNCILLOR JOHN KIRKMAN
CHAIRMAN OF THE COUNCIL

Supplementary Question from Councillor Mike Taylor

Thank you for your response Mr. Chairman – and I hope that the comment at the end, the people of Stamford take note.

Whilst I don't wish to stifle the right of people to speak, I hope you will assure the membership of this Council, in light of what my first question was, you will not allow the member concerned to monopolise Council meetings with questions which could well have been answered at the DSPs.

Response from Councillor Kirkman:

I think I said earlier in the day that one of the jobs of the Chairman is to ensure that the rules of this organisation are consistently and fairly applied and I do try quite hard to do that – even though some people may believe I do not do so. The rules by which this Council works are laid down in our Constitution and in our Standing Orders. There is nothing within those that would allow me to curtail any member speaking in the manner you suggest. Standing Orders in the pre-Cabinet era did allow, at the Chairman's discretion, for any matter that came referred during the Council meeting to him – to be referred to a relevant committee if he believed it was within the remit of that committee's business. Unfortunately, our Constitution does not allow that and perhaps it should.

QUESTION 2

TO COUNCILLOR LINDA NEAL, LEADER

Can you tell me if South Kesteven District Council is intending to withdraw fully, or even partially, Rate Support for Village Halls, and if the Council is to withdraw any amount of Rate Support, have you considered the implications for this action?

COUNCILLOR IAN SELBY

RESPONSE TO QUESTION 2

Although this area of work is not within my portfolio I do know, as you should, that discretionary rate relief was approved by Council as an area for disinvestment at its meeting last February following the rigorous priority setting work and the necessity to release resources from some areas in order to invest further in the priorities. South Kesteven District Council will however offer a scheme, but with less financial resources. The new scheme has not yet been set which makes it impossible for me to predict what effect there will or will not be on village halls.

Personally, within the new scheme I would like to see village halls protected as I believe they are more often than not the lifeblood of our many rural communities, but as you doubtless know the decision is not mine to make.

COUNCILLOR LINDA NEAL

Supplementary Question from Councillor Selby:

I would just like to say, in the nicest possible way, you say “as you should know” but us Councillors, its difficult to remember everything from all the information that is given to us. So, obviously if I had known the answer to the question, I wouldn’t have asked it in the first place.

As to my supplementary, you mention a new scheme that has not yet been set. Can you tell me when will it be set and will the general public have the opportunity to express their views regarding the new scheme – and if not, why not, especially if you genuinely believe in local democracy?

Response from Councillor Mrs. Neal

I’m sorry it’s not my portfolio work so I just do not know the answer to those questions.

QUESTION 3

TO COUNCILLOR FRANCES CARTWRIGHT

Does she believe that the glossy colour leaflet entitled Your home your choice Issue 1

October 2005, sent to all tenants and councillors, presents matters in a fair, impartial and unbiased manner?

COUNCILLOR STEPHEN O'HARE

RESPONSE TO QUESTION 3

I don't just think it, I know it is!

COUNCILLOR FRANCES CARTWRIGHT

Supplementary Question from Councillor O'Hare

Does she believe it is fair, impartial and unbiased then for that document to publish a false statement, namely, "A working Group is due to make a recommendation to an Extraordinary meeting in December" as we just know that decision has not yet been made?

Response from Councillor Mrs Cartwright

Sorry I don't understand that. We are having a working group; we are going to make a decision; and we are going to bring it to Council at the appropriate time. The fact that it has now been moved to January is of little interest.



MINUTES

COUNCIL
THURSDAY, 5 JANUARY 2006
2.00 PM

PRESENT

Councillor John Kirkman Chairman

Councillor Auger
Councillor Bisnauthsing
Councillor Mrs. Bosworth
Councillor Brailsford
Councillor Bryant
Councillor Carpenter
Councillor Mrs. Cartwright
Councillor Conboy
Councillor Mrs. Dexter
Councillor Mrs. Gaffigan
Councillor Gibbins
Councillor Hewerdine
Councillor Howard
Councillor Joynson
Councillor Kerr
Councillor Lovelock M.B.E.
Councillor Martin-Mayhew
Councillor Nadarajah
Councillor Mrs. Neal
Councillor Nicholson
Councillor O'Hare

OFFICERS

Chief Executive
Corporate Director, Regulatory Services
Corporate Manager, Democratic & Legal Services
Member Services Manager
Tenancy & Neighbourhood Services Manager
LSVT Project Manager

Councillor Parkin
Councillor Pease
Councillor Mrs. Percival
Councillor Mrs. Radley
Councillor Radley
Councillor Sandall
Councillor Shorrocks
Councillor Smith
Councillor Mrs. Smith
Councillor Steptoe
Councillor G. Taylor (Vice-Chairman)
Councillor M. Taylor
Councillor Thompson
Councillor Turner
Councillor Waterhouse
Councillor Wheat
Councillor Mrs. Wheat
Councillor Wilks
Councillor A. Williams
Councillor M. Williams
Councillor Mrs. Woods

OFFICERS

PR Manager
Scrutiny Officer
Admin Assistant for Stock Transfer
Trainee Democratic Support Officer

Mr. Alan Johnson – Beha Williams Norman Ltd.

1 Member of the local press

Councillor Williams announced that a variety show had been organised in aid of the Chairman's Charity. The show would be performed at the Guildhall Arts Centre on March 23rd 2006.

The Chairman welcomed Alan Johnson from Beha Williams Norman Ltd and Geoff Brooks, the LSVT Project Manager to the meeting.

90. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chivers, Craft, Fines, Fisher, Helyar, F. Hurst, J. Hurst, Mrs. Jalili, Moore, Selby and Wood. Apologies for absence had also been received from the Tenant Members of the Choice of Landlord Working Group.

91. DECLARATIONS OF INTEREST

The Monitoring Officer advised Members that they would need to declare a personal interest if they were Council tenants. No Member declared an interest.

92. LARGE SCALE VOLUNTARY TRANSFER - STRATEGIC CHOICE OF LANDLORD

DECISION:

The Council:

- (1) Receives the recommendation from the Choice of Landlord Working Group (CLWG) relating to the creation of a new stand alone Housing Association as the preferred strategic choice of landlord and records a vote of thanks to members of the working group for their work.**
- (2) Identifies and approves a new Registered Social Landlord (RSL) as the preferred strategic choice of landlord for the purpose of the proposed Large Scale Voluntary Transfer of the Council's Housing Stock in line with recommendation of the Choice of Landlord Working Group.**
- (3) Approves the following policy proposals for the purpose of developing and negotiating an "Offer to Tenants":-**
 - (a) in the event of a transfer of the Council's Housing stock proceeding following a ballot of tenants, the receipt, net of government levy, repayment of housing debt and set up costs be utilised as follows:-**
 - (i) Protect the General Fund from the impact of transfer in the first instance and;**
 - (ii) 50% of the remaining net receipt be made available for Affordable Housing and the other 50% for the development of sustainable communities in-line with Council priorities;**
 - (iii) 100% of any share of Right to Buy receipts be made available for affordable Housing.**
 - (b) the transfer of the Direct Works Organisation (Craft) to the new stand alone RSL.**
 - (c) the transfer of the supported housing function (Care Services) to the new stand alone RSL.**

The Chairman advised Members that a decision on the Strategic Choice of Landlord would need to be made. Briefing sessions had been held on 12th and 14th December.

The Corporate Director of Regulatory Services summarised report number DRS24 to the Council. Following the decision of the Council in May 2005 to support the preferred option of Large Scale Voluntary Transfer (LSVT) identified by the Stock Option Appraisal Commission, signed-off subsequently by the Government Office (East Midlands), the Council had commenced work to progress to a ballot of tenants on the preferred option.

Guidance from the Office of the Deputy Prime Minister stated that a Council could only transfer their Housing Stock to a Registered Social Landlord (RSL), that is one registered with the Housing Corporation. A decision would be necessary to determine the type of RSL that should assume responsibility for housing. The Council would need to demonstrate how tenants had played an active role in the Landlord Choice Issue; to this end a Member/Tenant Choice of Landlord Working Group (CLWG) was established with staff co-optees.

When making its recommendations, the CLWG considered feedback from case study visits; advice from external advisors; ODPM guidance; an evaluation of criteria based on the 5 reasons for LSVT being identified as the preferred option and further consultation with tenants, staff and elected members; the Council's Category A Priority for Affordable Housing and the extent of services transferring.

Visits to Stock Transfer Organisations were organised. One organisation visited had formed a standalone RSL, the second was an RSL subsidiary. The option of a merger with an RSL was also available. Consultation with tenants and staff had continued throughout the identification process. External advisors were also available to provide independent information at focus groups.

The CLWG reached a consensus view that the Council should create a new Housing Association as the preferred strategic choice of Landlord for the purpose of the proposed Large Scale Voluntary Transfer of the Council's Housing Stock. This recommendation was made to create the opportunity for enhanced tenant empowerment; to provide local identity and decision making; to provide local customer access; to provide local board representation for tenants and council nominees and to provide added value. Other options that had been considered included a Merger with an existing RSL, ruled out based on work undertaken by the SOAC, or the creation of a subsidiary RSL within a group structure. This was rejected because it would not offer the same opportunities as the creation of a new RSL.

The recommendations laid out in point two of the report were moved and seconded with the addition of the words *"and the other 50% should be made available for the development of sustainable communities, in-line with Council priorities;"* at paragraph 3a(ii).

One Member stated that, as an extraordinary meeting only one topic could be discussed. He was concerned that any decision made beyond determining the strategic choice of Landlord in recommendations one and two, would contravene the remit of the meeting under paragraph 3.2 of the Council's Procedure Rules in Part 4 constitution. The Chief Executive advised that the procedure rule referred to the restriction to a single item, not a single recommendation; consideration of the third recommendation would be necessary, as it would affect the strategic choice of Landlord. Determination of what to do with the receipt from the transfer will affect the ability of the new RSL to invest in affordable housing. In addition, determination of whether the DWO and Care Services would be transferred would impact on the size and critical mass of the new RSL. The Monitoring Officer agreed that there was a

necessary linkage between recommendation one, two and three. The Chairman stated that following the advice of the Chief Executive and the Monitoring Officer he ruled the recommendations before the Council for decision at this meeting were constitutionally sound.

An amendment was proposed and seconded:

“That:

- 1. Further investigation is carried out into the reasons why stand alone associations have been rejected by other Councils.*
- 2. Capacity and development targets be established for the Housing Association to ensure that it is effective.”*

The Member stated that he was concerned about the capacity of standalone RSLs and whether the Housing Department and associated services would be ready to operate independently. He also questioned provisions, should a new standalone RSL fail to perform. He suggested that further research into negative ballots at other councils should be carried out, in an attempt to protect the assets of the Council. Members were advised that the re-structure of Housing and associated services had been done with the possibility of transfer in mind. The new structure of Tenancy Services would allow it to function under an RSL, should tenants positively ballot for stock transfer.

Several Members spoke in favour of the amendment. Points made included the care that would be necessary before the transfer of a considerable proportion of the Council’s assets. Members in favour of the amendment felt that further research would be for the protection of tenants and to ensure the future viability of the Council. Members were keen that tenants were given the best offer possible at the time of the ballot. Further information was felt necessary because of the import of the decision and more information could prevent error.

Members speaking against the amendment argued that the final recommendation made by a combined Member/Tenant Working Group, reflected the advice of independent advisors and case studies of other Authorities. Tenants across the District would be given the opportunity to make the final decision during the ballot of tenants.

A request for a recorded vote was moved and seconded. The request was supported in accordance with Council procedure rule 16.4.

<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Councillor Bisnauthsing	Councillor Auger	
Councillor Mrs. Dexter	Councillor Mrs. Bosworth	
Councillor Mrs. Gaffigan	Councillor Brailsford	
Councillor Gibbins	Councillor Bryant	
Councillor Howard	Councillor Carpenter	
Councillor Joynson	Councillor Mrs. Cartwright	
Councillor Kerr	Councillor Conboy	
Councillor O’Hare	Councillor Hewerdine	
Councillor Shorrock	Councillor Kirkman	
Councillor Steptoe	Councillor Lovelock	
Councillor Waterhouse	Councillor Martin-Mayhew	
Councillor Wilks	Councillor Nadarajah	
Councillor A. Williams	Councillor Mrs. Neal	
Councillor M. Williams	Councillor Nicholson	
	Councillor Parkin	

Councillor Pease
Councillor Mrs. Percival
Councillor Mrs. Radley
Councillor Radley
Councillor Sandall
Councillor Smith
Councillor Mrs. Smith
Councillor G. Taylor
Councillor M. Taylor
Councillor Thompson
Councillor Turner
Councillor Wheat
Councillor Mrs. Wheat
Councillor Mrs. Woods

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The amendment was lost.

One Member speaking against the original motion was concerned that there was no definitive information available. There was also concern over appointments to the board and the selection of the Chairman. He was advised that following a decision on the strategic choice of Landlord, the model would be developed. No details would be decided until after the strategic choice had been made because the decision made would determine the structure of future work. Until a positive ballot of tenants, the board would remain as a shadow board. If the ballot failed, the shadow board would be disbanded. The meeting was also advised that the board would comprise 5 tenant representative, 5 District Council appointed representatives and 5 independent representatives. The board would appoint its own Chairman.

One Member articulated potential consequences for economic development in South Kesteven, if there was the potential that the RSL was based outside the District. On a broader level it was observed that local residents could also be affected by the loss of Council assets on a broader level. Another Member was also concerned about how the costs incurred in the creation of the board would be offset. The Corporate Director, Regulatory Services advised that in the event of a positive tenant ballot costs would be offset by receipts. If the tenant ballot was negative, the District Council had made provisions to cover abortive costs.

A Member speaking in favour of the original motion stressed the importance of the site visits and stated that transfer could lead to financial protection from any cumulative costs from the maintenance of the housing stock for the thirty-year period.

A speaker against the original motion questioned the ability of an RSL to raise money. All monies borrowed would be on the open market and subject to market-level interest rates; the only means to offset these would be through protected rents. The RSL would be a non-profit organisation and it was queried whether it would be able to meet payments. Members were informed that while an RSL would be subject to the market economy, they would not have to pay monies from rent to the government, as the District Council had to.

The Leader of the Council asked that Members trusted the working group, who had done in-depth work on the strategic choice of Landlord, particularly as tenants comprised part of the working group. Another Member added that it was necessary to consider the views of the electorate. This had been reflected in the composition of the

working group and would be furthered in the ballot of tenants.

In accordance with Council Procedure Rule 14.10(f) a motion was moved that the meeting should be adjourned until the next full meeting of the Council of January 26th 2006. The motion was seconded.

The mover of the motion suggested that the meeting should be adjourned because he felt that debate on points relevant to the selection of a strategic Landlord had been limited. In his view there had been minimal open, public debate and that the current position had been subject to a brief amount of discussion. He requested that more detail be provided before continuation of the debate. Speaking against the motion, a Member said that as the decision was being made in principle, further information should not affect the outcome.

The motion was put to the vote and lost.

A vote on the original motion was taken. The request was supported in accordance with Council procedure rule 16.4.

<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Councillor Auger	Councillor Mrs. Dexter	
Councillor Mrs. Bosworth	Councillor Mrs. Gaffigan	
Councillor Brailsford	Councillor Gibbins	
Councillor Bryant	Councillor Joynson	
Councillor Carpenter	Councillor O'Hare	
Councillor Mrs. Cartwright	Councillor Shorrocks	
Councillor Conboy	Councillor Steptoe	
Councillor Hewerdine	Councillor Waterhouse	
Councillor Howard	Councillor Wilks	
Councillor Kerr	Councillor M. Williams	
Councillor Kirkman		
Councillor Lovelock		
Councillor Martin-Mayhew		
Councillor Nadarajah		
Councillor Mrs. Neal		
Councillor Nicholson		
Councillor Parkin		
Councillor Pease		
Councillor Mrs. Percival		
Councillor Mrs. Radley		
Councillor Radley		
Councillor Sandall		
Councillor Smith		
Councillor Mrs. Smith		
Councillor G. Taylor		
Councillor M. Taylor		
Councillor Thompson		
Councillor Turner		
Councillor Wheat		
Councillor Mrs Wheat		
Councillor Mrs. Woods		
31	10	0

The motion was carried.

The Chairman of the Council forewarned Members that the date of the Council meeting scheduled for February 23rd 2006 would be moved to March 2nd 2006. This would need to be ratified at the next meeting of the Council of January 26th 2006.

93. CLOSE OF MEETING

The meeting was closed at 15:25.

Agenda Item 5

SOUTH KESTEVEN DISTRICT COUNCIL CIVIC ENGAGEMENTS – NOVEMBER 2005

<u>Ref</u>	<u>Date</u>	<u>Time/Duration*</u>	<u>Event</u>	<u>Location</u>	<u>Transport</u>
JK75	3rd	7.30p.m.	Presentation of Awards for Lincolnshire Best Kept Village of the Year	Leadenham Village Hall	Chauffeur
JK67	4th	7.30p.m.	Stamford Festival Charity Band Concert	Stamford Endowed School Hall, Stamford	Own
JK99	7th		Funeral of Ex Councillor Percy Wilson	Bourne Abbey, Bourne	Own
JK78	6th 11th 13th	3.00p.m. 11.00a.m. 11.00a.m.	Grantham Royal British Legion – Remembrance Day Parade Opening of Garden 2 Minutes Silence Remembrance Service	Garden of Remembrance, St. Wulfram's Church	Own Transport
GT9	13th	11.00a.m.	Annual Remembrance Service	War Memorial, Stamford	Own Transport
JK90	18th	6.30p.m.	Annual Awards Ceremony	Grantham College	Chauffeur
JK82	19th	12.15p.m.	Young Enterprise (East of England) Trade Fair – Judging Best Trade Stand Competition	Stamford Arts Centre	Own Transport
JK88	24th	7.30p.m.	Anniversary Concert – North Kesteven District Council	Terry O'Toole Theatre, North Hykeham	Chauffeur
JK95	25th	1.00p.m.	Presentation of Healthy School Certificate	Spitalgate Primary School, Trent Road, Grantham	Own
JK48	25th Nov		Grantham Journal Business Awards	Belton Woods Hotel	Own Transport
JK89	27th Nov	10.30 for 11.00	Presentation, Reception and Curry Lunch	Prince William of Gloucester Barracks, Grantham	Chauffeur

JK96	27th Nov	4.30p.m.	Carol Service and Switching on of Christmas Lights	Mayor's Parlour and St. Peter's Hill Grantham	Own
GT10	27th Nov	10.45a.m.	Opening of Christmas Market, Lunch, and Christingle Service	Sleaford Town Market Place and St. Denys' Church	Own Transport
JK93	29th	12 noon	Completion of Grantham Cattle Market	Augustin Retail Park, Grantham	Own Transport
JK80	30th	6.45p.m.	Annual Red Arrows Concert	Lincoln Cathedral	Chauffeur

SOUTH KESTEVEN DISTRICT COUNCIL
CIVIC ENGAGEMENTS – DECEMBER 2005

<u>Ref</u>	<u>Date</u>	<u>Time/Duration*</u>	<u>Event</u>	<u>Location</u>
JK97	Various In Dec.	Various.	Christmas visits to GOPD schemes for Carol Services; Christmas lunches, tea and coffee mornings (x 5)	Central Place, Grantham Emlyn Gardens, Stamford Woods Close, L. Bennington Archers Way, Gt. Ponton Sandon Close, Grantham Manor Court, Bourne
GT5	2nd	7.30p.m.	<i>Vice Chairman Annual Mencap Carol Service</i>	<i>Finkin Street, Grantham</i>
JK92	2nd	6.30p.m.	Stamford Town Council Civic Dinner	Stamford Town Hall
JK91	7th	4.15p.m.	Carol Service and Presentation of the Newark and Sherwood Citizens of 2005	The Dome, Kelham Hall
JK108	8th	All day	SKDC's Citizen's Jury	Council Chamber, Grantham Offices
JK87	8th	7.00p.m. for 7.30p.m.	Lincs County Council Civic Dinner	Judges Lodgings, Castle Hill, Lincoln
JK109	10th	Evening	Grantham Mayor's Band Concert	St. Wulfram's Church, Grantham
JK110	11th	Evening	Qu'Appelle Christmas Party	Bourne
JK111	18th	p.m.	Bourne Grammar School Carol Service	Bourne
JK112	18th	Evening	Methodist Church Carol Service	Grantham, Lincs.
JK101	26th	11.00a.m.	Mayor of Grantham Belvoir Hunt Boxing Day Meet	St. Peter's Hill, Grantham

REPORT TO COUNCIL

REPORT OF: SCRUTINY OFFICER

REPORT NO. DLS 54

DATE: 26TH JANUARY 2006

TITLE:	OVERVIEW AND SCRUTINY ANNUAL REPORT TO COUNCIL
FORWARD PLAN ITEM:	N/a
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/a
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/a

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR FRANCES CARTWRIGHT ORGANISATIONAL DEVELOPMENT
CORPORATE PRIORITY:	Access
CRIME AND DISORDER IMPLICATIONS:	None
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report and its attachments are publicly available via the Local Democracy link on the Council's website www.southkesteven.gov.uk
BACKGROUND PAPERS:	Agendas, minutes and notes of the DSPs 2004/5

1. **FOREWORD**

- 1.1 The articles of the Council's Constitution require the Development and Scrutiny Panels to report to Full Council on their work and make recommendations for future work programmes and amended working methods if appropriate (para 6.5 (d) refers, page 18).
- 1.2 This is the first annual report of South Kesteven District Council's Development and Scrutiny Panels (DSPs). The report describes the work that has been carried out by the DSPs during the period 1st July 2004 to 30th April 2005, but also includes the two call in meetings that took place at the end of June 2004. Future reports will encompass a full Municipal Year. The report lists the year's achievements and any areas of concern.
- 1.3 The DSPs wish to thank the officers at all levels in the Council who have supported them by providing information, guidance and advice both at meetings and outside. The DSPs would also like to thank the Cabinet members, all of whom have co-operated with the scrutiny function, attended DSP meetings and contributed where necessary. This spirit of co-operation has continued into 2005/06 and it is hoped that it will remain the norm at South Kesteven District Council.
- 1.4 During the year in question, it was demonstrated that the public are prepared to engage in scrutiny in areas where they have a particular interest. It could be that one of the barriers to increase public involvement in scrutiny is a lack of appreciation of what it is that scrutiny does and can do. This is an area that should be addressed in the future. It should be an aim of the Council to promote the concept of scrutiny to the wider public and, through this, to further involve members of the public in the scrutiny process.
- 1.5 The Council introduced five Development and Scrutiny Panels (DSPs) in July 2004, replacing the former Policy Development Committees (PDCs). The DSPs have two distinct functions in relation to
- Policy development and review;
- And
- Scrutiny.
- 1.6 The Council's Constitution sets out these functions as follows:-
- “ a) Policy development and review.
- DSPs may:
- i) Assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
 - ii) Conduct research, community and other consultation in the analysis of policy issues and possible options;

- iii) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- iv) Question members of the Cabinet and/or committees and chief officers about their views on issues and proposals affecting the area;
- v) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

b) Scrutiny

DSPs may:

- i) Review and scrutinise the decisions made by and performance of the Cabinet and/or committees and Council officers, both in relation to individual decisions and over time;
- ii) Review and scrutinise performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- iii) Question members of the Cabinet and/or committees and appropriate officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- iv) Make recommendations to the Cabinet and/or appropriate committees and/or Council arising from the outcome of the scrutiny process;
- v) Review and scrutinise the performance of other public service bodies in the area and invite reports from them by requesting them to address a DSP and local people about their activities and performance;
- vi) Question and gather evidence from any person (with their consent)."

1.7 Paragraph 15 of the Overview and Scrutiny Procedure rules states that "A DSP or constituted working group may invite people other than those people referred to in Rule 14 above (ie members and officers) discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend" This is an aspect that was taken up in 2004/5 (see appendix) and this has continued into 2005/6.

1.8 DSPs also have the power to call-in executive decisions. There were eight call-ins during the year in question and these are detailed in the report. It will be noted that, during the year in question, no forward plan items or key decisions were called in for re-consideration.

1.9 The work of the DSPs is co-ordinated by the Scrutiny Co-ordination Group which has met on a regular basis. There are also regular meetings with the Cabinet via the Cabinet and Scrutiny Liaison Group.

1.10 The work of each of the DSPs during 2004/5 is detailed in the attached appendix.

2. RECOMMENDATION

The Council is asked to note the report.

Paul Morrison
Scrutiny Officer



**OVERVIEW AND SCRUTINY
ANNUAL REPORT TO COUNCIL
2004/2005**

CAPACITY AND RESOURCES DSP

Chairman: Councillor Reg Lovelock

Vice Chairman : Councillor Mrs Angeline Percival

Much of this DSP's work was concentrated on the financial and budgetary side of Council activities.

Meeting Date	Commentary
22 nd July 2004	The Work Programme for the year was agreed. At this meeting the Panel examined the local lobbying strategy and "missing millions" campaign. Recommendations were made to Cabinet which were subsequently taken on board.
30 th September 2004	The major item at this meeting was Citizen's Advice Bureau (CAB) funding. CAB officers were closely questioned about their bid for funding in 2005/6 and about the work of the CAB. Recommendations were made to Cabinet which were subsequently taken on board. There was also an update on the local lobbying campaign. At this meeting, first consideration was given to budget planning for 2005/6. The DSP agreed to schedule an additional meeting for this purpose. The principle of a budget based on a 6% increase in council tax was supported.
29 th October 2004	This was a meeting convened to consider the call-in of the decision to sell Star Lane toilets in Stamford. The Leader of the Council attended this meeting. The DSP recommended that the decision be reconsidered but the original decision was not changed.
1 st November 2004	At this meeting the E government and Customer Services Working Group gave a presentation on their work. The DSP supported the Working Group's recommendation, these were in turn supported by Cabinet and Full Council. The DSP was advised of this year's budget timetable and the key issues to be addressed. A financial summary for 2003/4 was considered. The DSP scrutinised a report of the Business Services Manager on the Council's Procurement Strategy, which was endorsed.

6 th December 2004	At this meeting detailed work was carried out on the budget including the 2004/5 settlement, a pension fund update, special expense areas, salaries and other expenses. The financial aspects of Recycling were also considered.
20 th January 2005	There was further detailed work on the budget, members of the Budget Working Group were in attendance (representatives of the other DSPs)
10 th February 2005	There was scrutiny of the draft 2005/6 Budget including the Capital Programme. Also considered were the financial aspects of the Stock Option Appraisal process.
17 th March 2005	A review of the Council's priorities was considered as were aspects of the financial implications of the Stock Option Appraisal process.
8 th April 2005	Joint meeting with Community DSP (independently chaired) closely scrutinised the Stock Option Appraisal process and could not find a flaw in this process (the merits or otherwise of SOA were not part of this scrutiny)

COMMUNICATIONS AND ENGAGEMENT DSP

Chairman: Councillor John Hurst, then Councillor Michael Taylor

Vice Chairman: Councillor Michael Taylor, then Councillor Mano Nadarajah (from January 2005)

SKDC Priority: Access

Meeting Date	Commentary
26 th July 2004	<p>A report on E government was considered and an E government and Customer Services Working Group was established.</p> <p>A letter from British Telecom re the proposed removal of payphones in the District was referred to the DSP by the Portfolio Holder for technology. Recommendations were made to the Portfolio holder regarding a reply to BT, these were accepted by the Portfolio Holder (Cllr Carpenter).</p>
16 th September 2004	<p>The Chairman reported on the action he had taken regarding the proposed withdrawal of the 24 hour GP service from South Kesteven.</p> <p>There was a presentation on completing the Council's prioritisation process.</p> <p>The DSP set up a working party on the Council's generic equalities scheme with a view to the Council achieving level 2.</p>
18 th November 2004	<p>The Freedom of Information Act and its implications for the Council were considered as were the new national. Firework Regulations.</p> <p>Further reports were received from the working groups on E government and equalities.</p>
13 th January 2005	<p>There was a lengthy discussion on Community Forums and in particular the on-line forums. The latter were recommended for closure because of the possibility of misuse.</p> <p>The Panel interviewed the Director of the Lincs Ambulance Service on the management of non serious 999 calls. An invitation to visit the Ambulance Control Centre in Lincoln was accepted.</p> <p>The DSP discussed diversity and discrimination as part of its review of the generic equalities scheme.</p> <p>The DSP considered and endorsed the new local performance indicators.</p>

10th March 2005

There was a review of the operation of the local area assemblies. A further report on equalities was considered as was correspondence from a member of the public regarding the on line forums.

14th April 2005

Feedback was received from the Cabinet regarding its decision on the local area assemblies.
There was further discussion on the community portals and on-line forums with the relevant corporate director in attendance to answer questions.

COMMUNITY DSP

Chairman: Councillor Mrs Pam Bosworth

Vice Chairman: Councillor Mrs Joyce Gaffigan

SKDC Priority: Anti Social Behaviour

Meeting Date	Commentary
28 th June 2004	The first meeting of this DSP was called to consider a call-in request in respect of a Cabinet Member decision on the Council's door replacement programme. The relevant Portfolio Holder attended (Councillor Martin-Mayhew). Having considered the evidence the Panel agreed to take no further action on the call-in request.
8 th July 2004	The DSP set its Work Programme for the Year including the establishment of working groups on street drinking and affordable housing.
23 rd September 2004	The Panel devoted this meeting to an in depth scrutiny of housing management issues. Relevant officers and the Portfolio holder were interviewed. Amongst the issues considered were the ongoing problems at Newton Court Colsterworth. A voids and difficult to let working group was established to examine these issues.
11 th November 2004	The Panel considered a call-in request on a non key decision taken regarding Newton Court, Colsterworth. The relevant portfolio holder (Councillor Martin-Mayhew) attended the meeting. Having listened to the evidence the DSP agreed to take no further action on the call-in request. A report was on the new fireworks Regulations was considered. The RSPCA "Quiet Please" campaign was supported (by a majority). Affordable Housing was also considered, it was agreed to revisit this issue in the future. A report was received from the Street Drinking Working Group.
29 th November 2004	This was a special meeting called at short notice to consider an item newly appeared on the Forward Plan – Anti Social Behaviour Policy for Housing Management, a Category A priority for the Council. The Portfolio Holder (Councillor Martin-Mayhew) attended at short notice. Some

suggested amendments to the draft policy were made which were taken on board by the Cabinet. A progress report was also received from the voids and difficult to let working group.

6th January 2005

The Panel received a detailed presentation on stock option appraisal from the Corporate Director Regulatory Services, which outlined the four options available to the Council. The meeting received a visit from Boston Borough Council officers who were looking at scrutiny at other authorities.

3rd March 2005

The Panel received a presentation from Lincolnshire Police on a range of issues including anti social behaviour, street drinking and crime statistics for the area. The Council's Community Safety Manager attended and outlined the new anti social behaviour enforcement policy, a category A priority for the Council.

5th April 2005

This was a call-in meeting, a request for call-in of a non key decision on housing adaptations had been received. The portfolio holder attended the meeting and outlined the reasons for his decision. On hearing the evidence, the Panel decided to take no further action. The Panel was also consulted by the Cabinet on its proposals for affordable housing. On examining the report the DSP decided to refrain from comment until it had received further information later in the year.

8th April 2005

Joint meeting with Capacity and Resources DSP on stock option appraisal process. The joint meeting decided that all procedures had been followed correctly and there had not been any flaws in the process that had led the Stock Option Appraisal Commission (SOAC) to reach its decision. Nb the actual decision of the SOAC was not subject to scrutiny.

ECONOMIC & CULTURAL DSP

Chairman: Councillor John Nicholson

Vice Chairman: Councillor Jeff Thompson

SKDC Priority: Grantham as a Sub Regional Centre

Meeting Date	Commentary
20 th July 2004	Work Programme for the year determined: Initial topics for consideration were Small Business Units Grantham Canal Basin Markets
23 rd September 2004	Councillor Selby presented a report on the work of the Markets Working Group. A number of recommendations to the Portfolio holder were agreed. The Panel considered a Department for Culture, Media and Sport Publication <i>Culture at the heart of Regeneration</i> .
23 rd November 2004	In response to public concerns, the Panel interviewed officers from Transco on the street works currently going on in Grantham. Having questioned the Transco officers the Panel was satisfied with the answers given. The Portfolio holder (Councillor John Smith) attended for a follow-up on the Markets Working Group report. Some of the Group's recommendations were taken on board by the Portfolio holder.
21 st January 2005	This was a special meeting called to consider a Call-in request re the purchase and refurbishment of Thurlby Youth Hostel. The Leader of the Council attended on behalf of the Portfolio holder who was unavailable and stated that she welcomed the chance to revisit this particular decision. The Panel recommended that the Portfolio holder reconsider the original decision.
1 st February 2005	Reports on the Local Development Framework and Small Business Units Working Group were considered.

22nd March 2005

Pre decision scrutiny was carried out on proposals for a science discovery centre and on Leisure Connection.

An explanation was given on the Urban Capacity Study and Interim Housing Policy.

Councillor Selby made a presentation on Skillington in Bloom.

19th April 2005

The Panel received a presentation on the possible formation of a Leisure Trust. There was an update report on markets.

Further reports were received from the working groups relating to small business units and the Grantham Canal Basin.

ENVIRONMENT

Chairman: Councillor George Waterhouse

Vice Chairman: Councillor Nick Craft

SKDC Priorities: Street Scene and Recycling

Meeting Date	Commentary
21 st June 2004	The meeting was convened to consider a call-in request in respect of Car Parking Charges at the multi storey car park in Grantham. The Portfolio holder, Councillor Auger, attended the meeting. Having listened to the evidence, the Panel agreed to take no further action on the call-in request.
13 th July 2004	The Work Programme for the Year was set. This would include Recycling, Street Scene issues and consideration of the draft Lincolnshire Waste Local Plan. A recommendation was also made to the Portfolio holder that spot fines for litter dropping should be implemented across the District.
26 th August 2004	The Chief Executive made a presentation on completing the Council's Prioritisation process. There was a presentation and discussion on waste management and recycling. The portfolio holder reported that he had accepted and actioned the request made at the last meeting in respect of fines for litter dropping.
28 th October 2005	This meeting was called to consider a call-in request in respect of a Cabinet member decision to declare the toilets in Star Lane, Stamford, surplus to requirements. The Portfolio holder (Councillor Martin-Mayhew) attended the meeting. The DSP recommended that the Portfolio holder reconsider his decision; this recommendation was not accepted by the Portfolio holder.
9 th November 2004	Pre decision scrutiny was carried out on the issue of disposal of council car parks, a number of recommendations were made to the Portfolio holder. The Panel revisited its work programme for 2004/5. A report was received from the Street Scene working Group. The issue of universal superloos in Stamford was

considered and a recommendation made to the Cabinet to discontinue the contract for this service.

18th January 2005

There was further discussion on toilet provision in Stamford and the recommendation made to Cabinet in November was reaffirmed. The question of fines for litter dropping was reconsidered. It was agreed that the DSPs concerns should be forwarded to the Police. Pre decision scrutiny was carried out on alternative uses of Watergate Car Park in Grantham, it was recommended that the car park should be retained as a source of income to the Council. In response to concerns locally the DSP considered the issue of Grantham bus services, including written representations from the County Council who were unable to attend.

15th March 2005

The Panel considered a report on a review of the Council's priorities and corporate planning arrangements. Other issues considered were the river care scheme and chewing gum removal machines.

21st March 2005

This was a special meeting called to consider a call-in request in respect of the provision of an attended toilet facility in Grantham. The portfolio holder (Councillor Martin-Mayhew) attended the meeting to answer questions. After much consideration the Panel agreed to ask the Portfolio holder to reconsider his decision regarding the location of the toilet.

31st March 2005

This was a special meeting called to address urgent items that had recently been included in the Forward Plan, namely the future of Watergate and East Street Car Parks and the Housing Needs Survey. In both cases the DSP made recommendations which were accepted by the Cabinet.

12th April 2005

The new Bourne Bypass was considered, aspects considered were HGV usage in villages, speeding and volume of traffic. There was further consideration of recycling, the Lincolnshire Waste Plan and automatic public conveniences. There was a presentation on energy use by the Council's Energy Manager and the Head of Property Services.

SCHEDULE OF CALL INS 2004/5

DATE	DSP	TITLE	CALLED IN BY	RESULT
21.6.04	Environment	Car Parking Charges NKD by Cllr Auger	Cllr Waterhouse used his Prerogative as Chairman to call it in on his own.	DSP decided to take no further action but rec relating to past policies
28.6.04	Community	Door Replacement Programme NKD by Cllr Martin-Mayhew	Cllrs Bisnauthsing, Hewerdine, Gibbins	DSP decided no further action was necessary
28.10.04	Environment	Star Lane Toilets NKD by Cllr Martin-Mayhew	Cllrs Craft, Fisher, Joynson	Ask Portfolio holder to reconsider decision. Not taken on board by the decision taker.
29.10.04	Capacity and Resources	Star Lane Toilets NKD by Cllr Mrs Neal	Cllrs Kirkman, Conboy, Lovelock	Ask Portfolio holder to reconsider decision. Not taken on board by the decision taker
11.11.04	Community	Newton Court, Colsterworth NKD by Cllr Martin-Mayhew	Cllrs Sandall, Gaffigan, Hewerdine	Having heard the evidence, DSP decided not to support the call-in
21.01.05	Economic & Cultural	Thurlby Youth Hostel NKD by Cllr John Smith	Cllr Nicholson used chairman's prerogative to call it in on his own	To be reconsidered by Portfolio holder following representations by the DSP
21.03.05	Environment	Grantham Toilet Location, Cabinet Decision	Cllr Waterhouse used chairman's prerogative to	Recommend that Portfolio holder reconsider . Decision

Appendix 2 Scrutiny annual Report to Council 26.1.06

		NKD by Cllr Martin- Mayhew	call it in on his own	reaffirming original decision was subsequently issued
05.04.05	Community	Housing Adaptations – To require means testing NKD by Cllr Martin- Mayhew	O’Hare Gibbins Hewerdine	DSP agreed no further action was necessary

REPORT TO COUNCIL

REPORT OF: CORPORATE MANAGER – DEMOCRATIC AND LEGAL SERVICES

REPORT NO. DLS59

DATE: JANUARY 2006

TITLE:	AMEMDMENTS TO THE CONSTITUTION – DELEGATION TO OFFICERS
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	N/A
CORPORATE PRIORITY:	CORPORATE GOVERNANCE AND MANAGEMENT OF COUNCIL BUSINESS
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	THIS REPORT IS PUBLICLY AVAILABLE VIA THE COUNCIL'S WEBSITE – WWW.SOUTHKESTEVEN.GOV.UK UNDER “LOCAL DEMOCRACY – AGENDA AND MINUTES”
BACKGROUND PAPERS:	THE COUNCIL'S CONSTITUTION

1. INTRODUCTION

- 1.1 In accordance with minute No 67 of the September meeting of the Council, it is necessary to report changes to the list of office of delegations and authorisations to officers that have occurred since that meeting.
- 1.2 Members will recall that the Chief Executive as Head of Paid Service was made responsible for maintaining the scheme of delegation and to make appropriate arrangements for the continual review of such arrangements.

2. DETAILS OF THE REPORT

- 2.1 In accordance with that previous decision of the Council a schedule of the changes reported to the Chief Executive in relation to officer of delegations that require amendment to the Council's Constitution is attached.
- 2.2 The scheduled details the changes that have occurred that now require approval of the Council to amend the Constitution.

3. RECOMMENDATION

- 3.1 It is recommended that the Council note the amendments and approve the schedule of amendments to officer delegation in order that the Council's Constitution can be amended in due course.

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REPORT TO COUNCIL

REPORT OF: CORPORATE MANAGER – DEMOCRATIC AND LEGAL SERVICES

REPORT NO. DLS60

DATE: JANUARY 2006

TITLE:	RECOMMENDATIONS FROM THE CONSTITUTION AND ACCOUNTS COMMITTEE HELD ON 9 TH JANUARY 2006
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	N/A
CORPORATE PRIORITY:	CORPORATE GOVERNANCE AND MANAGEMENT OF COUNCIL BUSINESS
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	THIS REPORT IS PUBLICLY AVAILABLE VIA THE COUNCIL'S WEBSITE – WWW.SOUTHKESTEVEN.GOV.UK UNDER “LOCAL DEMOCRACY – AGENDA AND MINUTES”
BACKGROUND PAPERS:	MINUTES OF THE MEETING OF THE CONSTITUTION ACCOUNTS COMMITTEE DATED 9 TH JANUARY 2006

1. INTRODUCTION

- 1.1 At its meeting on the 9th January 2006 The Constitution Accounts Committee made the following decision that requires the approval of the Council as it relates to recommended amendments to the Constitution.

2. DETAILS OF THE REPORT

EXTRACT FROM MINUTES CONSTITUTION AND ACCOUNTS COMMITTEE MONDAY, 9 JANUARY 2006

25. RECOMMENDATIONS FROM THE SCRUTINY CO-ORDINATING GROUP

Decision

To request the Council to approve the following amendments to the Constitution:

- 1) That the right of Chairmen or Vice-Chairmen (at the request of the Chairmen) to attend open and private cabinet meetings and speak on behalf of their DSP on relevant matters provided that the Chairman (or Vice-Chairman on behalf of the Chairman) reflect the views of the Panel and undertake to communicate those deliberations of the cabinet meeting back to the DSP.***
- 2) That reciprocal arrangements be granted to the Cabinet Portfolio Holders to attend and speak at relevant DSP meetings.***
- 3) That provision for Chairmen or Vice-Chairmen of DSP's should be made within the Constitution to allow them to speak at Cabinet meetings before debate of a relevant DSP item.***

Members had before them report DLS50 which concerned recommendations that had come out of a recent Scrutiny Co-ordinating Group meeting. The report dealt with attendance of Chairmen or Vice-Chairmen of DSP's attending Cabinet meetings. Members of the Scrutiny Co-ordinating group felt that the Constitution should be revised to ensure that it is the right of Chairmen or Vice-Chairmen of DSP's to address the Cabinet on behalf of their Panel on any item of relevance to that Panel. Also that Chairmen or Vice-Chairman should be able to attend private cabinet meetings.

Members had mixed views over the proposals but the consensus was that private cabinet meetings should remain private. The Chief Executive did clarify that a private cabinet meeting had not been held over the last year. Private briefings had taken place but no decisions were taken at these meetings and it would be a rare occurrence where a decision had to be taken in camera which would necessitate a private cabinet meeting. Members felt that the DSP Chairmen and Vice-Chairmen were given the opportunity to speak at Cabinet and the Leader of the Council said that she had never denied any of the Councillors the opportunity to and never would.

The Chief Executive said that the Chairmen and Vice-Chairmen of the DSP's were trying to achieve better pre-scrutiny of issues on the forward plan which was behind their request. It was felt that if the recommendation was agreed that it should state that the Chairman/Vice-Chairman was properly reflecting the views of the Panel and that the findings of the meeting should be reported back to the Panel.

A comment was then made about the call-in procedure and reference was made to the last call-in and its validity. The Corporate Manager Democratic and Legal Services clarified to the Committee the role of the DSP's and the call-in procedure rules as defined in the Local Government Act 2000. The Chief Executive said that questions had certainly been discussed at the call-in and responses given.

An amendment was proposed and seconded that arrangements be made for the Portfolio Holders to speak at DSP meetings. On being put to the vote the amendment was lost. The original recommendation was then proposed with the addition that the Chairman or Vice Chairman (who attended at the Chairman's request) reflect the views of the Panel to the Cabinet and that the outcome of the meeting be reported back to the DSP. This was proposed and seconded and the recommendation carried.

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REPORT TO COUNCIL

REPORT OF: CORPORATE DIRECTOR (REGULATORY SERVICES)

REPORT NO: DRS30

DATE: 26TH JANUARY 2006

TITLE:	APPOINTMENT OF COUNCIL BOARD REPRESENTATIVES FOR NEW LARGE SCALE VOLUNTARY TRANSFER REGISTERED SOCIAL LANDLORD
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR FRANCES CARTWRIGHT
CORPORATE PRIORITY:	CATEGORY A – AFFORDABLE HOUSING
CRIME AND DISORDER IMPLICATIONS:	NONE
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available via the Local Democracy link on the Council's website www.southkesteven.gov.uk
BACKGROUND PAPERS:	MINUTES OF EXTRAORDINARY COUNCIL MEETING – 5 TH JANUARY 2006 SHADOW BOARD MEMBERSHIP PACK

1. INTRODUCTION

- 1.1 At the Extraordinary meeting of the Council held on 5th January 2006 members identified and approved a new Registered Social Landlord as the

preferred strategic choice of landlord for the purpose of the potential Large Scale Voluntary Transfer (LSVT) of the Council's Housing stock.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Council appoints five members as South Kesteven's nominations for the Board of the new Registered Social Landlord for the purposes of Large Scale Voluntary Stock Transfer.

3. BACKGROUND DETAILS

- 3.1 At the Council meeting on 8th September 2005, the Chairman announced in communications, that a letter had been received from the Corporate Director (Regulatory Services) giving membership details of working groups for LSVT. Since that meeting the Council has resolved to identify and approve a new Registered Social Landlord as the preferred strategic choice of landlord for the purpose of the potential large scale voluntary transfer (LSVT) of the Council's Housing Stock.
- 3.2 The composition of the Board will be made up of 5 tenant representatives, 5 Council representatives and 5 independent representatives. A Tenant Working Group is in the process of considering applications from tenant representatives to the Board and the Council needs to determine its representatives. In addition, a recruitment process is in progress to identify Independent Board Members. A Seminar for prospective board members was held on Thursday, 12th January 2006 and interviews are scheduled for the 2nd February 2006 for the Independent Board Members. These interviews will be undertaken by the Tenant and Council Board members following their appointment.
- 3.3 At the seminar for prospective Board members, presentations were provided on the following:-
- The Transfer process
 - The roles and responsibilities of Board Members
 - Tenant Board member perspective
 - Methods of assembling a Shadow Board for the new landlord for South Kesteven
- 3.4 The following members had previously expressed an interest in serving on the Shadow Board:-

Councillor B Helyar
Councillor R Howard
Councillor Mrs F Hurst
Councillor Kirkman
Councillor Moore
Councillor Mrs Percival

Councillor J Thompson
Councillor F Turner
Councillor G Wheat
Councillor J Wilks
Councillor M Williams

- 3.4 When considering representation on working groups associated with stock transfer an initial allocation to the Shadow Board comprised of Councillor Mrs F Hurst, Councillor J Thompson, Councillor F Turner, Councillor G Wheat and Councillor M Williams. This was only an indicative allocation based on preferences and was not formal nominations approved by the Council, therefore members are now requested to identify and approve nominations for the Board.

4. CONTACT OFFICER

- 4.1 Sally Marshall
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REPORT TO COUNCIL

REPORT OF: Head of Planning Policy & Economic Regeneration

REPORT NO. PLA.551

DATE: 26th January 2006

TITLE:	DISTRICT COUNCIL REPRESENTATIVES ON TOWN CENTRE MANAGEMENT PARTNERSHIPS
FORWARD PLAN ITEM:	N/a
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/a
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	No

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Cllr John Smith; Economic Development Portfolio
CORPORATE PRIORITY:	Town centres
CRIME AND DISORDER IMPLICATIONS:	None
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available via the Local Democracy link on the Council's website: www.southkesteven.gov.uk
BACKGROUND PAPERS:	PLA. 480. Review of terms of reference and composition of the Deepings Town Centre Management Partnership. February 2005.

1. PURPOSE OF REPORT AND SUMMARY

Councillor Auger has tendered his resignation from the Deepings Town centre Management Partnership. A replacement representative is required.

For clarification details of representatives on all of the TCMP's are provided.

2. DETAILS OF REPORT

Deepings

Following a period of relative inactivity, and the absence of a Chairman, steps were taken in February 2005 to re-structure the Town Centre Management Partnership in the Deepings (Report PLA.480 refers).

The revised structure contemplates two SKDC representatives on the Partnership; one from Market Deeping and one from Deeping St James. In the interests of continuity, the existing representatives (Councillor Auger and Councillor Howard), were maintained. Insofar as there are three representatives per ward, it was suggested at that time that the representation should rotate between each of the relevant ward members, with each member serving for a period of not less than 12 months. The first meeting of the reviewed Partnership took place in March 2005. The first period to consider a rotation of representation would therefore fall due in March 2005.

Councillor Auger has now tendered his resignation, and a replacement is required now. It is recommended that Cllr Helyar be nominated to serve on the Partnership until March 2007, and thereafter, Cllr Joynson assume that responsibility, until the District elections in 2007.

In relation to the Market Deeping representative, it is recommended that Cllr Howard continues to serve until March 2006. It is recommended that Councillor Pease be nominated to serve on the Partnership until March 2007, and thereafter, Cllr Galbraith assume that responsibility until the District elections in 2007.

Stamford

The District representatives on Stamford Vision are Councillor Conboy (since July 2003)and Councillor Helyar (nominated December 2004)

Bourne

The representatives on Bourne Town Centre Management Partnership are Councillors Neal, Fisher, J Smith and J Kirkman. It is anticipated that a review of the

Partnership structure will take place shortly, at which time the number of District Council representatives may be reviewed.

Grantham

There are two District representatives on the Strategy Group; Councillors Parkin and Mrs Wheat. Cllr Craft is a representative on the Projects Group (nominations confirmed October 2005)

3. RECOMMENDATIONS

- a. that Cllr Helyar be nominated to serve on the Deepings TCMP until March 2007
- b. that Cllr Joynson assume that responsibility, from March 2007 until the District elections in 2007.
- c. that Cllr Howard continues to serve on the Deepings TCMP until March 2006.
- d. that Councillor Pease be nominated to serve on the Deepings TCMP From March 2006 until March 2007
- e. that Cllr Galbraith assume that responsibility From March 2007 until the District elections in 2007.

4. CONTACT OFFICER

Mike Sibthorp
Head of Planning Policy & Economic Regeneration

REPORT TO COUNCIL

REPORT OF: Head of Planning Policy & Economic Regeneration

REPORT NO. PLA.552

DATE: 26th January 2006

TITLE:	DISTRICT COUNCIL REPRESENTATION ON THE GRANTHAM CANAL PARTNERSHIP
FORWARD PLAN ITEM:	N/a
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/a
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	No

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Cllr John Smith; Economic Development Portfolio
CORPORATE PRIORITY:	Town centres
CRIME AND DISORDER IMPLICATIONS:	None
FREEDOM OF INFORMATION ACT IMPLICATIONS:	This report is publicly available via the "Local Democracy" link on the Council's website: www.southkesteven.gov.uk
BACKGROUND PAPERS:	None

1. PURPOSE OF REPORT AND SUMMARY

In the light of the Council's commitment to progress the redevelopment of the Grantham Canal Basin area, and a commitment to work in partnership with British Waterways, Lincolnshire County Council and Lincolnshire Enterprise to realise these ambitions, it is appropriate to review the level of representation on the Grantham Canal Partnership.

2. DETAILS OF REPORT

The Grantham Canal Partnership is a body representing local authority, private sector and voluntary interests. Its principal focus is the restoration of the Grantham Canal. The District Council provides financial support to the partnership.

The Council's Town Centre Action Plan has identified the regeneration of the Grantham Canal Basin area as a priority action. In this connection the District Council is working in partnership with Lincolnshire County Council, British Waterways and Lincolnshire Enterprise to realise a shared vision for the site.

The significance of this project to the regeneration of the town centre, and the uplift of Grantham's sub-regional role (a category A priority) makes it extremely important that there is an appropriate level of representation upon the partnership, a point echoed by other canal basin partners. It is considered therefore that future representation on the Partnership should be at cabinet level.

3. RECOMMENDATION

That with immediate effect the District Council's representative upon the Grantham Canal Partnership shall be the serving Economic Development portfolio holder of the Cabinet.

4. CONTACT OFFICER

**Mike Sibthorp
Head of Planning Policy & Economic Regeneration**