



MINUTES

COUNCIL
THURSDAY, 25 OCTOBER 2007
2.00 PM

PRESENT

Councillor Michael Taylor Chairman

Councillor Robert Adams
Councillor Ray Auger
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Christine Brough
Councillor Robert Broughton
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor Elizabeth Channell
Councillor George Chivers
Councillor Michael Cook
Councillor Nick Craft
Councillor John Dawson
Councillor Mike Exton
Councillor Stuart Farrar
Councillor Mrs Joyce Gaffigan
Councillor Robert Hearmon
Councillor Bryan Helyar
Councillor David Higgs
Councillor Trevor Holmes
Councillor Reginald Howard
Councillor Mrs Maureen Jalili
Councillor Kenneth Joynson
Councillor Mrs Rosemary Kaberry-Brown
Councillor Albert Victor Kerr

Councillor Jock Kerr
Councillor Reg Lovelock M.B.E.
Councillor Peter Martin-Mayhew
Councillor Stuart McBride
Councillor Andrew Moore
Councillor Mrs. Linda Neal
Councillor Benjamin Newcombe-Jones
Councillor John Nicholson
Councillor Alan Parkin
Councillor Mrs Margery Radley
Councillor Bob Sandall
Councillor Susan Sandall
Councillor Trevor Scott
Councillor John Smith
Councillor Mrs Judy Smith
Councillor Mrs Maureen Spencer-Gregson
O.B.E.
Councillor Ian Stokes
Councillor Jeffrey Thompson
Councillor Frank Turner
Councillor Andrea Webster
Councillor Tom Webster
Councillor Graham Wheat
Councillor Avril Williams
Councillor Paul Wood
Councillor Raymond Wootten

OFFICERS

Chief Executive
Strategic Director (BA)
Corporate Head, Finance & Resources

OFFICERS

Corporate Head, Sustainable Communities
Legal Services Manager (Monitoring Officer)
Democracy Services Manager

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Davidson, Sam Jalili, Harvey, Russell, Selby, Stephens, and Mike Williams.

55. DECLARATIONS OF INTEREST

Councillor Wheat declared a personal interest in the subject of the notice of motion by Councillor Wootten. His personal but non prejudicial interest arose because he and his late wife used to run the post office on Brook Street, Grantham.

56. MINUTES OF THE ORDINARY MEETING HELD ON 6TH SEPTEMBER 2007.

The minutes of the ordinary meeting held on 6th September 2007 were approved as a correct record subject to the response by Councillor Mrs Spencer-Gregson to Mrs Partrick's supplementary question (Minute 34, Public Open Forum) being amended to read:

*" Can I just add that I was at a meeting of South Kesteven district Local Strategic Partnership yesterday and there is a review taking place of all community car schemes and we're hoping to allow **amalgamation of** these to provide provision."*

57. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

The list of the Chairman and Vice-Chairman's engagements since the last meeting of the Council was attached. The Chairman made the following announcements:

(1) Civic Service

The Chairman thanked members who attended his recent Civic Service – and also thanked those who had not attended for incurring additional cost upon the civic budget.

(2) Second Town and Parish Council Conference: 8th November 2007

The Chairman drew members' attention to a letter which had been circulated about the above event. He asked members to indicate on the pro forma attached whether or not they would be attending for catering purposes.

(3) Charity Dinner

The Chairman advised members that tickets were now on sale for his forthcoming Charity Dinner. However, the event was restricted to a maximum number of 80 persons.

58. GRANTHAM GROWTH BID

Following a short introductory speech by the Economic portfolio holder, Councillor Mrs Cartwright, a presentation was made to the Council by the Corporate Head, Sustainable Communities on the Grantham Growth Bid.

[A copy of the presentation is appended to these minutes.]

The Corporate Head explained the origin of the growth point concept, how this council had initially responded to invitations to bid, and stressed the huge opportunity that a successful bid would represent to the locality. In October 2007, the Government had announced £1.7b funding for growth areas, new growth points and eco-town projects. She explained the criteria for growth point applications and this would involve applicant authorities making a good case for economic and housing growth, the long term sustainability of development, and how the private sector investment will be funded.

The bid put forward by South Kesteven had been highly commended by the Government as one of the best put forward so far. Whilst that was no guarantee of success at this stage, the officer went on to highlight what achieving growth point status would mean to Grantham and the wider hinterland. She outlined the proposals by contrasting the picture of the town as at the present time with the aspirations for 2015. The proposals were based around four major sites: the south quadrant, the northwest quadrant, the town centre (which in itself comprised four key projects) and the development of the Grantham canal basin area. Individual project groups had been set up for these main sites. Members were advised about the importance of the various partnerships needed to deliver this massive undertaking with emphasis being on close working relationships with other local authority partners, public sector agencies, local businesses and other stakeholders. Such was the size and complexity of the proposals that it was inevitable that virtually all service areas across the council would be affected in some way.

Before taking questions from the floor, the Chairman advised members that such was the importance of this growth bid that a departure from the normal format of the council agenda to receive this presentation had been considered necessary.

The Corporate Head was thanked for her excellent and clear presentation. She responded to questions about the "trickle down" effect of the growth bid for the rural areas, whether the council's priorities would be reviewed as a consequence (particularly for tourism), and if the major landowners in the area were being kept informed. Members asked that they be kept fully informed at all stages as the bid progressed. Assurances were also sought that any support was directed not just to the Earlesfield ward but also Harrowby ward which had similar problems. Concern was expressed that alongside any future housing growth there were systems in place to support economic development and employment opportunities. On this latter point, the Corporate Head explained that she had been closely

monitoring how Milton Keynes had approached the significant housing growth it had experienced. She acknowledged that creating large housing estates on their own was not sustainable and that economic development and employment opportunities were main drivers for sustainable development. This council's economic development service was to be remodelled based on the Milton Keynes approach to focus on inward investment and to be more proactive in marketing aimed at inward investment and attracting "blue chip" companies to the area. The approach would be "Invest South Kesteven", not just Grantham.

59. CHANGES TO THE CONSTITUTION: RECOMMENDATION(S) FROM THE CONSTITUTION COMMITTEE

DECISION:

(1) To note the recommendation of the Constitution Committee to defer delegation to officers to accept tenders where the contract is to be awarded on the basis of lowest possible price pending satisfactory resolution of the issues surrounding members' electronic access to information at the pre-decision stage.

(2) That the recommendation regarding increasing the number of permitted call-ins per municipal year be not accepted.

The Chairman of the Constitution Committee presented the minutes from the meeting held on 15th October 2007 copies of which had previously been circulated to members. Before moving the two recommendations for Council approval, he drew members' attention to the A5 new copies of the Constitution which had been circulated today. The new, larger format from the previous year book was to accommodate the new additional amendments to the document and to make it easier to refer to, particularly through the use of different coloured paper to denote the different constituent parts. The recommendations were seconded.

The Leader raised concern at the recommendation contained in minute 11 regarding the proposed extension of the number of call-ins per year from six to nine. She accepted that for practical purposes there needed to be a limit but pointed out that in the last seven months there had only been one call-in. She therefore challenged the justification for extending the maximum number of call-ins and moved, under council procedure rule 13(ix), that the council proceed to the next business. The motion was seconded and carried following a vote.

60. REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY

DECISION: Noting the responses to the consultation exercise, to adopt the revised policy as "The Statement of Licensing Policy" to take effect from 5th January 2008.

The Access & Engagement portfolio holder presented report number ENV390 in which members were advised of the legal requirement upon local authorities to consult upon and determine a Statement of Licensing Policy. The policy must be reviewed on an ongoing basis and in any case every three years. The legislation required that before implementing the policy, it must be reviewed and consulted upon before any revisions are made.

The report detailed the methods of consultation undertaken, reproduced the responses received and advised that the review of the policy process had been peer assessed within the partnership of the seven Lincolnshire councils' licensing group.

The outcome of this process had been considered and noted by the Licensing Committee and recommended by Cabinet to the Council for approval. The Chief Financial Officer had commented that any changes to the fees and charges for these licensing activities would be incorporated into the budget process.

The portfolio holder highlighted a number of typographical errors that needed correction and subject to those amendments, he so moved adoption of the policy. The motion was seconded and carried following a vote.

61. REVIEW OF FINANCIAL REGULATIONS

DECISION:

To approve the Financial Regulations and accompanying guidance notes in accordance with the recommendation by the Governance & Audit Committee and that delegated authority be granted to the statutory officers to make minor typographical amendments.

Members had before them a complete copy of the Council's Financial regulations and the detailed guidance notes which accompanied them. In presenting report number CHFR77, the Resources & Assets portfolio holder thanked the Governance & Audit Committee who had met on 21st September 2007 for their efforts in deliberating these lengthy documents. In this report, the members were advised that the regulations were last approved on 27th February 2003 and it had been appropriate to review and update them to ensure they remain fit for purpose. A fundamental review had therefore been carried out in order to reflect the management structure and working practices that now existed within the Council. There were a small number of typographical errors in the document before the Council and the portfolio holder sought delegated authority to be given to the statutory officers to amend these where necessary. Subject to these corrections she moved that the regulations and guidance be adopted. The motion was seconded by the Chairman of the Governance & Audit Committee.

The Monitoring Officer had commented that it was important for the Council to adopt both the Financial Regulations and the Guidance Notes as one

could not be read in isolation from the other. Members were further advised that the regulations formed an essential part of the corporate governance of the Council. They set out the rules for the financial administration of the Council and the responsibilities of those carrying out duties with a financial implication.

A member commented on the size of these documents and the cost of circulating this to all members; he asked why the guidance had been included if this was for the Council's officers. The Corporate Head, Finance & Resources explained that it was to enable members to understand how officers would implement the regulations they approved. As highlighted by the Monitoring Officer, the two needed to be read in conjunction; both documents provided the overall framework within which to understand fully the impact and implications for the whole Council. The documents had been based on the CIPFA best practice model and were similar to those adopted by Council's who had achieved a level four score under use of resources. The member accepted this explanation.

Another member raised concern at the authorisation delegated to Cabinet to vire funds; he stated he would wish to see a limit on virement by Cabinet. The Chief Executive explained that the law set the budgetary framework within which the Council and Cabinet operated; virement by the Cabinet was part of management within that framework. Concern was also raised that such a complex and lengthy document had only just been put in the public arena and was to receive approval after a short debate. The Corporate Head pointed out that the document had in fact been in the public arena for some six or seven weeks as it had been subject to detailed examination at the public meeting of the Governance & Audit Committee on 21st September. Representatives of both the Council's internal and external auditors had been present at this meeting. The same member also sought clarification on the nature of the amendments to be made. The Chief Executive replied that they were simple typographical amendments and correction of pagination errors. The member indicated he accepted the Chief Executive's assurances on this matter.

62. CHILD PROTECTION POLICY

DECISION: To approve the Child Protection Policy as submitted and to grant delegated authority to the Chief Executive, in consultation with the relevant Cabinet portfolio holder, to make minor changes to the policy as appropriate.

The Resources & Assets portfolio holder presented report number CEX381 prepared by the Chief Executive in which he explained that the Council was required, under the Children Act 2004, to make appropriate arrangements to ensure the protection and safeguarding of children and young people. For a large organisation like the Council with a wide range of services that impact on children and young people, the only robust means of discharging these obligations was to prepare and maintain a properly resourced Child Protection Policy.

At its meeting held on 1st October 2007, the Cabinet had considered a draft Child Protection Policy and appointed the Resources & Assets portfolio holder as the executive champion for Children and Young Persons. The report went on to refer to the Lincolnshire Safeguarding Children Board which had been established as part of the wider development of the Children and Young Persons Agenda generally. The Chief Executive explained that arising from this body there may be further minor changes to definitions and contact arrangements. The Chief Executive was therefore seeking delegated authority to be granted to himself, in consultation with the portfolio champion, to make any necessary minor amendments to ensure the policy remained up to date. The portfolio holder moved adoption of the policy.

Members were briefly advised on the scope of the policy, reporting arrangements and the handling of any complaints. A programme of training had been requested from the Lincolnshire Safeguarding Children Board open to all service managers and those who work with children and young people on a regular basis. The Deputy Leader advised the Council that the introduction of this policy would address a "red", high risk element in the authority's risk register. The motion was seconded and carried following a vote.

63. REPRESENTATION ON OUTSIDE BODIES

DECISION:

- (1) That Councillor Frank Turner be appointed to serve as this Council's representative on Environmental Protection (UK);**
- (2) That Councillor John Nicholson be re-appointed to serve as a Nominative Governor for Stamford Endowed Schools.**

Members had before them report number DEM006 prepared by the Democracy Service Manager in which the Council was asked to consider nominations and appoint representatives to two outside bodies.

The Chairman called for nominations for Environment Protection (UK), there being only one nomination of Councillor Turner, a vote was taken on his appointment and carried.

The Chairman called for nominations to serve as the Nominative Governor on Stamford Endowed Schools. Again, there being only one nomination of Councillor Nicholson, a vote was taken on his appointment and carried.

64. SKDC PENSION POLICY: "THE LOCAL SCHEME"

DECISION: To note and accept the outcome of the investigations into the adoption by the authority of a local pension scheme in 1996

and to endorse both the actions taken to resolve this matter and the action plan that has been prepared.

In his report number CEX383, for the benefit of new members to the Council the Chief Executive referred to his previous advice to Council on 7th September 2006 about the receipt of and Opinion from Queen's Counsel on a specific aspect of the Council's pension scheme that had been known as the "rule of 70". This had been a discretionary element which allowed an employee (or ex-employee) to retire on a full pension if their age and length of service totalled 70 or more. In the opinion of Counsel, this provision was unlawful. Due to the legal complexities surrounding the implications of the view, further Opinion and investigations were necessary before any recommendations could be made to the Council regarding potential action.

A further report had been made to the Council on 26th October 2006 following careful analysis of all those cases that had been dealt with under this rule of 70, together with additional advice received from Counsel on the authority's options for dealing with these cases. Due to the complexity of this advice, it had been reproduced in full as an exempt appendix to report CEX383. The Monitoring Officer was satisfied that the legal opinion received was robust and unequivocal. The contents of this appendix were confidential because legal privilege existed.

The outcome of the investigations into the individual cases had led to a number of recommendations and learning points which the Chief Executive had assembled into an action plan. This action plan had now been implemented in consultation with the Resources & Assets portfolio holder. A copy of this action plan was also appended to the report as an exempt document. The action plan was confidential as it contained information likely to reveal the identity of particular individuals.

The Chief Executive went on to highlight some of the key lesson learnt, particularly the importance of having strong corporate governance arrangements. The new structure introduced last year had strengthened the importance of these proper procedures as well as securing the right outcomes and this had been reinforced by specific training for all service managers.

The Chief Financial Officer confirmed that the Council's external auditors had been kept fully informed of developments in this matter. Pending the outcome, they had not formally concluded their audit or issued an audit certificate for last year. It was now anticipated that following the conclusion of this matter, they would consider issuing the audit certificate in due course.

Members' attention was drawn to two amendments to the report; on page 3, paragraph 7 should read "At that meeting the **Council** resolved the following"; and

Page 4, paragraph 10 should read "This analysis identified a total of 23 cases which did not meet with a separate provision of the national scheme

known as the rule of 85, or had a current age of 65 and were, therefore **not** entitled to received an unreduced pension.”

Subject to these amendments, the Resources & Assets portfolio holder stated she was pleased with the satisfactory outcome of the investigation and so moved acceptance of the recommendation. The motion was seconded and carried following a vote.

65. QUESTIONS ON NOTICE

There were no questions on notice submitted for this meeting.

66. NOTICE(S) OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:

DECISION:

(1) That the Council condemns the closure of local post offices within the boundary of South Kesteven;

(2) The Leader write a letter on behalf of the Council to the Post Office outlining this Council’s objections and that copies of this letter be forwarded to the Government and the Local Government Association to emphasise the detrimental effect these proposed closures would have upon the community.

In presenting his motion to the Council, Councillor Wootten said the words “despicable”, “outrageous” and “barmy” had been used by residents about the threatened closure of the Brook Street post office in Grantham. He referred to a particular elderly resident who would have extreme difficulty in getting to the nearest post office if this one was closed. The impact on residents in rural areas whose post offices were similarly under threat was potentially even worse. Councillor Wootten referred to the earlier presentation about the future growth for Grantham and accordingly sought support for his motion from all members of the Council.

In seconding the motion, a member referred to his experience when he and his late wife ran the Brook Street post office. He said that many people needed to collect and make payments in cash and this was still the case. The ward that he and Councillor Wootten represented could be seen as two areas; predominantly younger residents in the Manthorpe estate and mostly older residents in the east who used the Brook Street post office on a daily basis. He urged members to support the retention of this facility.

Several members spoke expressing strong support for this motion, pointing out that a similar situation was being faced by residents in Stamford. Whilst the motion referred to the whole district, the Chairman highlighted that this was affecting the whole county. A number of members who represented rural wards spoke of the sub post offices which had been earmarked for closure in their villages. The Access & Engagement portfolio holder advised members to fight for their own post offices as and when

they came under threat; he urged them to get campaigns going within the community.

A member asked that when the Leader writes to the Post Office, copies of her letter also be sent to the Government and the Local Government Association, emphasising the detrimental impact these closures would have on the communities who relied on the post offices.

The Leader referred to the cuts in the subsidies made by central government to the Post Office for these services; this issue was much more than the sub post offices themselves – it was about people’s lives. Closure of sub post offices in village shops would inevitably affect the viability of that shop; it therefore struck at the very heart of the community. Both the mover of the motion and the Leader agreed to accept the amendment that the letter is also sent to central government and the LGA.

The Chairman reminded members that a joint meeting of the Scrutiny Committee and the Engagement PDG was to be held on 2nd November further to debate this matter. The Deputy Leader urged all members to keep up support for the threatened post offices stating that such battles could be won. The Chairman of the Scrutiny Committee advised that the actual loss by the Post Office was £3m per day; the Government subsidised some of this loss so if the subsidy was being cut then the battle was also with the Government. He posed the question that it depended on how much the taxpayer was prepared to cover the Post Office loss in order to keep these facilities for the rural and outer urban communities.

In his summing up, Councillor Wootten thanked the Council for its support and referred to a poster that was currently on display in the Brook Street post office which urged support for “The People’s Post Office”. The motion, as amended, was then put to the vote and unanimously carried.

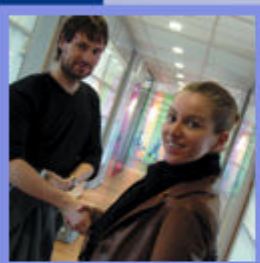
67. CHAIRMAN'S CLOSING REMARKS

As this was the last time the Council was scheduled to meet before Christmas, the Chairman took this opportunity to wish all members a happy Christmas and New Year.

68. CLOSE OF MEETING

The meeting closed at 3.38pm

APPENDIX TO MINUTE 58: GRANTHAM GROWTH BID



Grantham: New Growth Point Status

An introduction to the New Growth Point project

"Listening Learning Delivering"

The national agenda for growth

- February 2003 – Communities Plan –significant increase in house building
- 2004 – academic review of housing supply commissioned – suggested further action required
- December 2005 – New Growth Points programme announced
- July 2007 – Gordon Brown announces new Housing Bill and further increase in housebuilding targets
- October 2007 – Alistair Darling announces £1.7bn funding for Growth Areas, New Growth Points, and eco-towns programmes

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Criteria for New Growth Points

- NGP delivery plans must set out:
 - A good case for economic and housing growth
 - How to achieve housing growth of 20% over and above 2003 projections
 - How to address impacts on the environment, transport networks, with a realistic assessment of need for additional investment
 - Long term sustainability of development
 - How private sector investment will be sourced



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New Growth Point status – what it means

- A close working relationship between Central Government and local partners
- A strong local partnership to ensure delivery
- No automatic funding entitlement – a bid process (now opened up – a new round of NGPs including authorities in the North) for £1.7bn funding announced in CSR
- Targeted funding and other support available to ensure that infrastructure and service provision keep pace with growth



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The proposals

Grantham 2007

- Historic market town but with physical constraints holding back development
- Almost 38,000 residents.....in approx. 15,000 households
- Excellent transport links but significant traffic congestion problems
- High levels of housing need in spite of affordable housing provision
- Recognised need for increase in high value local employment

Grantham 2015

- Vital and viable town centre energised by regeneration of Canal Basin area
- Population up to 50,000.....in approx. 21,000 households in 2 major sustainable urban extensions
- Traffic problems partly alleviated by East/West Bypass
- Shortage of affordable housing addressed by new development
- Diversification of job market, creating high skilled jobs

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Current position

- Study to evaluate water systems (£60k CLG funding)
- Formal partnership agreement in development
- Programme of Development submitted to CLG by 1 October deadline
- Consultation and information sessions with relevant stakeholders, partners and public underway
- Key stakeholders being individually approached for purpose of joint planning to inform future proposals



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The future...

- Four key sites, plus other small sites, coming forward
- Individual project groups set up to tackle key project areas and cross-cutting streams (e.g. finance, sustainability, transport)
- Partnership structure developed to ensure all key stakeholders are involved
- Final bid submitted by 1 October deadline following Cabinet approval

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South Kesteven District Council
STAMFORD • GRANTHAM • BOURNE • THE DEEPINGS

Delivery in the Southern Quadrant

- Partnership approach
- Will include a new East/West Bypass
- Potential for up to 4,000 new houses (including affordable units)
- Opportunity for community and educational facilities
- New employment land



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Delivery in the North-West Quadrant

- “Poplar Farm” site allocated for housing development in 1995 Local Plan
- Larger urban extension site includes potential for up to 3,500 homes (including affordable units)
- District mixed-use centre and other community facilities
- New employment development



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Delivery in the Town Centre

- 4 key projects identified:
 - Station Approach: business gateway
 - Wharf Place: new commercial or community use
 - Greyfriars: development to revitalise the evening economy
 - Market Place: improved pedestrian links
- Creation of a more vibrant mixed-use town centre, retail-led
- Improved public transport and cycling/walking connections

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Delivery in the Canal Basin area

- Existing partnership with British Waterways to reopen historic Nottingham-Grantham canal
- Aims to develop a “unique selling point” and key visitor attraction for the town
- Provides new mixed-use, housing-led development and housing regeneration opportunities
- Links to proposals to regenerate nearby Earlesfield housing estate

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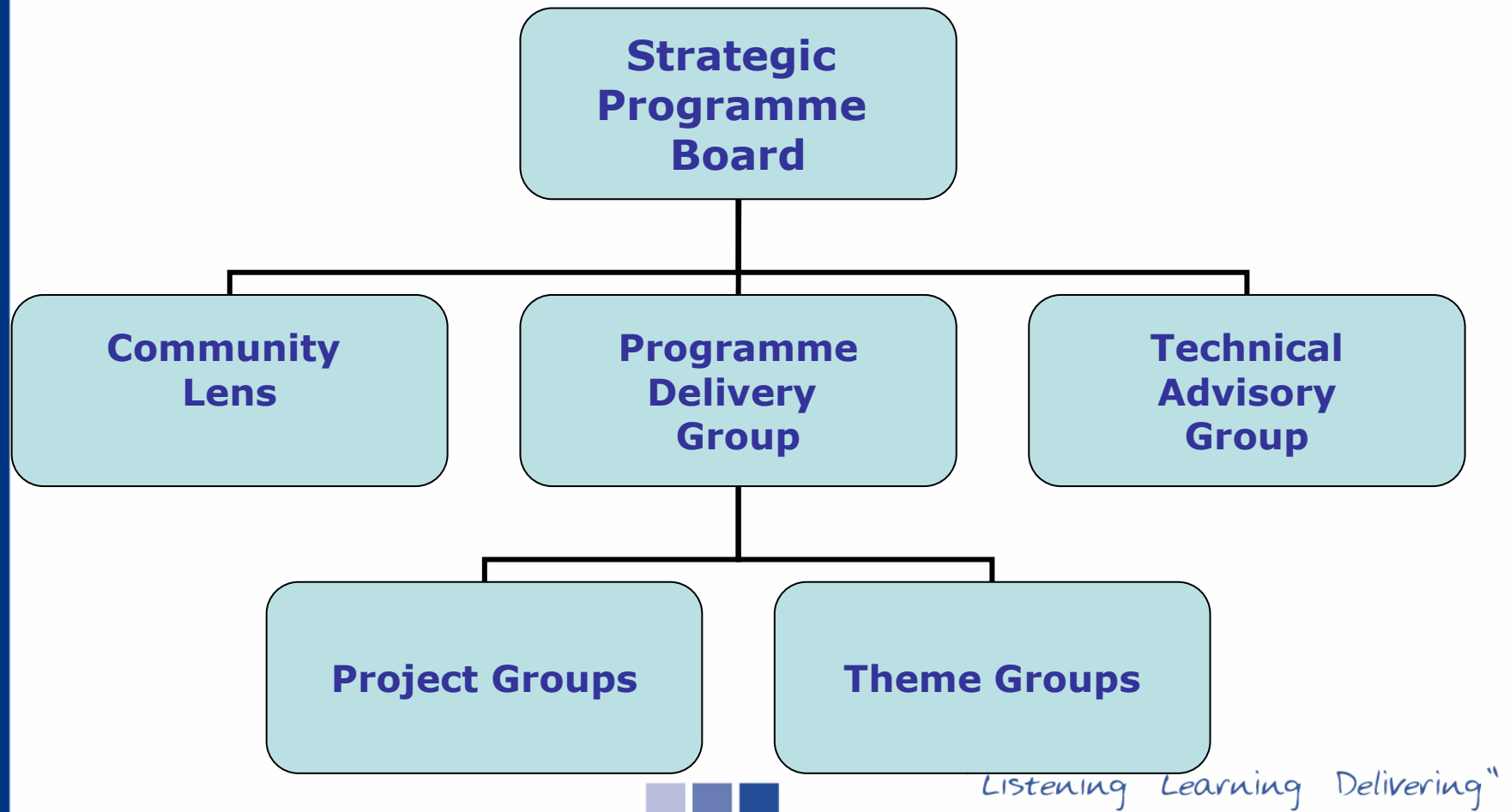


Delivery on other Urban Capacity sites

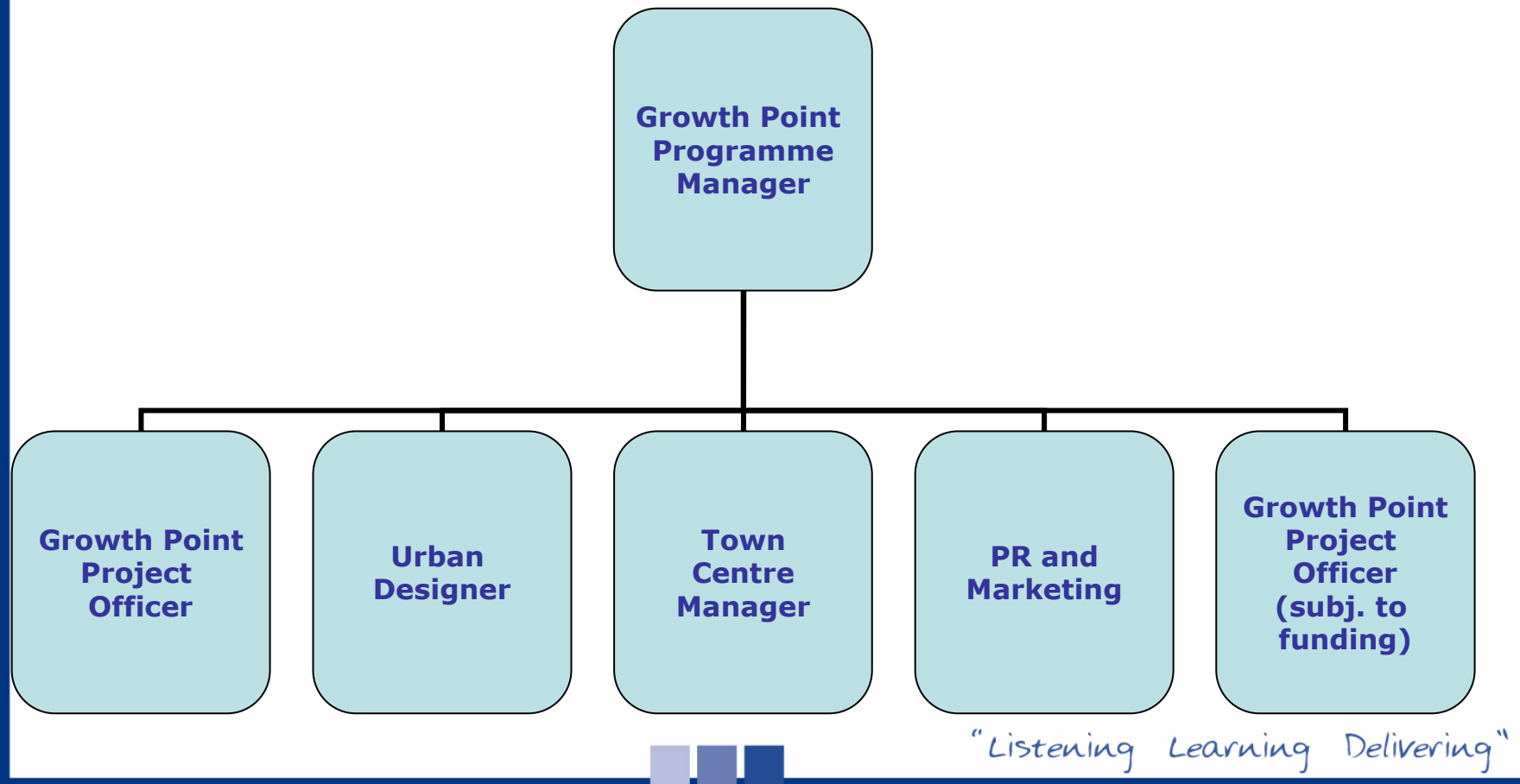
- 24 smaller, brownfield sites with potential for development identified in Urban Capacity study
- Likely to deliver small-scale residential plus some additional service provision
- Could provide up to 1081 dwellings over 15 year period

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The partnership



The team



Key areas to take forward

- **Project work**

- specific themes– e.g. transport, water infrastructure, planning processes
- geographical project areas – i.e. the Canal Basin, the Southern Quadrant

- **Partnership**

- Maintain close working relationships with all partners, particularly GOEM and CLG

- **Communication**

- Maintain the level of communication, interest and support with major stakeholders and residents of Grantham and South Kesteven more generally

- **Forward planning**

- Identifying, assessing and mapping the major implications and opportunities for SKDC and LCC as organisations and for the District as a whole

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Any questions?



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