

MINUTES

COUNCIL

THURSDAY, 23 MAY 2019

2.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

PRESENT

Councillor George Chivers Chairman

| | |
|---------------------------------------|-------------------------------------|
| Councillor Bob Adams | Councillor Annie Mason |
| Councillor Ashley Baxter | Councillor Penny Milnes |
| Councillor David Bellamy | Councillor Virginia Moran |
| Councillor Chris Benn | Councillor Charmaine Morgan |
| Councillor Harrish Bisnauthsing | Councillor Dr Peter Moseley |
| Councillor Mrs Pam Bosworth | Councillor Robert Reid |
| Councillor Robert Broughton | Councillor Nick Robins |
| Councillor Louise Clack | Councillor Susan Sandall |
| Councillor Kelham Cooke | Councillor Ian Selby |
| Councillor John Cottier | Councillor Mrs Judy Smith |
| Councillor Helen Crawford | Councillor Jacky Smith |
| Councillor John Dawson | Councillor Judy Stevens |
| Councillor Phil Dilks | Councillor Adam Stokes |
| Councillor Barry Dobson | Councillor Ian Stokes |
| Councillor Mike Exton | Councillor Jill Thomas |
| Councillor Paul Fellows | Councillor Rosemary Trollope-Bellew |
| Councillor Helen Goral | Councillor Sarah Trotter |
| Councillor Breda Griffin | Councillor Dean Ward |
| Councillor Jan Hansen | Councillor Hannah Westropp |
| Councillor Graham Jeal | Councillor Hilary Westropp |
| Councillor Mrs Rosemary Kaberry-Brown | Councillor Amanda Wheeler |
| Councillor Anna Kelly | Councillor Mark Whittington |
| Councillor Ms Jane Kingman | Councillor Sue Woolley |
| Councillor Philip Knowles | Councillor Linda Wootten |
| Councillor Matthew Lee | Councillor Ray Wootten |
| Councillor Nikki Manterfield | |

OFFICERS

Chief Executive (Aidan Rave)
Assistant Chief Executive (Lee Sirdifield,
Ken Lyon)
Strategic Director (Debbie Muddimer,
Gary Smith, Paul Thomas)

OFFICERS

Assistant Director, Resources (Richard
Wyles)
Principal Democracy Officer (Jo Toomey)

1. Election of the Chairman of the District Council

Members were invited to make nominations for the Chairman of the Council.

A proposition was made and seconded that Councillor Jacky Smith be elected as the Chairman of the District Council. Members who spoke in support of Councillor Smith's nomination referred to her education in Grantham and her achievements throughout her working life. An overview was also given of Councillor Smith's key political and civic roles since her election as a Councillor in 2011 with specific reference to her tenure as the Mayor of Grantham and more recently as South Kesteven District Council's Cabinet Member for Health, Wellbeing and Skills. Members noted her advocacy of local businesses and for the town of Grantham. They felt that she would make a good ambassador for South Kesteven District Council, promoting the town, district and county wherever she could.

A vote was taken and the Council **AGREED**:

To elect Councillor Jacky Smith as the Chairman of the Council

The Chairman was invested with the chain of office and Members offered their congratulations with a round of applause.

COUNCILLOR JACKY SMITH IN THE CHAIR

The new Chairman thanked Members for their support and stated how, during her term of office, she hoped to generate a more positive feeling about the town of Grantham and how she felt it had a great future which she hoped to be part of. She subsequently added that Councillor Kelham Cooke would act as her consort when attending civic events.

2. Vote of thanks to the retiring Chairman

The Chairman paid tribute to the outgoing Chairman, thanking him for the work he had done during the year.

A formal vote of thanks was made, during which tribute was paid to Councillor Chivers' sense of duty and pride and how he had carried out the role with humour, serving the District Council well. Tribute was also paid to the Chairman's lady for the way she supported the outgoing Chairman during his term of office, and how she too served the district well during the year.

Reference was made to the number of events that had been attended by the Chairman throughout the year with several members speaking about their experiences of Councillor Chivers at a selection of those events.

Members of the Council showed their appreciation to Councillor Chivers with a round of applause.

Councillor Chivers thanked Members for their words, saying that his year in office had been a steep learning curve and that he hoped that he had treated everybody fairly. Councillor Chivers stated that the year had passed quickly and been enjoyable; his particular highlight was attending the Garden Party at Buckingham Palace.

Councillor Chivers presented gifts to the Council to commemorate his year in office. He also presented gifts to members of the Democratic Services team, the Chairman's Officer and Father Stuart Cradduck who had served as chaplain for his year in office. A presentation was also made to Ness Chivers, the Chairman's Lady, to thank her for her contribution throughout the year.

Councillor Chivers was presented with his past Chairman's badge and a gift from the Council to thank him for his contribution during his year in office.

3. Election of Vice-Chairman of the District Council

Councillor Breda Griffin was proposed and seconded for the role of Vice Chairman of the District Council. Members recognised her previous civic service and suggested that she would provide excellent support for the new Chairman.

A further nomination was made. It was proposed and seconded that Councillor Harrish Bisnauthsing be elected as Vice Chairman of the Council. Reference was made to Councillor Bisnauthsing's experience as a Councillor and the fresh perspective that he could bring to the role.

A vote was taken and the Council **AGREED**:

To elect Councillor Griffin as the Vice-Chairman of South Kesteven District Council.

Councillor Griffin was invested with the Vice-Chairman's medallion and members of the Council congratulated her on her election with a round of applause.

4. Apologies for Absence

Apologies for absence were received from Councillors Johnson, Steptoe and Jane and Paul Wood.

5. Disclosure of Interests

No pecuniary interests were disclosed however Councillor Crawford brought to Members' attention her membership of Bourne Town Council. In anticipation of the debate on the notice of motion on Lincolnshire Police, Councillor Knowles stated that he was involved in Neighbourhood Watch and was part of the policing panel for Bourne and Billingborough.

6. Minutes of the meeting held on 1 March 2019

The minutes of the meeting held on 1 March 2019 were proposed, seconded and agreed as a correct record.

7. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements.

8. Election of the Leader of the Council

It was proposed and seconded that Councillor Lee be elected as the Leader of the Council. Reference was made to his previous two years' service as Leader, and how speakers looked forward to that work continuing throughout the following 4-year term progressing and delivering a wide range of projects and programmes.

On being put to the vote, the Council **AGREED**:

To elect Councillor Lee as the Leader of the Council

9. Announcement on the size and membership of the Cabinet and the allocation of Cabinet Members' remits

It was proposed, seconded and on being put to the vote, **AGREED**, for this item only, to suspend Article 4.11.4 of the Council's Constitution, which limited the amount of time for which Members could speak to five minutes.

The Leader began by setting the current context and gave an outline for the coming four years. He outlined how he believed South Kesteven District Council differed from many other authorities, highlighting the changing way the Council thought and operated as well as the way it was governed. He stated that South Kesteven was a Member-led authority that had made growing the economy central to its strategy and was acting in an increasingly commercial way. The Leader highlighted several projects, including a food waste trial, intelligent automation and changes to the way the Council makes decisions, as examples of how the Council was delivering.

The Leader outlined a challenging financial context for local government nationally and the ways different Councils were approaching those challenges. He believed that the actions taken during the previous two years stood South Kesteven District Council in a better position than many other Councils, with a course he considered positive, ambitious and exciting, that would lead to the Council becoming financially independent.

The Leader stated that the Cabinet would consist of nine Members, including the Leader and the Deputy Leader, whose remits would be circulated to Members following the meeting in the Leader's Scheme of Delegation.

Councillor Lee, as Leader, would retain responsibility for organisational vision and key strategic direction and the remit as Cabinet Member for the arts, culture and heritage.

Councillor Kelham Cooke remained the Deputy Leader of the Council and the Cabinet Member for Business Transformation and Property. Councillor Goral was appointed as the Cabinet Member for Growth with a key focus on revitalising town centres and promoting the distinctiveness of the four market towns. Councillor Adam Stokes retained the role as Cabinet Member for Finance, while Councillor Robins was appointed as Cabinet Member for Planning. Councillor Westropp was appointed as Cabinet Member for Communications and Engagement, Councillor Dobson as Cabinet Member for Housing and Councillor Reid as the Cabinet Member for Communities, Health and Wellbeing. Finally, Councillor Dr. Moseley was appointed as the Cabinet Member for Commercial and Operations.

10. Appointments to committees including the appointment of their Chairmen and Vice-Chairmen

A table had been circulated to Members that showed the nominations for committee placements from each of the group leaders. It also included nominations for the chairmanships and vice-chairmanships of the Council's committees.

During debate the following changes and clarifications were made:

- Governance and Audit Committee: the two Independent seats would be taken by Councillor Baxter and Councillor Paul Wood
- Licensing Committee: Councillor Trotter would be replaced by Councillor Mrs. Kaberry-Brown
- Constitution Committee: Councillor Baxter would be replaced with Councillor Kelly

The unaligned member stated that he felt it was unfair that he was not entitled to a place on any of the Council's committees. A number of members spoke in support of the unaligned member, stating that he had been elected by his constituents with a good majority and that they would expect him to have access to the Council's committees to represent their views.

One member highlighted that all of the proposed chairmanships and vice-chairmanships came from the majority group. They referred to the previous term when the Chairman of one of the overview and scrutiny committees was a member of the Independent Group. It was suggested that allowing opposition members to chair scrutiny committees provided an environment for better scrutiny. Members who spoke in support of the suggestion made reference to the increased size of the Independent Group and the proportion of votes received by different groups and candidates across the district in the recent election. The suggestion was put forward that the Chairman and Vice-Chairman of one overview and scrutiny committee and one regulatory committee should be given to a member of the opposition group.

An amendment was proposed and seconded that Councillor Baxter be appointed as the Chairman of the Environment Overview and Scrutiny Committee and Councillor Paul Wood be appointed as the Vice-Chairman of the Governance and Audit Committee.

15:19 to 15:36 – the meeting adjourned

The Chief Executive highlighted article 4.4.1(viii) of the Council Constitution which stated that it was for the Leader to consider the suitability of an individual for a chairmanship or vice-chairmanship. The proposition could not, therefore, be treated as an amendment. He did, however, state that it was in line with the Constitution for the suggestion to be debated, prior to determination by the Leader on the suitability of the named candidates.

Members who spoke in support of the appointment of non-majority group chairmen and vice-chairmen again referred to the proportion of seats achieved by the different groups in the context of the number of votes that they received, which they felt should be reflected in the allocation of responsible roles. These members also reiterated how they considered wider distribution of roles would strengthen scrutiny.

Reference was made to all the avenues through which Members could scrutinise the administration, including Members Open Questions and the circulation of Cabinet minutes as part of the Council agenda. Some members challenged this view and stated that as backbench members of the majority group, they felt fully able to effectively scrutinise matters brought before the Council's overview and scrutiny committees. One speaker also stated that the political affiliation of a chairman did not matter, citing experience of how members from all groups worked collaboratively and how it was the Chairman's role to facilitate this.

Clarification was sought about why nominations for the Companies Committee had not been included in the table that had been circulated. Members were advised that the Committee had not yet been constituted; it had been due to be considered as part of the wider review of the Council's Constitution that began prior to the election. The Committee agreed to defer the Constitution of the Companies Committee until after the election to ensure that there was sufficient time to effectively scrutinise the proposals. The matter would therefore be considered at the first meeting of the Constitution Committee in the 2019/20 municipal year, with the proposals being brought to Council at its meeting in June 2019.

In summing up, the Leader stated that he had offered a chairmanship to a member of the opposition but on reflection they had declined the offer. He spoke about the changes that had been made to the Council's overview and scrutiny committees to strengthen the scrutiny role and how these were complemented by members open questions and the circulation of Cabinet minutes at Council. He stated that he had had discussions and considered representations, which were taken into account when making a decision about the person he considered to be best placed to carry out each of the roles.

The Leader proposed suspending political balance requirements in respect of the Planning Committee, removing Councillor Bellamy from the list of Conservative nominees and giving the seat to Councillor Selby.

A vote was taken on the membership of all of the Council's committees, except the Planning Committee, including their chairmanships and vice-chairmanships, which was carried. A separate vote was taken on the membership of the Planning Committee. As the proposed membership did not comply with the rules of political balance, any such vote was required to be unanimous, with no member voting against. This was put to the vote and carried.

The Council **AGREED**:

- 1. The membership of the Council's Committees as appended to these minutes**
- 2. The appointment of chairmen and vice-chairmen to the Council's committees as set out in the appendix to these minutes**

11. Timetable of Council and committee meetings

In proposing the draft dates of meetings for the Council, Cabinet and the Council's committees for 2019/20, the Leader updated Members that the start time for Cabinet would be 4pm, rather than 5pm as stated in the addendum that had been circulated. Members were advised that invitations would be sent for meetings on which they sat to update their calendars. Some concern was expressed about the lateness with which the programme had been circulated. The draft programme and Members **AGREED**:

To approve the programme of Council, Cabinet and committee meetings as appended to these minutes.

12. Appointment of representatives to outside bodies

The Leader presented his nominations to represent the Council on outside bodies. He explained that his nominations were based on his judgement of where people and skills and experience that were congruent with the bodies to which he proposed they be appointed. He also announced that Councillor Ward would be the Council's Armed Forces Champion for the coming year and suggested that the appointment to this role should be included as part of this report to ensure that it was appropriately recorded.

An alternative nomination of Councillor Baxter was made in respect of Deeping St. James United Charities. Members received confirmation that Councillor Baxter resided in the ecclesiastical parish of Deeping St James and Frognall, which was a requirement to sit on the body.

The Leader reiterated that his recommendation to Council was that the appointment be filled by Councillor Judy Stevens. A vote was taken and Council **AGREED**:

To appoint those Councillors as representatives to outside bodies as set out in the schedule appended to these minutes.

13. Meetings of the Cabinet

The Leader presented the approved minutes of the Cabinet meeting held on 7 February 2019 and invited any questions. One Member asked why the Cabinet minutes from the meeting held on 7 March 2019 had not yet been circulated. It was clarified that the minutes of that meeting had not yet been approved. A suggestion was made that minutes could be provided to Council on a more timely basis. In response to the comment, Members were advised that previously more up-to-date minutes had been circulated, but the process for their publication with the Council agenda had changed following debate at previous Council meetings.

The minutes of the meeting held on 7 February 2019 referred to the Council's acquisition of the Cummins site in Stamford. Members asked whether an update was available. Members were advised that the Council had acquired a site on the outskirts of Stamford that would be used to bring forward a mixed-use employment and residential development. The area would be known as St. Martin's Park. Discussions were also underway with a neighbouring landowner. A masterplanner was shortly to be appointed appointed to the project to find out what would be possible on the site. A commitment was made to keep Members apprised on what was considered a key part of the Council's growth portfolio.

14. Members' Open Questions

Question 1

Councillor Selby referred to recent redevelopment works that had affected the Council offices and the environment within which Council officers were working. He also asked at what point Members could expect the resumption of meetings in the Council's Civic Suite. The Deputy Leader thanked all of the Council's staff for the way they had responded to the building works. He explained how officers had been supported through the rollout of devices that allowed them to work agilely to try and reduce disruption. He added that the public realm works were due to be completed within two months and it was expected that Members would regain access to the Civic Suite in August 2019.

Question 2

Councillor Bisnauthsing referred to the charges for market stalls in the different towns across the district and asked why there were differences. The Leader explained that it was an economic decision. In Stamford there was demand for the limited number of pitches and so the charge was higher than the market in Grantham where price was being used as an incentive to traders in order to grow the market. He stated that each of the towns was different with different needs and challenges and that there could not be a 'one size fits all' approach.

Question 3

Councillor Morgan referred to the lack of publicly accessible defibrillators in Grantham town centre, a matter about which she had spoken with the Chief Executive. She asked for a progress update. The Leader suggested that Councillor Morgan should raise the matter through the Rural and Communities Overview and Scrutiny Committee and to take the matter up with the Cabinet Member for Communities, Health and Wellbeing. Councillor Morgan was advised that an audit of current provision was underway, which would feed into a feasibility study to see what the Council might be able to do.

Question 4

Councillor Baxter asked about the post of Section 151 Officer following the resignation of the current incumbent. He asked about the arrangements that were in place to ensure that the Council was not left without one if there was a delay between the current S.151 Officer leave and any new appointee starting. The Leader stated that the Council was required to have a S.151 Officer and that the Employment Committee would be presented with a number of options, which it would consider and make recommendations to Council accordingly.

Question 5

Councillor Dilks asked whether the Council currently employed any officer who was qualified to be the S.151 Officer, and if so, how many people were suitably qualified. The Leader reiterated that the matter would be discussed by the Employment Committee and proposals for any appointment brought to Council.

Questions 6

Councillor Ray Wootten stated that it had been almost three years since the overnight closure of Grantham Hospital's Accident Emergency Department. He stated that United Lincolnshire Hospitals Trust's (ULHT) 5-year vision proposed a 24/7 urgent treatment centre, but unlike Skegness, which had a walk-in provision, Grantham's would only be accessible out of hours by calling 111. Councillor Wootten asked whether the Leader would join with the Leader of Lincolnshire County Council and local campaign groups to ensure that people in the area could access services 24/7 without having to call 111.

The Leader stated that ULHT's proposals were incongruent with the planned growth of Grantham and that proposals reflected the past rather than future-focussed. He added that he was happy to stand with the Leader of Lincolnshire County Council and local communities to call on ULHT and the clinical commissioning group to rethink their strategy and develop proposals that were fit for purpose.

Question 7

Councillor Knowles referred to recent notices that had appeared at Bourne library, which had advertised changes to the opening hours, firstly stating that hours would be reduced, then stating that there would be no change to the hours of operation. He asked who had written and authorised the notices. The Leader asked the Chief Executive to look into the matter and promised that a response would be provided to Councillor Knowles. The Leader said that if any questions arose as a result of that response Councillor Knowles was welcome to discuss them directly with the Chief Executive.

15. Notices of Motion given under Article 4.9:

(a) Councillor Phil Dilks

Councillor Dilks presented his motion to Council:

"This motion addresses serious concerns about rising crime in my ward and across South Kesteven at the same time as police officer and PCSO numbers are in the process of being cut throughout Lincolnshire in the face of a severe funding gap identified by the Chief Constable of £3.2 million this year.

For example, in the Market Deeping and Uffington police area which covers the ward I represent, last year (2018) there were 229 reports of violent and sexual offences – up from 135 the previous year – a worrying rise of 69%.

The increase became even more worrying in January this year which saw another big rise, followed by an even bigger rise in February (the most recent figures available).

In my ward of Deeping St James and my neighbouring ward of Market and West Deeping, the official police figures show there were three violent and sexual offences reported in February last year – less than one a week.

In February this year, in the same relatively small area, there was one violent and sexual offence reported for every day of the month - up from less than one a week.

Our police service has been cut to the bone nationally over recent years. Lincolnshire has suffered from a historically low and unfair Government funding formula, but has still seen the number of police officers reduced by almost 150 since 2010 (down from 1,245 to 1,060) as part of cutting 21,000 police officers across the country.

Last September our Chief Constable Bill Skelly revealed that his force is already stretched to breaking point and facing a massive funding gap in what he needs to effectively police Lincolnshire and fight rising crime. He warned that without additional resources, there would have to be even less policing in Lincolnshire – and even fewer police officers protecting us all.

In February this year, as the Government funding and Budget for Lincolnshire Police was finalised for the current year, the Chief Constable revealed that he would have to make savings of £3.2 million – and even more next year.

So right now he is in the process of cutting another 40 police officers and 33 PCSOs. We are also seeing up to 30 police support staff cut.

In light of this worrying position of further police cuts at the same time as crime is rising in our county, this Council resolves to:

- 1. Instruct the Chief Executive to write to our local MPs outlining our concerns and lobbying for their urgent intervention with a view to increasing funding to Lincolnshire Police so that the current further reductions in numbers of police officers and PCSO can be halted.*
- 2. Invite the Chairman of the appropriate Overview and Scrutiny Committee to agenda 'Local Crime Statistics and Police Funding' as an item to be urgently scrutinised with evidence and 'witnesses' to be engaged as appropriate."*

In presenting his motion Councillor Dilks stated that he did not intend it as a criticism of Lincolnshire Police's Chief Constable or the Lincolnshire Police and Crime Commissioner. He spoke about the funding challenges that were faced by Lincolnshire Police and the fairer funding campaign that the force had been pursuing for a number of years. He highlighted the reducing number of police officers and Police Community Support Officers (PCSOs) across the county and concerns raised at his local neighbourhood policing forum about a lack of confidence that crime and anti-social behaviour were being tackled. He referred to increases in violent and sexual offences in the Deepings area. As a consequence of those concerns, his motion requested that the Chief Executive write to MPs about reducing police numbers and that the Council's relevant Overview and Scrutiny Committee carry out a full evidence-based scrutiny exercise on the matter.

The proposition was seconded and in so doing, the seconder referred to similar concerns in his Ward in the Bourne area. He felt it important that pressure was put on anybody that may be able to help address the funding problem of Lincolnshire Police. He asked that Council vote for the motion to demonstrate its support of Lincolnshire Police.

In speaking against the motion one Member praised Lincolnshire Police and highlighted that Lincolnshire was a safe place to live, particularly when compared to places he had served as a police officer, and that the crime rate in the Deepings was low. He congratulated Lincolnshire Police and reported on initiatives, including those targeting rural crime, that he considered had had a beneficial impact on the district. He announced that the Police and Crime Commissioner had met with the Home Secretary on Tuesday 21 May 2019 and secured an extra £10m funding, so there would be no cuts. He added that the Police and Crime Commissioner had also stated he would write to all district councils offering to meet with Members and organising an event for Councillors to attend to see how the force works on an operational basis.

He spoke about the structure of the neighbourhood policing team that operated in the Deepings area, which included an inspector, sergeant, PC and two PCSOs but added that tackling crime was also the responsibility of local communities. These points were supported by another Member who suggested that the Council should take reassurance from the extra money that had been secured by the Police and Crime Commissioner.

Members who spoke in support of the motion stated that they felt Lincolnshire Police discharged the service as best they could in difficult circumstances but that there was not sufficient police presence on the streets. A particular example was given of vehicles entering the pedestrianised precinct in Stamford and a Member's concerns that there were not sufficient police resources to carry out enforcement action against such behaviour and that the police station was only open 3 days a week. A member from a Grantham Ward spoke about the increase in crime and anti-social behaviour in their Ward and suggested that there were similar hotspots across the district. While supporters of the motion recognised that policing was not the direct responsibility of the district council, they stated it was a way the Council could demonstrate its support of Lincolnshire Police and raise the profile of the problems that were faced by the force. A suggestion was also made that, given the success of the Council's CCTV team, consideration could be given to further rolling it out across the district.

In summing up, the proposer of the motion congratulated the Police and Crime Commissioner on obtaining the additional funding but stated that the evidence of the increased crime rate was visible on the police's website where it said that the overall crime rate in South Kesteven had increased.

A request was made that a recorded vote be taken. As the request was supported by more than ten Members of the Council, in accordance with Article 4.13.4 of the Council's Constitution, a recorded vote was taken.

For: Councillors Baxter, Bisnauthsing, Dilks, Fellows, Hansen, Kelly, Knowles, Milne, Moran, Morgan, Selby and Wheeler (12)

Against: Councillors Adams, Bellamy, Benn, Bosworth, Broughton, Cooke, Cottier, Crawford, Dawson, Dobson, Exton, Goral, Griffin, Jeal, Kaberry-Brown, Kingman, Lee, Manterfield, Mason, Dr. Moseley, Reid, Robins, Sandall, Judy Smith, Jacky Smith, Stevens, Adam Stokes, Ian Stokes, Thomas, Trollope-Bellew, Trotter, Ward, Hannah Westropp, Hilary Westropp, Whittington, Woolley, Linda Wootten and Ray Wootten (38)

Abstain: None

(Councillor Clack had left the meeting prior to the recorded vote being taken)

The vote was lost and it was **AGREED**:

That the Council did not support the motion submitted by Councillor Dilks.

16. Close of meeting

The meeting was closed at 17:08.