

COUNCIL 8TH SEPTEMBER 2005

Questions from Members of the Public

Question to Councillor Mrs. Frances Cartwright

The residents of Essex Road, Stamford would like to know why they are charged £4.10 for using the Community Room when they have been deprived use of the room three times during the last four months, due to Elections. They have been unable to use the room for their leisure and fund raising activities.

Mrs. M. Patrick,

119 Essex Road,

Stamford,

Lincs.

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Questions Without Discussion

QUESTION 1

TO COUNCILLOR MRS. LINDA NEAL

“Our management of water from when it rains to when it enters the sea needs drastic change before we, as a country, can talk meaningfully of sustainable developments”.

The recent words of the Chief Executive of a national environmental organisation.

Can the Leader of the Council please tell us what we have managed to achieve towards this end during the past year?

COUNCILLOR NORMAN RADLEY

RESPONSE TO QUESTION 1

Although not within my portfolio work area, the underlying theme of the question appears to query the council's policy on sustainable drainage. This is laid down for the planners in PPG25 from Central Government and states that wherever possible, drainage for new developments should be via sustainable means, eg soakaways.

A staff member working within the Asset and Facilities Management unit utilises knowledge of watercourses by commenting to the planners on many applications suggesting the use of soakaways or other alternatives to avoid an increase in flow to watercourses and main rivers, which does nothing to replenish groundwater supplies.

An example of a development that is attempting a sustainable system is the Elsea Park Development south of Bourne. The developers have formed a Trust, to which all

property purchasers must pay an annual fee, in order to finance maintenance of open spaces and the drainage system.

The District Council within its budget restrictions and through its planning procedures supports the Environment Agency wherever possible towards sustainable developments.

The responsibility for domestic drainage within the district is held by three drainage boards to which this council pays a substantial sum each year, Welland and Deepings in the south and east; Upper Witham in the north and west and Black Sluice mid-district. If you refer to page 117 of the current budget book you will see that levies are calculated in accordance with the Land Drainage Act 1991, being based on historic rateable values. You will also see that the amount South Kesteven expects to pay over to the drainage boards in the current year is £508,000.

LMN

QUESTION 2

TO COUNCILLOR MRS. FRANCES CARTWRIGHT

Does the portfolio holder believe that adequate provision is made within the constitution for dealing with members of this council who misbehave in any way when off duty but where they can be observed by members of the public?

Recent events as reported in the local press have caused consternation amongst some members of the public who believe, either rightly or wrongly, that we have one rule for them and another for members.

COUNCILLOR MIKE WILLIAMS

RESPONSE TO QUESTION 2

To serve residents of South Kesteven by being elected as their representative on the Council is both a responsibility and an honour. In my mind, whenever they are in a public place in the District, a Councillor is never off-duty.

The public reputation of the Council depends upon members displaying exemplary standards of conduct. We rightly expect our staff to meet the same standards and in particular to enforce legal powers delegated to them without fear or favour. If anyone thought it was one rule for us, and one for them, recent events provide irrefutable evidence to the contrary.

I recognise that it is difficult to enforce these sentiments in the code without diluting their impact, however I am sure that all members know what behaviour our public expects.

QUESTION 3

TO COUNCILLOR MRS. LINDA NEAL

Can the Constitution and Accounts Committee have a look at the current constitution / rules with a view to making a recommendation for a change to the rule that allow 5 members to call an extraordinary meeting of the Council and then having committed the Council to additional expense show enormous disrespect to the Council itself by failing to attend the meeting.

COUNCILLOR TERL BRYANT

RESPONSE TO QUESTION 3

I am in full agreement with the sentiment that there should be a question of proportionality and reasonableness in any decision to call an EGM. However, quite understandably, the law makes an assumption that elected representatives will act in the best interests of the community. In particular it assumes that they will not engage in futile acts that waste both public money and Councillors' time by trying to call meetings to discuss matters which have already been subject to full debate and decision by the Council.

I appreciate that legislation may provide a power but it is incumbent on all of us to use that power with discretion and responsibility.

LMN

QUESTION 4

TO COUNCILLOR MRS. LINDA NEAL

Can the Constitution and Accounts Committee review the members code of conduct with a view to allow punitive steps to be taken against any member who gives out any information, be it to his/her partner, political agent or anyone else that either appears to bring the Council or its members, a group of members, or even a single councillor, into disrepute.

COUNCILLOR TERL BRYANT

RESPONSE TO QUESTION 4

As leader of the Council it is perhaps not surprising that I find myself in sympathy with a question that seeks to punish those who bring the Council into disrepute.

However as a democratically elected representative I value the role that opposition, preferably constructive opposition, can play. Indeed on a national scale I would be foolish not to.

I would be equally foolish to pretend that in a Council employing over 700 people there are not some services, which are failing to deliver to our resident's services at the standard we would wish.

Distinguishing between information that is genuinely shared in order to secure improvements and that which is deliberately circulated to bring the Council into disrepute, is very difficult. Indeed it may depend entirely upon individual perceptions. For this reason whilst I am supportive of the question I am not over-optimistic about the prospects for success.

LMN

QUESTION 5

TO: COUNCILLOR MRS. LINDA NEAL

Following the recent by-election in Earlesfield ward, which produced an 8.2% turnout, do you believe this indicates a serious loss of belief in the democratic process in deprived areas and if so, how can this council begin to address the problem when so much money has been poured into Earlesfield and which seems to indicate that the money has been wasted?

COUNCILLOR MIKE WILLIAMS

RESPONSE TO QUESTION 5

Nobody who derives their mandate from the democratic process can be content to see a turnout figure of just 8.2%. As you indicate, Cllr Williams, it certainly is not the product of any neglect to the needs of this ward. Personally I don't think that any money spent on improving the quality of life for our residents is money wasted, but it is extremely disappointing that there is so little interest in Earlesfield in the election of a new representative.

The search for causes needs to go a little wider than this estate. It is surely not a coincidence that the national trend in declining turn-out has been accompanied by the unprecedented diminution in the powers of local Councils under the crude and universal capping regime and the CPA.

I am reminded of a speech I heard from Rudolph Giuliani at the LGA conference when he outlined the plethora of tax raising powers and responsibility which had been given to American cities as a result of the subsidiarity principles adopted during Regan's presidency. I fear that unless we can have a similar revolution in England to restore the powers and profile of our Councils, electors will continue to vote with their feet.

LMN

QUESTION 6

TO COUNCILLOR LINDA NEAL

Since May 2003, what percentage of policies or strategies adopted by the Full Council has been initiated by Cabinet Members?

CLLR STEPHEN O'HARE

RESPONSE TO QUESTION 6

As Cllr O'Hare will know a full audit of the Council's policies and strategies has recently been completed and made available to members. As a result I am pleased to be able to inform him that Cabinet members were closely involved in the preparation of all of them.

LMN

QUESTION 7

To Councillor Frances Cartwright

In May this year, this Council voted for the principle of transfer of Housing Stock.

This council will incur a cost of up to £1 Million, (referred to in the Medium Term Financial Strategy) which is earmarked for the cost of preparation for the ballot of tenants. That cost will be paid by this council whatever the result of the ballot of tenants. A corporate director did not state this on a slide presentation to political groups in the early part of this year.

Had she been the responsible portfolio holder from the start of 2005 would she have highlighted these facts to Councillors before they voted in May this year, a vote that now means up to £1 Million pounds of council taxpayers money will be spent – quite possibly to see no change?

COUNCILLOR STEPHEN O'HARE

RESPONSE TO QUESTION 7

Thank you for your question Councillor O'Hare, however, I must point out that unfortunately you have your facts wrong and I believe that this may be because you have not actively engaged in the member briefings and working groups looking into this matter.

To clarify the facts about the cost to the council tax payer, I can confirm that in the event of a positive ballot all the costs of the stock transfer setting up process will be written off against the capital receipt from the sale of the stock and therefore there will be no charge to the council taxpayer.