

MINUTES

COUNCIL

MONDAY, 2 MARCH 2009

2.00 PM



PRESENT

Councillor Mike Exton Chairman

Councillor Bob Adams
(Vice-Chairman)
Councillor Ray Auger
Councillor Pam Bosworth
Councillor Christine Brough
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor George Chivers
Councillor Michael Cook
Councillor Alan Davidson
Councillor John Dawson
Councillor Stuart Farrar
Councillor John Harvey
Councillor Robert Hearmon
Councillor David Higgs
Councillor Trevor Holmes
Councillor Reginald Howard
Councillor Mrs Maureen Jalili
Councillor Kenneth Joynson
Councillor Albert Victor Kerr
Councillor Reg Lovelock M.B.E.
Councillor Peter Martin-Mayhew
Councillor Stuart McBride

Councillor Mrs. Linda Neal
Councillor Benjamin Newcombe-
Jones
Councillor John Nicholson
Councillor Alan Parkin
Councillor Bob Russell
Councillor Trevor Scott
Councillor Ian Selby
Councillor John Smith
Councillor Mrs Judy Smith
Councillor Mrs Maureen Spencer-
Gregson O.B.E.
Councillor Ian Stokes
Councillor Michael Taylor
Councillor Jeffrey Thompson
Councillor Frank Turner
Councillor Tom Webster
Councillor Andrea Webster
Councillor Graham Wheat
Councillor Avril Williams
Councillor Mike Williams
Councillor Paul Wood
Councillor Raymond Wootten

OFFICERS

Chief Executive (Duncan Kerr)
Strategic Director (Beverly Agass)
Strategic Director (Ian Yates)

OFFICERS

Corporate Head, Healthy
Environment (Tracey Blackwell)
Legal Services Manager &
Monitoring Officer (Lucy Youles)

"Listening Learning Delivering"

OFFICERS continued

Corporate Head of Finance &
Customer Services (Richard Wyles)
Corporate Head of Performance and
Organisational Improvement
(Robert Moreland)

OFFICERS continued

Democracy Services Manager (Lena
Shuttlewood)

84. PUBLIC OPEN FORUM

There being no questions submitted for the public open forum, the Chairman moved to the first item of formal business.

85. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bisnauthsing, Miss Channell, Craft, Mrs Gaffigan, Sam Jalili, Mrs Kaberry-Brown, Jock Kerr, Moore, Mrs Radley, Bob Sandall, and Susan Sandall.

86. DECLARATIONS OF INTEREST

Councillor Stokes declared a personal and prejudicial interest in Part A of the budget item in relation the proposal for the Council to offer a new service of MOT testing for certain vehicles. His interest arose by virtue of the fact that he has a client who also offers MOT services.

Councillor John Smith declared a personal and prejudicial interest in Part A of the budget item concerning the Bourne Core Area element of the Capital Programme. His interest arose by virtue of his being a member of a club whose premises were located within the Bourne Core Area.

Both Councillors left the meeting before the budget item was discussed and returned to the meeting following a vote on Part A of the budget.

87. MINUTES OF THE ORDINARY MEETING HELD ON 22 JANUARY 2009.

The minutes of the last ordinary meeting held on 22 January 2009 were confirmed as a correct record, subject to the following amendments:

- (1) Attendance: to include Councillor Lovelock M.B.E., Councillor Mike Taylor, Councillor Turner, and Councillor Avril Williams as being present;
- (2) To record that although Councillor Harvey declared a personal and prejudicial interest in the notice of motion relating to the Stamford Town Centre Partnership he did speak against the motion during the public session for what he stated were "very

good reasons".

(3) To record that although Councillor Maureen Jalili had declared a personal and prejudicial interest in the notice of motion relating to the Stamford Town Centre Partnership, she did speak in favour of the motion during the public session.

(4) To record Councillor John Smith's response to Mrs Mary Patrick's second question as:

"Stamford Town Council have written to South Kesteven District Council" requesting that they become owners of the Stamford Recreation Ground. Negotiations are now being entered into by South Kesteven District Council and Stamford Town Council regarding legal obligations and requirements, terms and conditions. Subject to these being satisfactorily concluded, a decision will be made as soon as possible, but at this time I regret that I cannot give you a date."

88. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

A list of the Chairman's civic engagements undertaken since the last meeting had previously been circulated with the agenda.

The Chairman advised members that his support officer, Mrs Viv Wyatt, was now on long term sick leave and her duties in her absence would be covered by her colleagues in the Strategic Support team.

89. DETERMINATION OF BUDGET 2009/10 AND INDICATIVE BUDGET 2010/11 AND 2011/12 AND APPROVAL OF PRIORITY PLANS

PART A: Revenue Estimates 2009/10 and indicative budget 2010/11 and 2011/12

DECISION: That the Council:-

General Fund Revenue Estimate and Priority Theme Plans

- a. sets a General Fund budget requirement of £16.171M for 2009/10 and an indicative target of £16.581M for 2010/11 and £16.592M for 2011/12 (inclusive of special expenses)
- b. sets a Council Tax increase of 3.5% for 2009/10 (excluding special expenses and parish precepts) which equates to an average increase of 3.45% when including special expenses for comparative purposes.
- c. approves the original base estimate for 2009/10; and indicative base estimates for 2010/11 and 2011/12 as detailed in the summary at Appendix A page 1 to report CHFCS25;

- d. approves the Treasury Management Strategy provided at Appendix B to report CHFCS25;
- e. approves increases in Fees and Charges for 2009/10 (in accordance with the Council's Fees and Charges Strategy) as set out in Appendix C
- f. approves the Revenue and Capital Reserves statement contained at Appendix A page 8 to report CHFCS25
- g. requires the fundamental review of services where the projected income levels show a continued reduction to ensure the allocated resources are proportionally aligned.
- h. approves the setting of cash releasing efficiency targets for each corporate head area in order for the Council to achieve its overall efficiency target
- i. approves the priority theme plans as detailed at Appendix D
- j. approves the introduction of MOT testing for taxis, motorcycles and larger vehicles (up to 3.5 tonnes)
- k. approves the cessation of play schemes with effect from 1 April 2009
- l. approves the use of the Housing and Planning Delivery Grant in respect of the works associated with the Local Development Framework
- m. approves the creation of a Community Response Fund

Capital Programme

- n. approves the Capital Programme for 2009/10 and indicative programme for 2010/11 to 2011/12 detailed at Appendix A page 9-12
- o. authorises the funding proposals subject to an annual review of the financing options by the Corporate Head of Finance and Customer Services, in consultation with the Portfolio Holder, during the preparation of the Statement of Accounts to optimise the use of Council resources.
- p. approves the setting of cash releasing efficiency target in respect of the Capital programme

Housing Revenue Account (HRA)

- q. sets dwelling rent increases in accordance with Government guideline rent, but with a cap on individual rent increases of no more than 7%, providing an average rent of £62.61 (and an average rental increase of 6.04%)
- r. sets an increase in garage rents of 5.5%
- s. increases service charges by 5.0% (retail price index September 2008)
- t. approves a policy of a target HRA working balance of £5M
- u. approves the policy of achieving a breakeven Housing Revenue Account by the financial year 2011/12 and to ensure all years, thereafter, achieve a breakeven position.
- v. approves the Housing Revenue Account for the year 2009/10

and indicative years 2010/11 and 2011/12 shown at Appendix A page 13

w. approves the setting of cash releasing efficiency target in respect of the Housing Revenue Account

PART B: Council Tax setting 2009/10:

DECISION: That the Council pass the following resolution to set the level of council tax for 2009/10 based on an increase of 3.5% excluding special expenses (and 3.45% including special expenses):

(1) That the following amounts be calculated by the Council for the year 2009/10 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended):

- a) £77,684,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act.
- b) £60,232,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
- c) £17,452,000 being the amount by which the aggregate at a) above exceeds the aggregate at b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- d) £10,084,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant increased by the amount of the sum to be transferred from the Collection Fund to the General Fund.
- e) £161.09 being the amount at c) above less the amount at d) above, all divided by the Council's tax base of 45,738.30 as recorded in minute 74 of the cabinet meeting of 1 December 2008, in accordance Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2009/2010.
- f) £1,889,000 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- g) £119.79 being the amount of e) above, less the result given by dividing the amount of f) above by the Council's tax base relating to special items as set on 1 December, 2008 calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for year for dwellings in those parts of its area to which no special item relates.

h)

Part of the
Council's area

Band D equivalent

Grantham	164.07
Stamford	187.02
Bourne	150.12
Deeping St James	158.40
Market Deeping	227.16
Allington	161.64
Ancaster	164.07
Aslackby & Laughton	143.10
Barholm & Stow	128.16
Barkston & Syston	140.49
Barrowby	163.71
Baston	139.23
Belton & Manthorpe	123.39
Billingborough	145.62
Bitchfield &	
Bassingthorpe	119.79
Boothby Pagnell	123.66
Braceborough &	
Wilsthorpe	136.62
Burton Coggles	132.84
Careby,Aunby & Holywell	127.80
Carlby	153.90
Carlton Scroop &	
Normanton	173.43
Castle Bytham	139.50
Caythorpe	152.46
Claypole	140.22
Colsterworth, Gunby, Stainby and North	
Witham	150.48
Corby Glen	144.45
Counthorpe & Creeton	119.79
Denton	138.33
Dowsby	148.95
Dunsby	126.09
Edenham	139.68
Fenton	127.98
Folkingham	143.82
Foston	155.52
Fulbeck	142.56
Greatford	143.37
Great Gonerby	149.22
Great Ponton	157.77
Haconby	121.05
Harlaxton	171.99
Heydour	139.14
Honington	119.79
Horbling	119.79
Hougham	139.77

Hough-on-the-Hill	149.22
Ingoldsby	130.77
Irnham	121.68
Kirkby Underwood	132.03
Langtoft	163.80
Lenton,Keisby & Osgodby	123.57
Little Bytham	152.46
Little Ponton & Stroton	127.98
Londonthorpe &	
Harrowby Without	132.93
Long Bennington	158.04
Marston	146.16
Morton	134.19
Old Somerby	136.53
Pickworth	119.79
Pointon & Sempringham	152.19
Rippingale	164.97
Ropsley,Humby,Braceby & Sapperton	137.16
Sedgebrook	147.60
Skillington	152.91
South Witham	166.05
Stoke Rochford & Easton	136.26
Stubton	138.42
Swayfield	138.96
Swinstead	146.43
Tallington	138.15
Thurlby	145.62
Toft, Lound & Manthorpe	119.79
Uffington	129.42
Welby	137.07
Westborough & Dry	
Doddington	123.66
West Deeping	141.48
Witham-on-the-Hill	140.76
Woolsthorpe	152.82
Wyville-cum-Hungerton	140.49

i) The amounts on the attached schedule (Appendix A to Part B of report CHFCS25), being the amounts given by multiplying the amounts at g) above and h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

j) That it be noted that for the year 2009/10 Lincolnshire

County Council has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
693.12	808.64	924.16	1039.68	1270.72	1501.76	1732.80	2079.36

k) That it be noted that for the year 2009/10 Lincolnshire Police Authority has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
116.04	135.38	154.72	174.06	212.74	251.42	290.10	348.12

i) That, having calculated the aggregate in each case of the amounts at i), j) and k) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts in the revised Appendix B to part B as the levels of Council Tax for the year 2009/10 for the categories of dwellings shown in the revised Appendix A to part B of report CHFCS25.

Members had previously been circulated with a copy of report number CHFCS25 the purpose of which was to present the Cabinet's budget proposals for 2009/10 for both revenue and capital expenditure together with indicative budgets for 2010/11 and 2011/12. The report also covered the potential use of reserves, the treasury management strategy for the Council, and the level of recommended revised fees and charges. Members were advised by the Chief Finance Officer on the robustness of the budget proposals and adequacy of balances and reserves as required by the Local Government Act 2003.

The second part of the report dealt with the setting of the Council Tax for 2009/10 in accordance with the relevant statutory requirements. An addendum to this report was circulated at the meeting detailing the figures

for the Valuation Bands following receipt of the Lincolnshire Police authority precept.

The last appendices to the report represented the Council's four priority themes, detailing what the Council proposed to achieve under each theme and the intended outcome in terms of the difference the various activities would make to the local community.

The Assets and Resources portfolio holder, Councillor Mrs Spencer-Gregson O.B.E. presented the report on behalf of the Cabinet, proposing the recommendations it contained. In so doing, she thanked the Corporate Head of Finance & Customer Services, Mr. Richard Wyles, and his team for their diligent work in preparing what had been a difficult budget to balance in the current economic climate. She said that the Cabinet was acutely aware of the financial circumstances facing the customers of the authority; although over £800,000 of efficiency savings had been found, the economic downturn had affected revenue from fees and charges and this was not likely to recover in the short term. Councillor Mrs Spencer-Gregson also thanked the Chairman of the Resources PDG and its members for their hard work on reviewing fees and charges which included a new service proposal to introduce MOT testing for certain types of vehicles. In her presentation, the portfolio holder also highlighted the impact on the reserves through falling return on investments and the consequent cautious approach to the Council's investment strategy, the strengthened management procedures for budget monitoring to ensure income and expenditure were continually reviewed, and the need to begin preparations now for the new grant settlements from 2011/12 onwards. The Cabinet supported the view that reserves should be used in a prudent way.

The level of Council tax had been carefully considered by the Cabinet: at the start of the budget preparation process, two options for either no increase or an increase of 4.60% had been proposed. However, with the rapidly altering financial climate, a third option to increase the council tax by 3.5% had been introduced. This third option, representing an 8 pence increase per week on a Band D property was included for consideration at the recent round of Local Forum meetings.

The Government had announced a review of the Housing Revenue Account (HRA) and its subsidy system. The HRA had to meet its costs from the rental it receives but next year over £6 million of this income would be handed over to the Government at a time when customer demand was increasing and there was additional financial pressure from demands on the housing repair service.

The motion was seconded by the Chairman of the Governance and Audit Committee. On behalf of the Council, Councillor Lovelock thanked Councillor Mrs Spencer-Gregson and the officers for their hard work on the budget.

The Corporate Head of Finance and Customer Services referred members to

the addendum to the budget report Part B circulated at the meeting. The addendum included the Lincolnshire Police authority precept which had only been set on 25 February 2009. He advised members on the difficult background against which the budget had been prepared; over a short space of time the financial climate had fluctuated continually. He advised that the driver for the relatively low Government settlement had been the efficiency agenda. However, he warned that the national settlements due in the autumn of 2010 (CSR10) would pose even more challenges particularly for shire districts and the Council would need to financially prepare itself for this. The Corporate Head then gave an overview of the key elements of the budget stating that it was a commendable achievement to have arrived at a balanced budget without drawing on reserves. He drew members' attention to the appendix to the report in which he had identified risks to the budget and how these had been scored should unforeseen circumstances occur.

[Councillors John Smith and Ian Stokes left the council chamber at this point in the meeting.]

The Corporate Head of Finance and Customer Services was thanked by the Council for his clear, comprehensive summary of the budget proposals.

The debate opened with an amendment proposed by Councillor Wood:

"I propose that an additional budget of £2,000 per Councillor (total £116,000) is established to be spent on the local community projects. Individual Councillors will be responsible for proposing or supporting local community projects in their ward area and have a budget of up to £2,000 to allocate.

The Corporate Head of Finance (Section 151 officer) will be responsible for approving the expenditure following submission of an appraisal form submitted by the Councillor. The appraisal will have to demonstrate that the project

- Supports one of South Kesteven District Council key objectives
- Is a benefit to the local community
- That there is a need in the local community for the project
- That it is value for money.

The budget for this would be financed from the general fund reserves and the Corporate Head of Finance has confirmed that this is possible while still retaining the proposed Council Tax levels and maintaining a robust overall budget."

In support of his amendment, Councillor Wood stated he was not proposing an increase in the council tax but an allocation of an additional £116,000 from reserves to be allocated to local community projects for the benefit of the community. The amendment was seconded.

A discussion ensued on the amendment during which views for and against were expressed. Reference was made to the new Sustainable Communities Bill and new powers it proposed for local authorities. A point was made that at this point it was not known what the proposals would entail so Councillor Wood's proposal might help to alleviate some local issues. A member raised the issue of the rural imbalance and expressed support for the amendment as he considered it would make an immense difference to addressing this inequity between rural and urban locations. Concern was expressed over the use of reserves and questions raised over whether this was just a one off use of reserves or a year on year feature and what impact this would have in terms of value for money and procurement.

In exercising her right of reply, the mover of the original motion stated that whilst the principle behind the idea was sound, she could not support it on this occasion because of the expectations about the Government settlement in future years. The Council needed to continue its prudent line to ensure its sound financial standing and it had taken a lot of work against considerable financial constraints to arrive at a balanced budget. She acknowledged that it was not a large amount of money compared to the overall budget, but she was against taking this out of reserves. Had the economic climate been better, the idea would have been worth considering.

The Corporate Head of Finance and Customer Services stated he had not tested the amendment for its robustness and validity although it could be funded from reserves as a one off initiative. If passed, work would be needed on the governance arrangements for the operation of the scheme.

A vote on the amendment was taken but as only 26 out of a possible 44 votes were registered, the Chairman instructed that the vote be taken again. A second vote resulted in 15 votes for and 27 votes against and the amendment was therefore lost.

The debate resumed on the original motion: leaders of the opposition groups paid their tributes to both members and officers who had worked on the budget process and indicated their support for the budget recommendations proposed. Points raised included: support for representations (preferably collectively with other Lincolnshire districts) being made to the Police to make a contribution to the CCTV service; consideration being given to bringing forward some of the authority's capital expenditure to help stimulate the local economy; the warnings made at the time about the future impact on the HRA if stock transfer did not go ahead and that were now materialising; concern at the suggested increase of 8.4% for the Audit Commission fees; the impact of housing rents increases on the more vulnerable in the community; and clarification sought on a breakdown of costs for town centre management.

The Corporate Head of Finance and Customer Services responded to these points: he was aware that Boston BC were intending to make similar approaches to the Police over funding CCTV; if the Council did not adopt the 7% rent increase this would impact negatively on the authority as this figure

was already built into the housing subsidy. The Corporate Head offered to make more detailed information on the town centre management budgets available to interested members after the meeting.

After the Assets and Resources portfolio holder had summed up, a vote on Part A of the budget was taken and carried.

[A refreshment break took place between 3.45pm and 4.02pm.]

[Councillors Davidson and Selby did not return to the meeting after the break.]

[Councillors John Smith and Stokes returned to the meeting at this point.]

The Assets and Resources portfolio holder moved the recommendations a) to I) contained in the revised addendum to Part B of the budget report. The motion was seconded by the Chairman of the Governance and Audit Committee, and following a vote, carried.

90. SUSTAINABLE COMMUNITY STRATEGY

DECISION: To approve the Lincolnshire wide Sustainable Community Strategy including the chapter on South Kesteven.

The Leader of the Council presented report number POI34 in which she updated members on the progress being made by the Lincolnshire Assembly to develop a new county wide Sustainable Community Strategy. Members had considered the draft document including the local South Kesteven chapter at its last meeting. The final version of the document now before the Council (as agreed by the Lincolnshire County Council at its meeting on 13 February) contained an expanded economy section as suggested by South Kesteven members.

Following some revisions made to the local SK chapter as a result of consideration by the South Kesteven Local Strategic Partnership, it was planned to publish the new strategy for 2009-2030 by the end of March 2009.

A member asked why there was little reference to Stamford and the Deepings in the local chapter. Another member commended the way the local chapter had been written in clear, easily understood language. By contrast, he considered the County part of the document to contain "flowery" language. He suggested that the County Council be asked to write their part of the document with the same clarity of vision as the South Kesteven District Council chapter.

The Leader responded by explaining that the SK chapter only included the issues that were current at the moment and would be revised and developed over time to reflect other parts of the district. The Leader

acknowledged the points raised about the format of the document and explained that the County had asked that the local chapter confirm to their format. However, she undertook to refer the comments on the style of language used to the Sustainable Community Strategy Board.

91. RECOMMENDATIONS FROM THE CONSTITUTION COMMITTEE

DECISION:

(1) Officer Delegation

Part 3 of the Constitution (Delegated Authority) in relation to the Corporate Head of Finance and Customer Services (S151 Officer) be amended to read:

“to take the appropriate action in respect of forfeiting, terminating or repossessing a lease between the Council and any tenant as the final part of debt recovery and breach of tenancy process where rent remains outstanding or there has been some other breach of the terms of the lease which would require the Council to obtain vacant possession of the leased premises.”

(2) Terms of Reference of the Governance and Audit Committee

Article 12, page 54.1 of the Constitution under part (b) Regulatory Framework be amended to include the wording:

“to monitor, review and amend as appropriate the thresholds and limits contained in the Financial Regulations Guidance notes.”

(3) Public Right to Speak at Development Control Committee meetings

Part 4, Council procedure rule 24.7 of the Constitution be amended to read:

“Any person wishing to include photographs or any other information within the committee presentation, as part of their three minute address to the committee, shall ensure that this information is received if possible in an electronic format (e-mail with an attachment, memory stick, or disc) by the relevant case officer at least one working day prior to the meeting; and/or written material and/or photographs should be submitted to the relevant case officer at least two working days prior to the meeting. Material presented after these deadlines will be accepted at the discretion of the Chairman of the Development Control Committee.

(4) Public Speaking at Full Council

Part 4, Council procedure rule 10 of the Constitution be amended to read:

“10. PUBLIC OPEN FORUM

10.1 General

Residents of the District or any non-domestic ratepayer may ask questions of any members of the Council and speak on any item on the agenda of any ordinary meeting of the Council during a period of 30 minutes set aside at the start of the meeting.

10.2 Notice of intention to speak or ask questions

Notice of any question to be asked or of any intention to speak on an item on the agenda must be given by delivering it in writing or by electronic mail to the Chief Executive at least 3 working days before the day of the meeting. Each notice must give the name and address of the speaker or questioner and must name the member of the Council to whom a question is to be put or the item on the agenda to be addressed. The Chairman may direct a question to another member if more appropriate and they agree to accept it.

10.3 Order of speakers and questions

Questions will be asked and speeches made in the order in which notice of them was received, except that the Chairman may group together similar questions or items to be spoken on. Each question and answer or speech will be subject to a total time limit of 5 minutes.

10.4 Number of questions

At any one meeting no person or organisation may submit more than two questions or speak on more than two items on the agenda of the relevant meeting and no more than six such questions or speeches will be tabled or delivered at any one meeting. If more than six notices of intention to speak are received, the first six received will be invited to attend to speak on the agenda item. Any questions tabled for that same meeting will be dealt with by way of written response or held over until the next meeting at the request of the questioner.

10.5 Scope of questions or items on which speeches are to be made

The Chief Executive may reject a question or prevent the right to speak if it:

- **Is not about a matter for which the local authority has a responsibility or which directly affects the district or is not an item on the agenda of the relevant meeting;**
- **Is or becomes defamatory, frivolous, objectionable, improper, or offensive;**
- **In respect of questions, if it is substantially the same as a question which has been put at a meeting of the Council in the past six months; or**
- **Requires disclosure of confidential or exempt information.**

10.6 Record of questions and requests to speak

The Chief Executive will make a record of questions and requests to speak submitted correctly in accordance with this clause 10. The record will be open to public inspection. He will immediately send a copy of any question to the member to whom it is to be put. Rejected questions and requests to speak will include reasons for rejection. Any questions which are deemed by the Chief Executive to be defamatory will not be so recorded or open for public inspection. Copies of all questions and requests to speak will be circulated to all members and will be made available to the public attending the meeting.

10.7 Asking a question or speaking at the meeting

The Chairman will invite the questioner to put the question to the member named in the notice. If the questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner that the question will not be dealt with.

10.8 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Rule 10.5 above or if the time limit in rule 10.3 has expired.

10.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member, to whom it was to be put, will be dealt with by a written answer within 7 working days of the meeting.

10.10 Reference of question or speech to the cabinet or a Committee

Unless the Chairman decides otherwise, no discussion will take place on any question or speech, but any member may move that a matter raised by a question or speech be referred to the Cabinet or the appropriate Committee, Sub-Committee or Policy Development Group. Once seconded, such a motion will be voted on without discussion.”

Consequent to the above amendments to council procedure rule 10, to make corresponding amendments in the Constitution at:

- **Page 34 – second paragraph – delete “question time” and add “public open forum in accordance with clause 10 of the council procedure rules set out in part 4 of this Constitution”;**
- **Page 40 – add after “public open forum” – as detailed under council procedure rule 10.**

(5) The Constitution Committee is asked to consider extending the same public speaking mechanism for the Development Control Committee to all quasi judicial committees.

The recommendations contained at minutes 30(1) and 30(2) of the Constitution Committee were moved and seconded and carried following a vote.

In relation to minute 30(3), Public Right to Speak at Development Control Committee meetings, the Chairman of the Constitution Committee advised that he had been requested to make a few small amendments to the wording of the recommendation as contained in the minutes. The Chairman of the Development Control Committee stated the minor amendments and, in seconding the recommendation (as amended) explained that the purpose of the recommendation was to provide clear guidance in the Constitution as to what a Chairman of the Development Control Committee could and could not accept in terms of public submissions.

A member suggested that this mechanism should be extended to all quasi judicial committees. The Chief Executive advised this would need referral back to the Constitution Committee. The Chairman of the Constitution Committee undertook to accept this item on the next agenda. A vote on

the recommendation as amended was subsequently taken and carried.

In relation to minute 30(4), the Vice-Chairman of the Council moved an amendment to replace reference to "72 hours" with "3 clear working days" relating to the period of notice for questions or intention to speak at the public open forum. This would, he suggested, provide clarity particularly when there were Bank Holiday periods in between. The Chairman of the Constitution Committee indicated he accepted this amendment and following a vote, the recommendation (as amended) was carried.

92. REVIEW OF FINANCIAL REGULATIONS: SCHEME OF VIREMENT

The Chairman agreed to accept this item on the agenda as a matter of urgency as the recommendation from the Governance and Audit Committee had been omitted from the Council agenda in error and there was a need to effect the revision to the delegated limits for virements as soon as possible in the interests of efficient financial management of the authority.

DECISION: To approve the following revised delegated limits relating to the Financial Regulations Scheme of Virement:

- (1) the upper delegated virement limit for Cabinet portfolio holders be set at £60,000;**
- (2) the upper delegated virement limit for the Cabinet be set at £100,000;**
- (3) Any virements over £100,000 to be referred to the Council for approval.**

The Chairman of the Governance and Audit Committee submitted the recommendations of the committee as contained in minute 58 of the meeting held on 29 January 2009. (These minutes had previously been in the public domain as they had been published on the Council's website.)

The recommendation was seconded by the Assets and Resources portfolio holder and, following a vote, carried.

93. QUESTIONS ON NOTICE

No Questions on Notice had been submitted for this meeting.

The meeting closed at 4.27pm

COUNCIL TAX SETTING - PART B

1 INTRODUCTION

The purpose of this part of the report is to set the level of Council Tax for 2009/10 in accordance with relevant statutory requirements (based on an increase of 3.5% excluding special expenses (and 3.45% including special expenses)).

2 RECOMMENDATIONS

The requirements are set out in paragraphs 32 to 36 of the Local Government Finance Act 1992 and it is necessary for the Council to adopt the following formal recommendations:-

- 1) That the following amounts be calculated by the Council for the year 2009/10 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended)
 - a) £77,684,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act.
 - b) £60,232,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
 - c) £17,452,000 being the amount by which the aggregate at a) above exceeds the aggregate at b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
 - d) £10,084,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant increased by the amount of the sum to be transferred from the Collection Fund to the General Fund
 - e) £161.09 being the amount at c) above less the amount at d) above, all divided by the Council's tax base of 45,738.30 as recorded in minute 74 of the cabinet meeting of 1 December 2008, in accordance Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2009/2010.
 - f) £1,889,000 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
 - g) £119.79 being the amount of e) above, less the result given by dividing the amount of f) above by the Council's tax base relating to special items as set on 1 December, 2008 calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for year for dwellings in those parts of its area to which no special item relates.

h)

Part of the Council's area**Band D equiv.**

Grantham	164.07
Stamford	187.02
Bourne	150.12
Deeping St James	158.40
Market Deeping	227.16
Allington	161.64
Ancaster	164.07
Aslackby & Laughton	143.10
Barholm & Stow	128.16
Barkston & Syston	140.49
Barrowby	163.71
Baston	139.23
Belton & Manthorpe	123.39
Billingborough	145.62
Bitchfield &	
Bassingthorpe	119.79
Boothby Pagnell	123.66
Braceborough &	
Wilsthorpe	136.62
Burton Coggles	132.84
Careby,Aunby &	
Holywell	127.80
Carlby	153.90
Carlton Scroop &	
Normanton	173.43
Castle Bytham	139.50
Caythorpe	152.46
Claypole	140.22
Colsterworth, Gunby, Stainby and North	
Witham	150.48
Corby Glen	144.45
Counthorpe & Creeton	119.79
Denton	138.33
Dowsby	148.95
Dunsby	126.09
Edenham	139.68
Fenton	127.98
Folkingham	143.82
Foston	155.52
Fulbeck	142.56
Greatford	143.37
Great Gonerby	149.22
Great Ponton	157.77
Haconby	121.05
Harlaxton	171.99
Heydour	139.14
Honington	119.79
Horbling	119.79
Hougham	139.77
Hough-on-the-Hill	149.22
Ingoldsby	130.77
Irnham	121.68
Kirkby Underwood	132.03
Langtoft	163.80
Lenton,Keisby &	123.57

Osgodby	
Little Bytham	152.46
Little Ponton & Stroxtion	127.98
Londonthorpe &	
Harrowby Without	132.93
Long Bennington	158.04
Marston	146.16
Morton	134.19
Old Somerby	136.53
Pickworth	119.79
Pointon & Sempringham	152.19
Rippingale	164.97
Ropsley, Humby, Braceby & Sapperton	137.16
Sedgebrook	147.60
Skillington	152.91
South Witham	166.05
Stoke Rochford & Easton	136.26
Stubton	138.42
Swayfield	138.96
Swinstead	146.43
Tallington	138.15
Thurlby	145.62
Toft, Lound & Manthorpe	119.79
Uffington	129.42
Welby	137.07
Westborough & Dry Doddington	123.66
West Deeping	141.48
Witham-on-the-Hill	140.76
Woolsthorpe	152.82
Wyville-cum-Hungerton	140.49

being calculated by adding to the amount at (g) above the amounts of special item relating to dwellings in those parts of the Council's area, divided in each case by the individual tax bases as recorded in minute 74 in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special item relates.

- i) The amounts on the attached schedule (Appendix A to Part B), being the amounts given by multiplying the amounts at g) above and h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
- j) That it be noted that for the year 2009/10 Lincolnshire County Council has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
693.12	808.64	924.16	1039.68	1270.72	1501.76	1732.80	2079.36

k) That it be noted that for the year 2009/10 Lincolnshire Police Authority has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
116.04	135.38	154.72	174.06	212.74	251.42	290.10	348.12

l) That, having calculated the aggregate in each case of the amounts at i), j) and k) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts in Appendix B to part B as the levels of Council Tax for the year 2009/10 for the categories of dwellings shown in Appendix A to part B.

i. BACKGROUND

3.1 The Council's budget requirement has been recommended by the Cabinet and is dealt with in Part A of this report. Parish precepts are added to the District Council's net expenditure requirement. Government support and adjustments to Collection Fund relating to Community Charge and District Council's share of Council Tax are then deducted from the spending requirement to give a Demand on the Collection Fund.

3.2 The Council Tax Base of 45,738.30 was approved at the Cabinet meeting held on 1 December 2008 and the budget requirement will be spread by reference to the tax base previously approved, taking into account the precepts of individual Parishes recoverable over the Parish tax base.

3.3 The Council Tax bill for 2009/10 includes the requirements of Lincolnshire County Council and the Lincolnshire Police Authority which are responsible for setting their own Council Tax levels.

3.4 Lincolnshire County Council determined its Council Tax requirement at the meeting held on 13th February 2009, as follows:

Total Council Tax Requirement	£240,605,937.43
SKDC precept element	£47,553,195.75
Band D tax	£1,039.68

3.5 Lincolnshire Police Authority will determine its Council Tax requirement at a meeting to be held on 25th February 2009, as presented below (an addendum to this report will be circulated to members, following confirmation by Lincolnshire Police Authority).

Total Council Tax Requirement	£40,281,490.86
SKDC precept element	£7,961,208.50
Band D tax	£174.06

3.6 The overall increases for Band D tax payers, by Authority, are shown in the table below:

Council Tax Details 2009/10				
	2008/09 Band D	2009/10 Band D	Increase £	Increase %
Lincolnshire County Council	£1021.77	£1039.68	17.91	1.75
Lincolnshire Police Authority	£165.78	£174.06	8.28	4.99
South Kesteven District Council	£115.74	£119.79	4.05	3.50
South Kesteven + Special Expenses	£128.63	£133.08	4.45	3.45
South Kesteven + Special Expenses + Parishes	£156.32	£161.09	4.77	3.05

4 SETTING THE COUNCIL TAX

4.1 The Local Government and Finance Act 1992 requires the Council to set Council Tax across the 8 valuation bands, and all precepting Parishes. The levels of overall Council Tax by Parish are attached at Appendix B to part B.

5. COMMENTS OF THE S151 OFFICER

5.1 The financial implications of this section are included in Part A of the report above.

6. COMMENTS OF MONITORING OFFICER

6.1 The Local Government Finance Act 1992 sets out the requirements placed upon the Council in relation to making formal recommendations relating to the setting of Council Tax and the Council's responsibilities as a billing authority.

Richard Wyles
Corporate Head of Finance and Customer Services (s151 officer)
Tel: 01476 406210
Email: r.wyles@southkesteven.gov.uk

APPENDIX A TO PART B

PARISH	SEA	PRECEPT	BAND A	BAND B	BAND C	BAND D	BAND E	BAND F	BAND G	BAND H
	£	£	£	£	£	£	£	£	£	£
Grantham	38.34	5.94	109.38	127.61	145.84	164.07	200.53	236.99	273.45	328.14
Stamford	21.06	46.17	124.68	145.46	166.24	187.02	228.58	270.14	311.70	374.04
Bourne	4.95	25.38	100.08	116.76	133.44	150.12	183.48	216.84	250.20	300.24
Deeping St James	2.88	35.73	105.60	123.20	140.80	158.40	193.60	228.80	264.00	316.80
Market Deeping	2.88	104.49	151.44	176.68	201.92	227.16	277.64	328.12	378.60	454.32
Allington		41.85	107.76	125.72	143.68	161.64	197.56	233.48	269.40	323.28
Ancaster		44.28	109.38	127.61	145.84	164.07	200.53	236.99	273.45	328.14
Aslackby & Laughton		23.31	95.40	111.30	127.20	143.10	174.90	206.70	238.50	286.20
Barholme & Stow		8.37	85.44	99.68	113.92	128.16	156.64	185.12	213.60	256.32
Barkston & Syston		20.70	93.66	109.27	124.88	140.49	171.71	202.93	234.15	280.98
Barrowby		43.92	109.14	127.33	145.52	163.71	200.09	236.47	272.85	327.42
Baston		19.44	92.82	108.29	123.76	139.23	170.17	201.11	232.05	278.46
Belton & Manthorpe		3.60	82.26	95.97	109.68	123.39	150.81	178.23	205.65	246.78
Billingborough		25.83	97.08	113.26	129.44	145.62	177.98	210.34	242.70	291.24
Bitchfield & Bassingthorpe		-	79.86	93.17	106.48	119.79	146.41	173.03	199.65	239.58
Boothby Pagnell		3.87	82.44	96.18	109.92	123.66	151.14	178.62	206.10	247.32
Braceborough & Wilsthorpe		16.83	91.08	106.26	121.44	136.62	166.98	197.34	227.70	273.24
Burton Coggles		13.05	88.56	103.32	118.08	132.84	162.36	191.88	221.40	265.68
Careby,Aunby & Holywell		8.01	85.20	99.40	113.60	127.80	156.20	184.60	213.00	255.60
Carlby		34.11	102.60	119.70	136.80	153.90	188.10	222.30	256.50	307.80
Carlton Scroop & Normanton		53.64	115.62	134.89	154.16	173.43	211.97	250.51	289.05	346.86
Castle Bytham		19.71	93.00	108.50	124.00	139.50	170.50	201.50	232.50	279.00
Caythorpe		32.67	101.64	118.58	135.52	152.46	186.34	220.22	254.10	304.92
Claypole		20.43	93.48	109.06	124.64	140.22	171.38	202.54	233.70	280.44
Colsterworth, Gunby, Stainby and North Witham		30.69	100.32	117.04	133.76	150.48	183.92	217.36	250.80	300.96
Corby Glen		24.66	96.30	112.35	128.40	144.45	176.55	208.65	240.75	288.90
Counthorpe & Creton		-	79.86	93.17	106.48	119.79	146.41	173.03	199.65	239.58
Denton		18.54	92.22	107.59	122.96	138.33	169.07	199.81	230.55	276.66
Dowsby		29.16	99.30	115.85	132.40	148.95	182.05	215.15	248.25	297.90
Dunsby		6.30	84.06	98.07	112.08	126.09	154.11	182.13	210.15	252.18
Edenham		19.89	93.12	108.64	124.16	139.68	170.72	201.76	232.80	279.36
Fenton		8.19	85.32	99.54	113.76	127.98	156.42	184.86	213.30	255.96
Folkingham		24.03	95.88	111.86	127.84	143.82	175.78	207.74	239.70	287.64
Foston		35.73	103.68	120.96	138.24	155.52	190.08	224.64	259.20	311.04
Fulbeck		22.77	95.04	110.88	126.72	142.56	174.24	205.92	237.60	285.12
Greatford		23.58	95.58	111.51	127.44	143.37	175.23	207.09	238.95	286.74
Great Gonerby		29.43	99.48	116.06	132.64	149.22	182.38	215.54	248.70	298.44
Great Ponton		37.98	105.18	122.71	140.24	157.77	192.83	227.89	262.95	315.54
Haconby		1.26	80.70	94.15	107.60	121.05	147.95	174.85	201.75	242.10
Harlaxton		52.20	114.66	133.77	152.88	171.99	210.21	248.43	286.65	343.98
Heydour		19.35	92.76	108.22	123.68	139.14	170.06	200.98	231.90	278.28
Honington		-	79.86	93.17	106.48	119.79	146.41	173.03	199.65	239.58
Horbling		-	79.86	93.17	106.48	119.79	146.41	173.03	199.65	239.58

APPENDIX A TO PART B

APPENDIX B TO PART B

	SEA £	PRECEPT £	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
LINCS COUNTY COUNCIL			693.12	808.64	924.16	1,039.68	1,270.72	1,501.76	1,732.80	2,079.36
LINCS POLICE AUTHORITY			116.04	135.38	154.72	174.06	212.74	251.42	290.10	348.12
Grantham	38.34	5.94	918.54	1,071.63	1,224.72	1,377.81	1,683.99	1,990.17	2,296.35	2,755.62
Stamford	21.06	46.17	933.84	1,089.48	1,245.12	1,400.76	1,712.04	2,023.32	2,334.60	2,801.52
Bourne	4.95	25.38	909.24	1,060.78	1,212.32	1,363.86	1,666.94	1,970.02	2,273.10	2,727.72
Deeping St James	2.88	35.73	914.76	1,067.22	1,219.68	1,372.14	1,677.06	1,981.98	2,286.90	2,744.28
Market Deeping	2.88	104.49	960.60	1,120.70	1,280.80	1,440.90	1,761.10	2,081.30	2,401.50	2,881.80
Allington	41.85	916.92	1,069.74	1,222.56	1,375.38	1,681.02	1,986.66	2,292.30	2,750.76	
Ancaster	44.28	918.54	1,071.63	1,224.72	1,377.81	1,683.99	1,990.17	2,296.35	2,755.62	
Aslackby & Laughton	23.31	904.56	1,055.32	1,206.08	1,356.84	1,658.36	1,959.88	2,261.40	2,713.68	
Barholm & Stow	8.37	894.60	1,043.70	1,192.80	1,341.90	1,640.10	1,938.30	2,236.50	2,683.80	
Barkston & Syston	20.70	902.82	1,053.29	1,203.76	1,354.23	1,655.17	1,956.11	2,257.05	2,708.46	
Barrowby	43.92	918.30	1,071.35	1,224.40	1,377.45	1,683.55	1,989.65	2,295.75	2,754.90	
Baston	19.44	901.98	1,052.31	1,202.64	1,352.97	1,653.63	1,954.29	2,254.95	2,705.94	
Belton & Manthorpe	3.60	891.42	1,039.99	1,188.56	1,337.13	1,634.27	1,931.41	2,228.55	2,674.26	
Billingborough	25.83	906.24	1,057.28	1,208.32	1,359.36	1,661.44	1,963.52	2,265.60	2,718.72	
Bitchfield & Bassingthorpe	-	889.02	1,037.19	1,185.36	1,333.53	1,629.87	1,926.21	2,222.55	2,667.06	
Boothby Pagnell	3.87	891.60	1,040.20	1,188.80	1,337.40	1,634.60	1,931.80	2,229.00	2,674.80	
Braceborough & Wilsthorpe	16.83	900.24	1,050.28	1,200.32	1,350.36	1,650.44	1,950.52	2,250.60	2,700.72	
Burton Cogges	13.05	897.72	1,047.34	1,196.96	1,346.58	1,645.82	1,945.06	2,244.30	2,693.16	
Careby,Aunby & Holywell	8.01	894.36	1,043.42	1,192.48	1,341.54	1,639.66	1,937.78	2,235.90	2,683.08	
Carlby	34.11	911.76	1,063.72	1,215.68	1,367.64	1,671.56	1,975.48	2,279.40	2,735.28	
Carlton Scroop & Normanton	53.64	924.78	1,078.91	1,233.04	1,387.17	1,695.43	2,003.69	2,311.95	2,774.34	
Castle Bytham	19.71	902.16	1,052.52	1,202.88	1,353.24	1,653.96	1,954.68	2,255.40	2,706.48	
Caythorpe	32.67	910.80	1,062.60	1,214.40	1,366.20	1,669.80	1,973.40	2,277.00	2,732.40	
Claypole	20.43	902.64	1,053.08	1,203.52	1,353.96	1,654.84	1,955.72	2,256.60	2,707.92	
Colsterworth, Gunby, Stainby and North Witham	30.69	909.48	1,061.06	1,212.64	1,364.22	1,667.38	1,970.54	2,273.70	2,728.44	
Corby Glen	24.66	905.46	1,056.37	1,207.28	1,358.19	1,660.01	1,961.83	2,263.65	2,716.38	
Counthorpe & Creeton	-	889.02	1,037.19	1,185.36	1,333.53	1,629.87	1,926.21	2,222.55	2,667.06	
Denton	18.54	901.38	1,051.61	1,201.84	1,352.07	1,652.53	1,952.99	2,253.45	2,704.14	
Dowsby	29.16	908.46	1,059.87	1,211.28	1,362.69	1,665.51	1,968.33	2,271.15	2,725.38	
Dunsby	6.30	893.22	1,042.09	1,190.96	1,339.83	1,637.57	1,935.31	2,233.05	2,679.66	
Edenham	19.89	902.28	1,052.66	1,203.04	1,353.42	1,654.18	1,954.94	2,255.70	2,706.84	
Fenton	8.19	894.48	1,043.56	1,192.64	1,341.72	1,639.88	1,938.04	2,236.20	2,683.44	
Folkingham	24.03	905.04	1,055.88	1,206.72	1,357.56	1,659.24	1,960.92	2,262.60	2,715.12	
Foston	35.73	912.84	1,064.98	1,217.12	1,369.26	1,673.54	1,977.82	2,282.10	2,738.52	
Fulbeck	22.77	904.20	1,054.90	1,205.60	1,356.30	1,657.70	1,959.10	2,260.50	2,712.60	
Greatford	23.58	904.74	1,055.53	1,206.32	1,357.11	1,658.69	1,960.27	2,261.85	2,714.22	
Great Gonerby	29.43	908.64	1,060.08	1,211.52	1,362.96	1,665.84	1,968.72	2,271.60	2,725.92	
Great Ponton	37.98	914.34	1,066.73	1,219.12	1,371.51	1,676.29	1,981.07	2,285.85	2,743.02	
Haconby	1.26	889.86	1,038.17	1,186.48	1,334.79	1,631.41	1,928.03	2,224.65	2,669.58	
Harlaxton	52.20	923.82	1,077.79	1,231.76	1,385.73	1,693.67	2,001.61	2,309.55	2,771.46	
Heydour	19.35	901.92	1,052.24	1,202.56	1,352.88	1,653.52	1,954.16	2,254.80	2,705.76	

APPENDIX B TO PART B