

MINUTES

COUNCIL

THURSDAY, 10 JULY 2014

2.00 PM



PRESENT

Councillor Reginald Howard Chairman

Councillor Bob Adams
Councillor Mark Ashberry
Councillor Ray Auger
Councillor Jean Bevan
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Robert Broughton
Councillor Terl Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor George Chivers
Councillor Michael Cook
Councillor Kelham Cooke
Councillor Paul Cosham
Councillor Nick Craft
Councillor Alan Davidson
Councillor Phil Dilks
Councillor Breda Griffin
Councillor Mrs Rosemary Kaberry-Brown
Councillor Vic Kerr
Councillor Michael King
Councillor Dr Peter Moseley
Councillor David Nalson
Councillor Mrs. Linda Neal

Councillor John Nicholson
Councillor Alan Parkin
Councillor Helen Powell
Councillor Nick Robins
Councillor Bob Sampson
Councillor Bob Sandall
Councillor Susan Sandall
Councillor Trevor Scott
Councillor Ian Selby
Councillor Rob Shorrock
Councillor Mrs Judy Smith
Councillor Jacky Smith
Councillor John Smith
Councillor Judy Stevens
Councillor Ian Stokes
Councillor Adam Stokes
Councillor Mrs Brenda Sumner
Councillor Mrs Jean Taylor
Councillor Mike Taylor
Councillor Frank Turner
Councillor Bruce Wells
Councillor Martin Wilkins
Councillor Rosemary H Woolley
Councillor Raymond Wooten

OFFICERS

Chief Executive (Beverly Agass)
Strategic Director – Community and
Environment Focus (Tracey Blackwell)
Strategic Director – Corporate Focus
(Daren Turner)
Strategic Director – Development and
Growth (Steve Ingram)

OFFICERS

Head of Legal and Democratic Services
(Lucy Youles)
Head of Community Assets (Paul
Stokes)
Principal Democracy Officer (Jo Toomey)
Gravity Fields Festival Director
(Rosemary Richards)

Your council working for you

15. PUBLIC OPEN FORUM

The Chairman began the meeting by welcoming the Council's new Strategic Director for Development and Growth.

Question 1

The questions submitted by Mrs Patrick were addressed to the Leader of the Council however the Chairman directed them to the Portfolio Holder for Good Housing; the questions related to this Portfolio and the Good Housing Portfolio Holder was considered to be in the position to provide the most full response. Mrs Patrick expressed her dissatisfaction that her question was redirected (requesting it be recorded) however she ultimately put it to the Good Housing Portfolio Holder.

To: Councillor Terl Bryant
Portfolio Holder: Good Housing

Why have you got ridden of a gold star service and abandoned the people?

From: Mrs M. Patrick, Stamford

Response (transcript):

Thank you, Mrs Patrick, to give you a full answer. I assume you are referring to the supporting people role. This is not a question of SKDC deciding to get rid of a gold star service; this change has resulted from the decision by Lincolnshire County Council to fundamentally change their approach to the way it commissions support for older people – moving away from the well-established housing-related support model.

SKDC has been providing the former service referred to you Mrs Patrick always acting as a contractor to Lincolnshire County Council. The service specification issued by Lincolnshire County Council last year required a single contract to lead the delivery of the Wellbeing service across five districts in the county involving a wide range of support services to be provided to people aged 18 upwards tenure blind. On this basis we were unable to bid on the contract.

Throughout the transition of the end of LCC's contract with SKDC and the commencement of the new service with LILP, SKDC has sought to assist the handover, for example, with practical support such as carrying out assessments on behalf of LILP, assisting with joint meetings, ensuring that all tenants understood the implications of the changes and, where required, making direct referrals to adult social care for tenants who were not in a position to help themselves. In addition South Kesteven continued the operation of a 24/7 response service until 20 June to enable the County Council's new provider to complete the required assessments for their new service offer.

We are very, very keen to understand the full implications of the roll out of the Wellbeing Service and have repeatedly asked LCC to provide regular and

updated information on the types of support being provided and the number of residents in the district who are receiving their support services.

Mrs Patrick did not ask a supplementary question but made the following statement:

Thank you Mr Bryant. The welfare service is not doing what SKDC did, that's why I always call it the gold star service, but I have a contract here with SKDC and if I may be allowed Mr Chairman to read the paragraph, I think you'll understand. This was done in 8th January 1999: "your property has been de-designated from the warden unit to one that receives lifeline service telephone however I am pleased to be able to inform you due to your circumstances and previous indication that you would like to retain the warden service, it was been agree that you will continue to receive the Warden service throughout your tenancy." Well I haven't given my tenancy up and there's four of us in Stamford of the same calibre. There's one for your Mrs Neal so that you can see what I've put.

Some of the things that Councillor Bryant is quite correct about SKDC but this wellbeing service is not serving the people. Rapid response does not come out if you fall on the floor.

I wanted Councillor Bryant to assure me that he will continue with Lincolnshire County Council because LCC are not consulting this council and they are not doing their duty as they said. SKDC did a good duty and I was pleased to have but I have not got anything. I had to beg for my assessment. They are not doing assessments now for your people here, they're going over to the new ones. They're lying to you through their teeth ... I've got my assessment here and it's not been done correctly. I'm not criticising SKDC on that point, that's LCC but they're lying through their teeth to you and I want you to know and I'm speaking the truth I've got the evidence here. So what do you want to do? Because we, the people, are suffering; we're suffering terribly.

Question 2

To: Councillor Terl Bryant
Portfolio Holder: Good Housing

Why have you adopted a complete lack of communication to tenants and taxpayers? Even to meeting at the eleventh hour with LCC.

From: Mrs M. Patrick, Stamford

Response (transcript):

Thank you Mrs Patrick. I hope I can answer this question as fully as I did the last question. The responsibility for communicating these fundamental changes to former recipients of the County Council's housing related support service was clearly the responsibility of Lincolnshire County Council who actually held a small number of open invitation meetings during August 2013.

As soon as we were able to during 2013 we: one, wrote to every SKDC sheltered housing tenant explaining the contract was coming to an end and why, we then held face to face meetings at each scheme across the district during August 2013 – these were well attended - by 325 people in actual fact and we provided a handout explaining how the service would change. That handout went to everybody who wanted it.

Once we were informed about who the contract had been awarded to we wrote to all affected tenants to explain the changes and requested their approval for data transfer where required, we established a dedicated team of staff to handle telephone queries. We helped in every way possible people to understand the changes. We attended meetings with tenants when invited. We liaised regularly with county council and LILP to obtain feedback on the transitional work and to offer our assistance and issuing regular newsletters to tenants of sheltered schemes; and we have revised our housing management service and created a team of dedicated Sheltered Housing Officers who visit each scheme on a weekly basis to help tenants with their queries and make access to the services as easy as possible. We've requested regular and up-to-date information from the LCC to understand what level of support is being provided to residents in SKDC via their wellbeing service

We will continue to provide a housing service that is tailored to meet the varying needs of tenants occupying South Kesteven District Council's sheltered housing across the district and encouraging the county council to develop appropriate support arrangements for all people who need them. I hope that answers your question, Mrs Patrick.

Supplementary question (transcript):

Downstairs it says "we are looking after our elderly tenants in their autumn years to make them happier and safer people." What are you doing for me because at the moment I'm receiving nothing and there's many, many people in Stamford and around are not receiving anything. So what are you going to do Councillor Bryant to help me in the situation that I'm in because I've got no support whatsoever.

Response (transcript):

Thank you very much indeed Mrs Patrick. Unfortunately I can't quite answer the question in-depth but if you look at this, this is the wellbeing contract that says what the county council will be providing. They are the people responsible for providing you with the care and support that you need. We are providing the landlord function within the council houses. I hope that goes to address your question, if not, if you would come back to me afterwards I will try and address it.

Question 3

To: Councillor Paul Carpenter
Portfolio Holder: Communication and Corporate Governance

Since the advent of electronic voting in this chamber it has become almost impossible for South Kesteven residents to see how their Ward Councillors vote on particular issues even if, like me, you make the 60-mile round trip from the Deepings to a full council meeting. The push-button voting effectively means Councillors vote by secret ballot on every question unless a recorded vote is specifically requested. Of course in the old days we used to be able to see if people put their hands up and we could tell that way but now we can't tell.

In the interests of transparency and open democracy would you not agree that every vote, in Full Council and committees, should be recorded and the votes of each Councillor made accessible via a hyperlink from the minutes published on the Council website?

From: Mr A. Baxter, Deeping St. James

Response (transcript):

Thank you for your question, Mr Baxter. The way we vote is actually set out in our Constitution on page 134 and we must abide by that. There is as you quite rightly say the opportunity for a recorded vote and this does get used reasonably often especially on matters of great public interest and where there has been maybe a heated debate and that can be called on by any single member of this council and then confirmed by a show of ten hands or more. A list of each member's vote on those occasions is shown in the minutes of course and the public can see those any time.

A lot of council business does tend to be on internal matters and sometimes I'm sure the public would not be too interested in who voted where or what on and I would imagine most members of the public would be more interested in the actual issue that was being voted on and the result of that vote more than who voted where.

The electronic system is tested regularly so we know it's accurate. It is a way that most people vote in very similar organisations, in fact many public authorities throughout the country. And I would suggest, as I said before, the outcome of the decision is of interest to the public more than the way it's voted upon.

The information going on the website as you made mention to, that would incur, I think, an unnecessary cost in officer time that would probably only be of the interest of a very few people in the district. Thank you.

Supplementary question (transcript):

Continuing in the theme of democracy and holding the council to account, I

notice that at one of the recent Constitution meetings, because although you're bound by the Constitution, it is you that made the Constitution and it's up to you to change the Constitution if you so wish. I notice at one of your recent Constitution meetings which lasted almost 40 minutes, an issue was raised about Councillors asking questions. Now, I understand from talking to district councillors that these full council meetings are largely ceremonial occasions but isn't it ridiculous and farcical that I can come here, Mrs Patrick can come here, at relatively short notice and ask almost any question we like and expect to receive an answer on the day when my democratically elected representatives are denied the opportunity under, I think, chapter 12 of your Constitution, Councillors are denied the opportunity to have an open question and answer discussion at full council.

Isn't it time elected councillors were allowed to ask and answer questions at council meetings?

Response (transcript):

Mr Chairman, if I may, the supplementary question should relate to my answer to the first question. That was a totally separate subject.

As the supplementary question did not relate to the question asked or the response given to that question, the Chairman proceeded to the next item of business.

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Miss Channell, Morgan, Rowlands, Russell, Thompson and Wood.

17. DISCLOSURE OF INTERESTS

No interests were disclosed.

18. MINUTES OF THE MEETING HELD ON 17 APRIL 2014

The minutes of the meeting held on 17 April 2014 were proposed, seconded and agreed as a correct record.

19. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

The Council noted the Chairman's engagements.

One Councillor reported attending the recent annual general meeting for the local scouts, where he was asked to pass on their thanks for the Council's support.

20. GRAVITY FIELDS 2014

The Head of Community Assets introduced a presentation on the Gravity Fields

Festival 2014. He explained that the 2014 festival aimed to further build community engagement and national and local interest. Reference was made to the festival steering group, which comprised members of the local community and the support received to date from approximately 80 staff members who had volunteered to be festival stewards.

The presentation, which was given by the Festival Director summarised the arts, science and educational aspects of the festival programme and included a number of brief video clips. Reference was also made to funding that had been awarded directly for the festival and where the festival had formed part of the funding bid for visiting acts, providing better value for money for the authority. Funding had also been awarded from science-based institutions in support of the science platforms.

Members were informed that marketing for the festival was already underway including regional distribution of flyers and active marketing to schools and colleges. Tickets for events were on sale with full programme and booking information available on the Gravity Fields website.

Specific reference was made to the year-and-a-half long project: 'Lincolnshire's Age of Scientific Discovery', which would culminate with a display in Grantham museum. Work was also being done with local communities on a project: 'In Newton's Footsteps' which was an organised walk taking in the villages to the south of Grantham and included talks from a range of artists and historians at different stages.

The 2014 Festival would also incorporate a number of fringe elements including food-related events and a late night music strand. An element of the festival funding provided for a specific programme of work with special schools in the district.

Aspects of the project would be delivered in a range of venues including local schools, Belton House, Woolsthorpe Manor, Harlaxton Manor and Stamford Arts Centre.

Councillors were given the opportunity to ask questions. In response to a question about the growth experienced after Gravity Fields 2012, the Festival Director highlighted the cultural growth and the increases in audience size and the distances travelled to visit the arts centres. Reference was also made to the positive coverage of the area and how events like the festival were attractive to businesses considering a move to the district as it showed vibrant, sustainable communities. As part of Gravity Fields 2014 further work was being undertaken on the economic impacts through close working with local retailers and hotel groups.

Members were assured that advertising would be wide-reaching across the towns and villages in the district. It was also hoped the festival would benefit from coverage within parish magazines and distribution through schools.

The steering group for the festival was formed from early conversations and

interest with the college, churches, Grantham Journal, National Trust and business groups and comprised eight to ten members. This steering group consulted on a regular basis with eighty to one-hundred other interested parties and organisations.

The Chairman thanked the Head of Community Assets and the Festival Director on behalf of the Council.

21. REPORT ON URGENT DECISIONS

The Leader's report (number CAB018) informing Councillors of a decision taken under urgency provisions, was noted.

22. SCRUTINY COMMITTEE ANNUAL REPORT 2013/14

The Chairman of the Scrutiny Committee presented the Committee's annual report for 2013/14 as appended to report number LDS129, which the Council noted.

A question was raised in relation to the Scrutiny Committee's role holding the Executive to account and why no work in this area had been undertaken in 2013/14. The Council was reminded that the Scrutiny Committee, which was politically balanced, had a wide-ranging remit including looking at areas where they would like additional information, looking beyond the Council and considering issues and events that affect local communities. Members were also advised that any Councillor could request a topic for consideration by the Committee.

23. RECOMMENDATIONS FROM CONSTITUTION COMMITTEE

Decision:

- 1. That the Appeals Panel on page 82, item 2 of the Constitution is removed from the Constitution**
- 2. That the Notice of Questions at 11.3(i) at page 127 of the Constitution be amended to include the wording underlined below and that 72 hours be changed to 3 working days:**

11.3(i) They have given at least 3 working days notice before the day of the meeting in writing of the question including the wording of the question to be asked to the Chief Executive
- 3. That the Constitution be amended at page 46 to replace the Policy Co-ordinating Group with the Cabinet and Policy Development Liaison Group as set out in Appendix 1 of report LDS128.**
- 4. That the Council adopt the revised Budget and Policy Framework Procedure Rules as set out in Appendix 2 of report LDS128**

5. That the Officer Scheme of Delegation be amended to include the following under the Operations Director (formerly Head of Environmental Services) delegation:

To serve and authorise officers and contractors appointed to exercise the function relating to the control of stray dogs where appropriate to serve notices under Section 149 of the Environmental Protection Act 1990 (seizure of stray dogs)

The Chairman of the Constitution Committee presented report number LDS128 which detailed recommendations made by the Committee at its meeting on 9 June 2014. He proposed the recommendations as written in the report with a small adjustment to recommendation 1.2, so that, if approved, the change would read:

11.3(i) They have given at least 3 working days notice before the day of the meeting in writing of the question including the wording of the question to be asked to the Chief Executive

This was seconded.

An amendment was proposed to recommendation two:

That the Constitution is amended to allow questions to members of the Executive to be submitted by members of the council in writing at least three working days prior to any full council meeting.

Submitted questions to be answered by the appropriate Executive member or the Leader of the Council in a written statement to be circulated to all members and the question and answer to be included in the minutes of the meeting.

Councillors speaking in favour of the amendment highlighted the disparity between the rights of members of the public and councillors. Several Councillors also made reference to the format for questions at Lincolnshire County Council, where a question could be submitted on the day of a council meeting and an answer provided within two hours. They also felt it was anomalous that a question asked of a Portfolio Holder was given to a policy development group to answer. There was some criticism that responses to questions were not published in the Council minutes. Some members also referred to difficulties attending meetings of which they were members because mileage was not payable and they would have to take time off from work.

The suggestion was made that it might be appropriate to refer the proposed amendment to the Constitution Committee for full consideration if the amendment was not successful.

A number of Cabinet members, in speaking against the amendment stated that they were prepared to answer Councillors' questions at any time via telephone, e-mail or in person. They also added that responses to questions were

recorded in PDG action notes and that the relevant Portfolio Holder would attend the meeting to which a question was referred and join in debate. Other members who spoke against the amended suggested it would have been more appropriate for it to be debated at Constitution Committee rather than presented straight to full Council.

Following a comment made by one Councillor, officers clarified that questions submitted electronically were considered as having been submitted “in writing”.

In accordance with Council Procedure Rule 16.4, a recorded vote was requested on the amendment and received the support of more than ten Members.

Councillors Bevan, Chivers, Adam Stokes and Ian Stokes had left the meeting before the recorded vote was taken.

For	Against	Abstain
Councillor Ashberry	Councillor Adams	
Councillor Bisnauthsing	Councillor Auger	
Councillor Broughton	Councillor Mrs Bosworth	
Councillor Davidson	Councillor Bryant	
Councillor Dilks	Councillor Carpenter	
Councillor Howard	Councillor Mrs Cartwright	
Councillor V Kerr	Councillor Cook	
Councillor Dr Moseley	Councillor Cooke	
Councillor Powell	Councillor Cosham	
Councillor Sampson	Councillor Craft	
Councillor B Sandall	Councillor Griffin	
Councillor S Sandall	Councillor Mrs Kaberry-Brown	
Councillor Selby	Councillor King	
Councillor Shorrock	Councillor Nalson	
Councillor Stevens	Councillor Mrs Neal	
Councillor Wells	Councillor Nicholson	
	Councillor Parkin	
	Councillor Robins	
	Councillor Scott	
	Councillor Jacky Smith	
	Councillor John Smith	
	Councillor Mrs Judy Smith	
	Councillor Mrs Sumner	
	Councillor Mrs Taylor	
	Councillor Taylor	
	Councillor Turner	
	Councillor Wilkins	
	Councillor Woolley	
	Councillor Wootten	
16	29	0

One member expressed the concern about the proposed terms of reference for the Cabinet and PDG liaison group. He suggested that involving the Cabinet

member in the work programming of policy development groups provided the opportunity for Cabinet to influence the outcome of discussions and risked the groups' independence. It was proposed and seconded that the terms of reference should be referred back to the Constitution Committee for further discussion and consideration. On being put to the vote, this was lost.

Separate votes were taken on each of the recommendations, all of which were carried.

24. REPRESENTATIVES ON OUTSIDE BODIES

Report number LDS130 of the Chief Executive asked Councillors to appoint a representative to the Upper Witham Internal Drainage Board to fill a vacancy created by the resignation from the Board of Councillor Mike Taylor. No nominations were received and the position remained vacant.

25. CLOSE OF MEETING

The meeting was closed at 16:14.