

MINUTES

**ANNUAL MEETING OF THE COUNCIL
THURSDAY, 17 APRIL 2008
2.00 PM**



PRESENT

Councillor Mike Taylor in the Chair until election of new Chairman
Councillor Mike Exton Chairman

Councillor Bob 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 Alan Davidson
Councillor John Dawson
Councillor Stuart Farrar
Councillor Mrs Joyce Gaffigan
Councillor John Harvey
Councillor Robert Hearmon
Councillor Bryan Helyar
Councillor David Higgs
Councillor Trevor Holmes
Councillor Reginald Howard
Councillor Ian Stokes
Councillor Sam Jalili
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 Russell
Councillor Susan Sandall
Councillor Bob Sandall
Councillor Trevor Scott
Councillor Ian Selby
Councillor John Smith
Councillor Mrs Judy Smith
Councillor Mrs Maureen Spencer-Gregson O.B.E.
Councillor Peter Stephens
Councillor Michael Taylor
Councillor Jeffrey Thompson
Councillor Frank Turner
Councillor Tom Webster
Councillor Andrea Webster
Councillor Graham Wheat
Councillor Mike Williams
Councillor Avril Williams
Councillor Paul Wood
Councillor Raymond Wootten



"Listening Learning Delivering"

South Kesteven District Council

STAMFORD • GRANTHAM • BOURNE • THE DEEPINGS

OFFICERS

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

OFFICERS

Legal Services Manager (Monitoring Officer)
Assets & Facilities Service Manager
Democracy Services Manager

Before the start of the formal business, the outgoing Chairman, Councillor Mike Taylor, made a presentation to recognise the following volunteers who had given of their time to help the work of the Council:

Libby Simpson
Renee Simpson
Godfrey Mackinder
John Porter
Peter Stevens
Roger Graves

The Chairman gave a short summary of the volunteers' work and each received a framed certificate as a token of the Council's appreciation.

1. ELECTION OF CHAIRMAN OF THE DISTRICT COUNCIL.

DECISION: That Councillor Mike Exton be elected Chairman of the District Council until the next annual meeting of the Council.

It was proposed by Councillor Auger and seconded by Councillor Cook that Councillor Mike Exton be Chairman of the Council for the ensuing year. In proposing Councillor Exton, Councillor Auger referred to his proposal for Councillor Exton's appointment as Vice-Chairman last year in which he had said that his previous experiences in civic duties would serve him well in supporting the Chairman. This had proven to be the case as Councillor Exton had undertaken over thirty engagements in his role as Vice-Chairman.

There being no other nominations, the Council voted on the election of Councillor Exton which was duly carried.

The Chairman thanked the Council for their confidence in him and was invested with the chain of office. He then made a declaration of acceptance of office and took the chair.

COUNCILLOR MIKE EXTON IN THE CHAIR

2. VOTE OF THANKS TO THE RETIRING CHAIRMAN.

A vote of thanks was made to the retiring Chairman proposed by Councillor Thompson. In so doing, Councillor Thompson stated that there was a place for every style of chairmanship: Councillor Taylor had fulfilled the role extremely well and had made strenuous efforts on behalf of his chosen charities despite being in office during a time that had seen the Chairman's budget diminish. Councillor Thompson paid tribute to Councillor Taylor's enthusiasm and said that he and his wife, Jean, had "done us proud". The new Chairman then presented Councillor Taylor with gifts to commemorate his year of office, a past Chairman's badge, and a plaque showing the District Council's Coat of Arms.

3. RESPONSE BY THE RETIRING CHAIRMAN

Councillor Taylor then responded, thanking Councillor Thompson for his kind words and Councillor Stokes for his generosity in paying for the past Chairman's lunch which had been enjoyed by his guests before the meeting. Councillor Taylor then thanked Viv Wyatt and Elaine Charity for all their help and support during the year, particularly for their hard work in organising his charity fund raising events. He made a presentation of a gift to both officers.

Councillor Taylor also went on to thank Councillor Graham Wheat and Councillor Mrs Margery Radley in their capacities as Mayor and Mayoress of Grantham who had both demonstrated energy and enthusiasm in their roles and whose support and companionship he had very much appreciated. He paid tribute to the support given to him by his wife Jean who had acted as his consort and he presented her with a bouquet of flowers. Finally, he thanked the Council for giving him the opportunity to be Chairman of the Council and wished his successor luck, particularly since he felt the role of Chairman was being diminished. In keeping with tradition, his gift to the Council as outgoing Chairman was a new block and gavel for the Council Chamber.

4. APPOINTMENT OF VICE-CHAIRMAN OF THE DISTRICT COUNCIL.

DECISION: That Councillor Bob Adams be appointed Vice-Chairman of the Council until the next annual meeting of the Council.

It was proposed by Councillor Craft and seconded by Councillor Mrs Spencer-Gregson that Councillor Bob Adams be Vice-Chairman of the District Council for the ensuing year. In nominating Councillor Adams,

Councillor Craft said that although Councillor Adams was new to the Council at the last election, he brought with him considerable civic experience from Nottinghamshire.

It was then proposed by Councillor Vic Kerr and seconded by Councillor Joynson that Councillor Howard be elected Vice-Chairman. In nominating Councillor Howard, Councillor Kerr referred to his length of service on this Council. A vote was taken on both candidates, with Councillor Adams receiving the higher number of votes.

Councillor Howard said he wished to be the first to congratulate Councillor Adams on his appointment and thanked him for getting him "off the hook".

Councillor Adams made a declaration of acceptance of office and thanked the Council for electing him in view of his short time on the Council. He undertook to maintain the high standards set by the outgoing Chairman and previous Chairmen.

5. APOLOGIES FOR ABSENCE.

There were no apologies for absence as all members of the District Council were present.

6. DECLARATIONS OF INTEREST.

The following declarations of interest were made:

Councillor Wootten declared a personal interest in minute 17 by virtue of his membership of the National Association of Retired Police Officers and as Chairman of the Grantham East Police Neighbourhood Team. He also declared a personal interest in minute 21 by virtue of being a volunteer case worker for Soldiers, Sailors, Airmen and Families Association.

Councillor McBride declared a personal interest in minute 17 by virtue of his occupation as a Police Community Support Officer.

7. MINUTES OF THE ORDINARY MEETING HELD ON 3RD MARCH 2008.

The minutes of the meeting of the Council held on 3rd March 2008 were confirmed as a correct record, subject to an amendment at minute 86 to insert M.B.E. after Councillor Lovelock's name.

8. COMMUNICATIONS (INCLUDING RETIRING CHAIRMAN'S ENGAGEMENTS)

Following the concern expressed at the Council meeting held on 24th January 2008 about changes to the payment of the local housing allowance, a letter had been sent to the relevant Minister. Circulated with the agenda was a letter dated 31st March 2008 from the Department for Work & Pensions in reply.

Also circulated with the agenda was a list of the outgoing Chairman's engagements which was received and noted.

The new Chairman informed the Council that there would be three recipients of the Chairman's Charity during his year of office: the Lincolnshire Air Ambulance, Sue Ryder Hospice, and the Leicester Transplant Fund.

Members who had yet to submit their travel claims for 2007/08 or declarations of third party transactions were requested to contact the Corporate Head, Finance & Resources.

9. APPOINTMENT OF LEADER OF THE COUNCIL.

DECISION: That Councillor Mrs Linda Neal be appointed Leader of the District Council until the next Annual Meeting of the Council.

It was proposed by Councillor Taylor, and seconded by Councillor Craft, that Councillor Mrs Linda Neal be appointed Leader of the Council.

A further nomination of Councillor Mike Williams was proposed by Councillor Hearmon and seconded by Councillor Mrs Jalili.

In accordance with council procedure rule 16.4, a request for a recorded vote was made and supported by more than ten members. Several members then expressed very strong concerns that this matter was to be subject to a recorded vote. The names of members either voting for Councillor Mrs Neal or Councillor Mike Williams were as follows:

For Councillor Mrs Neal

Councillor Adams
Councillor Auger
Councillor Mrs Bosworth
Councillor Carpenter
Councillor Mrs Cartwright

For Councillor Mike Williams

Councillor Bisnauthising
Councillor Brough
Councillor Broughton
Councillor Miss Channell
Councillor Davidson

Councillor Chivers
 Councillor Cook
 Councillor Craft
 Councillor Exton
 Councillor Farrar
 Councillor Harvey
 Councillor Helyar
 Councillor Higgs
 Councillor Mrs Kaberry-Brown
 Councillor Lovelock M.B.E.
 Councillor Martin-Mayhew
 Councillor Moore
 Councillor Mrs Neal
 Councillor Newcombe-Jones
 Councillor Nicholson
 Councillor Parkin
 Councillor Mrs Radley
 Councillor Russell
 Councillor Scott
 Councillor John Smith
 Councillor Mrs Judy Smith
 Councillor Mrs Spencer-Gregson O.B.E.
 Councillor Stephens
 Councillor Stokes
 Councillor Taylor
 Councillor Turner
 Councillor Andrea Webster
 Councillor Tom Webster
 Councillor Wheat
 Councillor Wootten

35 votes

Councillor Dawson
 Councillor Mrs Gaffigan
 Councillor Hearmon
 Councillor Holmes
 Councillor Howard
 Councillor Mrs Jalili
 Councillor Sam Jalili
 Councillor Joynson
 Councillor Jock Kerr
 Councillor Vic Kerr
 Councillor McBride
 Councillor Bob Sandall
 Councillor Susan Sandall
 Councillor Selby
 Councillor Thompson
 Councillor Avril Williams
 Councillor Mike Williams
 Councillor Wood

23 votes

10. DETERMINATION AS TO THE NUMBER OF CABINET SEATS AND THE NOTIFICATION OF THE CABINET MEMBERS AND PORTFOLIOS.

DECISION:

- (1) To set the Cabinet at six members including the Leader;**
- (2) To note the following membership of the Cabinet and their respective portfolio responsibilities:**

PORTFOLIO

Leader

MEMBER

Councillor

**Strategic
Partnerships**

Mrs Linda Neal

**Deputy Leader
Corporate
Governance &
Housing**

**Councillor
Paul Carpenter**

Resources & Assets

**Councillor
Mrs Spencer-Gregson
O.B.E.**

Economic Development

**Councillor
Mrs Frances Cartwright**

Access & Engagement

Councillor Ray Auger

Healthy Environment

Councillor John Smith

In proposing the size of the Cabinet as six members (including the Leader), Councillor Mrs Neal stated that the workload was sufficient to increase the size of the Cabinet to seven but mindful of budgetary constraints, she had proposed six. However, it may be necessary in the future to revise this number. The proposition for the size of the Cabinet to be six members was seconded and carried following a vote.

11. APPOINTMENTS TO COMMITTEES OF THE COUNCIL, THE POLICY DEVELOPMENT GROUPS, AND THE CHIEF EXECUTIVE'S APPRAISAL PANEL.

DECISION:

(1) Noting and accepting the wish of the Labour Group to relinquish its allocated seat on the Development Control Committee and to nominate Councillor Sam Jalili for that seat, to approve the following arrangements for the allocation of committee seats to members based on political groups' aggregate membership as a proportional share of Full Council seats:

Committee	Conservative	Independent	Liberal Dem't	Labour	Total
Development Control	10	4	3		17

Licensing	7	3	1		11
Resources PDG	5	1	1		7
Communities PDG	4	2	1		7
Engagement PDG	4	2		1	7
Scrutiny Committee	7	3	1		11
Constitution Committee	3	1	1		5
Governance & Audit Committee	3	1	1		5
Standards Committee	Political balance does not apply				4
Chief Executive's appraisal panel	3	1			4

(2) To endorse the names of the members of the Standards Committee as submitted by the Leaders of the three largest Groups on the Council to the Chief Executive:

Councillor Lovelock M.B.E., Councillor Farrar, Councillor Moore, and Councillor Mike Williams

(3) To approve the following committee memberships:

Development Control Committee:

**Councillor Cook
Councillor Exton
Councillor Mrs Gaffigan
Councillor Harvey
Councillor Helyar
Councillor Higgs
Councillor Holmes
Councillor Howard
Councillor Mrs Jalili
Councillor Sam Jalili
Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Newcombe-Jones
Councillor Parkin
Councillor Scott
Councillor Turner**

Councillor Avril Williams

Licensing Committee

**Councillor Mrs Bosworth
Councillor Brough
Councillor Broughton
Councillor Chivers
Councillor Exton
Councillor Howard
Councillor Mrs Radley
Councillor Russell
Councillor Turner
Councillor Wheat
Councillor Mike Williams**

Scrutiny Committee

**Councillor Mrs Bosworth
Councillor Farrar
Councillor Hearmon
Councillor Helyar
Councillor Higgs
Councillor Joynson
Councillor Mrs Kaberry-Brown
Councillor Mrs Judy Smith
Councillor Thompson
Councillor Andrea Webster
Councillor Mike Williams**

Resources Policy Development Group

**Councillor Adams
Councillor Craft
Councillor Mrs Maureen Jalili
Councillor Bob Sandall
Councillor Scott
Councillor Mrs Judy smith
Councillor Stokes**

Engagement Policy Development Group

**Councillor Cook
Councillor Jock Kerr
Councillor McBride
Councillor Russell
Councillor Selby
Councillor Taylor
Councillor Tom Webster**

Communities Policy Development Group

Councillor Bisnauthsing
Councillor Miss Channell
Councillor Nicholson
Councillor Martin-Mayhew
Councillor Stephens
Councillor Thompson
Councillor Wootten

Constitution Committee

Councillor Joynson
Councillor Martin-Mayhew
Councillor Susan Sandall
Councillor Andrea Webster
Councillor Wootten

Governance and Audit Committee

Councillor Dawson
Councillor Harvey
Councillor Sam Jalili
Councillor Lovelock
Councillor Moore

Chief Executive's Appraisal Panel

Councillor Carpenter
Councillor Hearmon
Councillor Mrs Neal

Members had before them report number DEM011 which directed the Council to consider its appointment of members to committees, policy development groups, and the Chief Executive's appraisal panel in accordance with the Constitution.

Councillor Parkin stated that the authority had been referred to the East Midlands Local Government Agency because of its current poor performance on determining major planning applications. To make the development control committee more effective he proposed that the size of the committee be reduced from its present 17 members down to 13 with the resultant political balance of 8 Conservatives, 3 Independents, 1 Liberal Democrat, and 1 Labour. The motion was seconded. The Labour Group indicated that it wished to relinquish its seat to Councillor Sam Jalili.

The Chairman announced that, in fairness to the opposition groups and to allow them time to discuss the proposed reduction in membership, a five minute adjournment would now take place.

[The Council meeting stood adjourned at 2.51p.m. and resumed at 2.56p.m.]

Discussion then ensued during which strong concerns were expressed by a number of members from all groups at the proposal to reduce the size of the development control committee. Reasons given for opposing this motion were that it was not supported by any officer recommendation, nor any proposal to refer the issue to a policy development group for consideration. Decisions made by the development control committee could have far reaching consequences for the district's towns and villages. The rules precluded a member of that committee voting on a deferred application if he or she had not been present at the meeting when the application was first presented. Given that it was possible for there to be absentees and members who could not vote because of declared interests, this could mean that an application could be determined by a very small number of members. It was suggested that this was not in the best interests of the public. In supporting opposition to the motion, the point was made that the mover of the motion had not given clear and sound reasons to reduce the size of the committee. The workload of the committee was considerable and to reduce the number would place a greater burden on fewer members. Comments were made about the good, non partisan working relationship between the existing committee members and there was a suggestion made that some of the present problems around major applications was down to capacity at officer level.

A constitutional point was raised as to whether this motion was permissible given that it was not an agenda item. The Chief Executive advised that he was satisfied that the agenda identified this item as size of committee is part of the determination of membership of committees. An amendment was moved and seconded to increase the size of the committee from 17 to 19 members. The Chief Executive advised that the amendment effectively negated the motion and could not be put. After further speakers had made their contribution to the debate a vote was taken on the motion to reduce the committee size to 13 members. The motion was lost and the committee size remains at 17 members.

The Council then considered the existing memberships as appended to the report and, with the exception of a few amendments notified at the meeting by the respective group leaders, the memberships were moved en block and carried following a vote.

12. APPOINTMENTS OF CHAIRMANSHIPS AND VICE-CHAIRMANSHIPS

DECISION: To award the positions of Chairmen and Vice-Chairmen of committees and groups to the following members:

Development Control Committee:

Councillor Parkin – Chairman

Councillor Exton – Vice-Chairman

Licensing Committee:

Councillor Turner – Chairman

Councillor Wheat – Vice-Chairman

Scrutiny Committee:

Councillor Joynson – Chairman

Councillor Mrs Judy Smith – Vice-Chairman

Resources Policy Development Group:

Councillor Craft – Chairman

Councillor Adams – Vice-Chairman

Communities Policy Development Group:

Councillor Nicholson – Chairman

Councillor Thompson – Vice-Chairman

Engagement Policy Development Group:

Councillor Taylor – Chairman

Councillor Tom Webster – Vice-Chairman

Constitution Committee:

Councillor Martin-Mayhew – Chairman

Councillor Andrea Webster – Vice-Chairman

Governance & Audit Committee:

Councillor Lovelock – Chairman

Councillor Moore – Vice-Chairman

In accordance with Council procedure rule 1.1 (viii), the Leader notified the Council of her recommendations for appointments to the Chairmanships and Vice-Chairmanships of committees and Policy Development Groups. The proposals were seconded and voted upon en block.

[The refreshment break took place between 3.35p.m. and 3.55p.m. Councillor Miss Chanell left the meeting at this point.]

13. TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS 2008/2009

DECISION: In accordance with Council procedure rule 1.1 (xi), the public meetings of the Council and Committees be held in

accordance with the draft programme as submitted, subject to the deletion of three of the scheduled dates of the Scrutiny Committee (29th July 2008, 18th November 2008, and 24th February 2009) to allow the committee to set those dates to accord with its work programme.

The Chairman of the Scrutiny Committee requested consideration be given to allowing three fixed dates and three flexible public meeting dates to fit in with the committee's own programme of work. Whilst some meeting would be reactive to call-ins, the committee would prefer to have flexibility to schedule half of its public meetings around the timing of issues under scrutiny. This proposal was so moved and seconded.

A member expressed concern that there were only six scheduled meetings of the Council and suggested that this represented a democratic deficiency. An amendment was proposed and seconded that there should be eight meetings of the Council in the municipal year and that the Scrutiny Committee should meet as and when necessary. The Chief Executive advised that the Constitution required that the actual dates be set at this annual meeting and each Chairman had discretion to set additional dates of meetings should business warrant it. Views were expressed for and against the amendment. The mover of the amendment agreed to delete reference to meetings of the Scrutiny Committee having regard to the comments made by the Chairman of that Committee about the productive work that could be undertaken through working groups. The two additional proposed dates for Council meetings were 24th July 2008 and 11th December 2008.

A request was made to the Chairman of the Council to consider reinstating a Members' Christmas luncheon for which several members indicated they were prepared to pay. The Chairman agreed to consider this matter.

A vote was taken on the amendment which was lost. A further vote was then taken on the original motion to approve the programme of meetings as presented subject to the deletion of three Scrutiny Committee dates. This was carried.

14. ANNUAL APPOINTMENTS TO OUTSIDE REGIONAL BODIES

DECISION:

- (1) That the Leader, Councillor Mrs Linda Neal be appointed to represent the Council on Local Government East Midlands;**
- (2) That the Leader, Councillor Mrs Linda Neal be appointed to represent the Council on the East Midlands Regional Assembly;**
- (3) That the Leader, Councillor Mrs Linda Neal be appointed to represent the Council on the Local Government Association General Assembly (or in her absence, the Deputy Leader,**

- Councillor Carpenter);**
- (4) That Councillor John Smith as the Healthy Environment portfolio holder and Councillor Peter Martin-Mayhew be appointed to represent the Council on the Local Government Association Rural Commission, with Councillor John Smith to hold the voting rights.**

Report number DEM012 advised of a number of annual appointments on outside regional bodies that were due for re-appointment at 1st May 2008. The Leader proposed the re-appointment of the existing representatives which was seconded and carried following a vote.

15. DRAFT CODE OF CORPORATE GOVERNANCE AND DRAFT ANNUAL STATEMENT

DECISION:

- (1) To approve the local code of governance as appendix A to report number CEX396, subject to the title of the code and any references there to in the document shall be the "Local Code of Corporate Governance";**
- (2) To approve the content of the draft Annual Governance statement as attached at appendix B, subject to the definition of governance on page 2 being amended to read:**

"Providing brilliant services by ensuring that the Council listens, learns and delivers so that it can demonstrate the best value for money in achieving the right outcomes for our customers giving special consideration to those who may be vulnerable or hard to reach."

In his report number CEX396, the Chief Executive explained that under new Audit Regulations, he and the Leader were required to sign an annual governance statement which is then approved by the Governance & Audit Committee under delegated powers. As part of these arrangements, local authorities are encouraged to prepare and maintain a local code of corporate governance; the Governance & Audit Committee had prepared such a code and had consulted the public on it via the Council's website. The annual statement had been circulated with the agenda in draft form as it had not been possible to present the full annual statement as this was dependent upon the accounts for 2007/08 being finalized and presented to the Governance & Audit Committee.

In commending the documents to the Council, the Chairman of the Governance & Audit Committee stated that the preparation of the Local Code of Corporate Governance had been a high priority of his committee and represented a significant milestone on the development of the Council's

corporate governance arrangements.

The draft code had been subject to public consultation the results of which were considered by his committee after the Council agenda had been dispatched. Because of this timing, the committee wished to recommend two amendments to the code before formal approval is given. The Chairman of the committee proposed an amendment to the title of the local code and the definition of governance contained in the annual governance statement. This was seconded and subsequently carried following a vote.

16. ELECTORAL ADMINISTRATION ACT 2008: REVIEW OF POLLING DISTRICTS, POLLING PLACES, AND POLLING STATIONS

DECISION:

- (1) To approve the amended proposals for the polling districts and polling stations for the Harrowby ward in Grantham;**
- (2) Authorize the publication of the final proposal as required by the Electoral Administration Act 2006;**
- (3) To approve the incorporation of these changes as part of the annual publication of the electoral register on 1st December 2008.**

The Access and Engagement portfolio holder presented to the Council report number DEM013, in which the Returning Officer referred to the decision made at the last ordinary meeting of the Council to approve the proposals for new polling districts, polling places and polling stations as submitted but that the issues raised during debate be considered by the Engagement PDG as part of the ongoing review of polling districts and polling places. The Engagement PDG had subsequently met on 27th March 2008 to give further consideration to the comments made. The recommendation from the PDG was to propose changes to the Harrowby ward to provide for four polling districts instead of three and to reinstate the use of Belton Lane school as a polling station.

The Returning Officer explained that implementation of the review had been deferred pending referral back to the Council. Subject to the Council's approval of the changes to the Harrowby ward, all the revisions now needed to be integrated within the election and electoral registration management software. Given the time and resources needed to do this, he was now recommending that as there were no elections this year, this work be undertaken in preparation for the annual publication of the electoral register on 1st December 2008.

The ward members for Harrowby had indicated they welcomed the

modifications and the proposals were moved, seconded, and carried following a vote.

17. DESIGNATED PUBLIC PLACES ORDER (ALCOHOL CONTROL ZONES)

DECISION: To adopt the Designated Public Place Orders for Grantham town wards including Peascliffe and Belmont wards, Stamford town wards, Bourne East and West wards, the Market & West Deeping ward, and the Deeping St. James ward as shown on plans appended to report POI 15, subject to the amendment to the Grantham map to show the St. Wulfram's ward.

The Portfolio Holder for Access and Engagement presented and moved the recommendations contained in report number POI 15 which set out the powers available to a local authority under the Criminal Justice and Police Act 2001 to introduce Designated Public Place Orders (DPPO). These orders specified a geographical area associated with known problems around anti-social drinking, nuisance and crime and disorder. The DPPO did not represent a blanket ban on the drinking of alcohol; the offence occurred when a police officer or another accredited officer requested a person not to do so. Failure to comply and/or surrender opened alcohol containers would make that person liable to arrest.

The report detailed the extensive consultation process undertaken on the proposal to introduce DPPO's with the district. The results of this process demonstrated overwhelming support for the implementation of such Orders. Letters of support had been received from the police as the enforcement agency. They had supplied data with supporting anecdotal evidence from community police teams on the incidents of alcohol related disorder in central hot spot clusters of Grantham, Stamford, Bourne and the Deepings. These areas which strongly suggested that the implementation of DPPOs in these areas would reduce these incidents, improve the quality of life for residents and visitors to the district. This action would also increase public confidence in both the police and the council.

A successful bid to the Safer and Stronger Communities fund in December 2007 had secured £9,000 which would pay for the full implementation of the scheme including consultation, publicity, signage, and installation. No significant revenue costs associated with the scheme were expected. Subject to approval by the Council, the orders would become activated by 19th May 2008.

In seconding the motion, Councillor Wootten wished to place on record his thanks and appreciation to the Council's Community Safety team, and Chief Inspector Gorst (who was present at the meeting representing Lincolnshire Police) for their work in preparing the introduction of these orders. He referred to areas within Grantham where regular anti-social behaviour by

those under the influence of alcohol had blighted the lives of the residents. The local police welcomed the introduction of these additional powers which they would enforce in an appropriate and proportionate way.

A large number of members spoke in support of the introduction of these orders, citing recurrent problems with alcohol induced anti-social behaviour and vandalism in their wards. The hope was expressed that the orders would be vigorously enforced. Specific comments were raised about similar orders for rural areas, signage for the zones and how people would know where the zones started, the omission from the Grantham map of the St. Wulfram's ward, the capacity of the police to effectively enforce the orders over such large geographical areas and whether CCTV could be used to assist enforcement. Particular thanks were given by a Bourne ward member to the PCSO's for the effective relationship they had established with young people in the town. In response to a request for clarification, the Chief Executive confirmed that the powers to confiscate opened containers of alcohol also included sealed containers in the person's possession.

In concluding the debate, the Leader welcomed the co-operation and partnership working with the police as the enforcement authority in going forward with these new powers. The portfolio holder requested that all cases dealt with under these new powers be publicised. Upon being put to the vote, the motion was unanimously carried.

18. LEISURE TRUST

DECISION:

- (1) To approve the transfer of the Council's leisure facilities to a leisure trust for a period of 15 years, or for the period of the leisure agreement which ever is the shorter, subject if necessary to Secretary of State approval;**
- (2) Subject to (1) above, to delegate the negotiations on the terms of the transfer, for the venues set out below, to the Assets and Facilities Manager in agreement with the Assets & Resources Portfolio Holder, in consultation with the Healthy Environment Portfolio Holder, and to the satisfaction of the Council's statutory officers. The following venues will be transferred by lease:**
 - Grantham Meres leisure complex (incorporating the Grantham Meres Leisure Centre and the South Kesteven Sports Stadium)**
 - Stamford leisure centre**
 - Bourne leisure centre; and**

- **The Deepings leisure centre, to be transferred by licence.**

Members had before them report number CHFR96 presented to the Council by the Healthy Environment portfolio holder. This report reminded them that the council had recently gone out to tender for the management of the council's leisure facilities. The tenders had been evaluated and a preferred bidder, Leisure Connections, selected. The two final bidders both submitted tenders on the basis of a leisure management contract through a leisure trust only. Approval was now sought from the council to transfer the leisure facilities by lease to a leisure trust for the period of the leisure agreement.

Details were given on how the local trust model operated and this required the council to contract with the trust to provide the service (the leisure management agreement) and grant a 15 year lease at a peppercorn of the relevant leisure facilities and land to the trust. The trust would then enter into a contract, mirroring the leisure management agreement, that passed on all obligations regarding the services to Leisure Connection to act as the trust's agent. It was proposed that the local trust can be established within the timescale required by the council for the commencement of the leisure management agreement. The comments of the monitoring officer, chief financial officer, and relevant service managers were contained within the report.

In commending the recommendations to the Council (subject to two amendments to the wording of part (1)), the portfolio holder acknowledged the tremendous amount of work done by the Assets & Facilities service manager and his team. The Corporate Head, Finance & Resources reminded members that the issue before them today was the transfer of property and land under a lease and not the award of the leisure management contract itself which was the remit of the Cabinet within the previously agreed budget and policy framework.

In opening the debate, the Vice-Chairman of the Communities PDG acknowledged that many members would be aware that the Council's leisure and cultural facilities was a matter close to his heart; he was mindful of the huge amount of work that had gone into this process and urged the Council to support the recommendations as not only would it benefit from significant savings but the formation of the trust would result in considerable benefits for the community and a better service to the users of the facilities. Some members expressed concern about the poor performance of the existing contractor who were now the preferred bidder for the new management contract and sought assurances about safeguards to ensure that public complaints could be dealt with under the local trust arrangements. Other questions were also asked about other financial benefits besides the NNDR relief, the number of trustees and how they would be appointed, under whose jurisdiction the trust would operate, why was the lease period for 15 years, and what safeguards would be put in place to ensure service standards are satisfactory.

Members were advised by the Corporate Head that any complaints would still be dealt with by the Council's monitoring procedure in Assets & Facilities through the trust. The lease would be based on a 15 year period with 5 year break periods as a safeguard because, through negotiation, this represented best value to the Council. The Council would put in place an agreement with the trust, the terms and conditions of which would be mirrored in an agreement between the trust and the leisure management provider. There would be 5 trustees but in order to ensure the independence of the trust, the Council representation could not be greater than 20%, so one trustee place would be available for a Councillor appointment. In terms of other financial advantages, the benefits to the contractor meant the overall cost to the Council could be reduced, and the trust could access sources of funding not currently available to the Council. The officer acknowledged that there were some risks but these had been carefully measured. The considerable benefits however could not be achieved without taking these risks.

The recommendations, as amended having been moved and seconded, were put to the vote and carried.

[Councillors Mrs Kaberry-Brown and Helyar had left the meeting before the vote was taken.]

At this point, the meeting had been in progress for three hours and, in accordance with council procedure rule 9, a vote was taken to continue the meeting which was carried.

[Councillor Wood left the meeting at this point.]

19. QUESTIONS ON NOTICE

One question on notice had been submitted by Councillor Andrea Webster and referred to the Engagement PDG.

20. NOTICE OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12: BY COUNCILLOR MIKE TAYLOR

DECISION: This Council deplores the actions initiated by the owners of land on California Gardens to evict allotment holders who have maintained allotments on this land for several generations. At a time when the Government preaches the environmental benefits of locally grown food it is grossly negligent of them to have failed to ensure that allotment holders have statutory protection.

The Council supports Councillor Taylor's request that work to review the Councils land-holdings to ascertain suitable relocation

sites is concluded as a matter of urgency.

In presenting his motion, Councillor Taylor stated that although it concerned the site at California Gardens in Grantham, similar situations were happening in other places. Many people wanted allotments and cultivation of allotment land was very popular. This particular site was presently used by 22 allotment holders and there were a further 23 people on the waiting list. He told the Council that these tenants were being put under pressure to give up their plots and were being offered alternative land that was not fit for planting, and accordingly urged the Council to do all it could to stop developer encroachment of this land. A member sought advice given the potential for a planning application to be submitted on this land. He asked whether any member of the development control committee taking part in this debate would place themselves in danger of pre-determination or bias. The Chief Executive advised that the motion before the Council referred to the possible eviction of allotment tenants. However, he urged caution should the any amendment to the motion seek to guide or suggest development control issues.

A member suggested that, as part of its response to Councillor Taylor's motion, the Council clarify its position on allotment land and asked how the authority saw it discharging its statutory responsibility in this regard.

The Chief Executive responded by explaining that the Council did have a policy on allotment land from which he quoted the following passage from Policy REC7 of the adopted Local Plan:

"Planning permission will not normally be granted for development involving the loss of allotment land unless it can be demonstrated to the District Council that there is no future need for such activities in the locality of the proposal or equivalent alternative facilities can be provided in an acceptable location elsewhere."

Speaking in support of the motion, a member suggested that this policy should be borne in mind; another member spoke on the dedication of the allotment holders to the land at California Gardens and on the community and personal therapeutic benefits that working a plot of land could bring. The motion having been seconded was then put to the vote and unanimously carried.

21. NOTICE OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12: BY COUNCILLOR RAY WOOTTEN

DECISION: The Council writes to our M.P. Quentin Davis, to express strong concerns that he is not representing the views of the electorate of the district by failing to sign up to the early day

motion in support of allowing Gurkhas who have served 4 years in the British Army before 1997 to apply for indefinite leave to remain in the UK and allow them to settle in the district. Copies of this letter also to be sent to the Prime Minister, Gordon Brown M.P., and the Secretary of State for Defence, Des Browne M.P.

Speaking in support of his motion, Councillor Wootten referred to the tribute to the Gurkhas made over 30 years ago by Sir Ralph Turner when he had called them "the bravest of the brave". The Gurkhas, he said, were renowned for their valour having been decorated with 26 Victoria Crosses and received 6,500 bravery awards. However, over 22,000 Gurkhas had been denied a British passport whilst over a quarter of a million had been given to foreign nationals.

In seconding the motion, Councillor Taylor who stated he spoke as an ex military man himself, deplored the Government's treatment of the Gurkhas, some of whom were resident in Grantham. Another member in supporting the motion said that everyone who had served in the forces was aware of the admiration in which the Gurkhas were held and he personally deplored their treatment and that of current serving forces in Afghanistan and Iraq when those who had been killed or injured came back to this country. He suggested that copies of the letter should also be sent to the Prime Minister and the Minister for Defence. Councillor Wootten, with the consent of his seconder, agreed to incorporate this as an addendum to his motion.

Several other members also spoke in support of the motion and the Council heard from a member who responded to the criticism of Quentin Davis M.P. questioning what evidence the mover of the motion had to support the assertion about the views of the electorate. He listed some of the early day motions which the Grantham M.P. had signed up to which related to the armed forces.

The motion, as amended, was then put to the vote and carried.

22. LEAVE OF ABSENCE BY THE CHIEF EXECUTIVE

The Chairman referred to the Chief Executive's departure the following day on his 10,000 kilometre cycle trip across Europe. Each of the group leaders in turn expressed their best wishes to Mr. Kerr, hoping that he had a safe and enjoyable trip. The Leader of the Council stated she would look forward to reading his blog on the Council's website whilst he was away.

The Chief Executive responded by thanking the Council for allowing him the opportunity to take the extended period of leave in which to undertake this experience, and also the development opportunity this now afforded his colleagues who would be acting up in his absence.

23. CLOSE OF MEETING

The meeting closed at 5.55 p.m.