



MINUTES

COUNCIL
THURSDAY, 25 JANUARY 2007
2.00 PM

PRESENT

Councillor G Taylor (Chairman)

Councillor R Auger
Councillor H Bisnauthsing
Councillor Mrs P Bosworth
Councillor D Brailsford
Councillor T Bryant
Councillor P Carpenter
Councillor Mrs F Cartwright
Councillor Miss E Channell
Councillor G Chivers
Councillor R Conboy
Councillor N Craft
Councillor Mrs D Dexter
Councillor M Exton
Councillor B Fines
Councillor D Fisher
Councillor Mrs J Gaffigan
Councillor B Helyar
Councillor S Hewerdine
Councillor R Howard
Councillor Mrs M Jalili
Councillor K Joynson
Councillor Mrs R Kaberry-Brown

Councillor A Kerr
Councillor J Kirkman
Councillor P Martin-Mayhew
Councillor A Moore
Councillor Mrs L Neal
Councillor A Parkin
Councillor S Pease
Councillor Mrs A Percival
Councillor Mrs M Radley
Councillor B Sandall
Councillor I Selby
Councillor R Shorrock
Councillor J Smith
Councillor Mrs J Smith
Councillor M Taylor (Vice-Chairman)
Councillor J Thompson
Councillor F Turner
Councillor T Webster
Councillor G Wheat
Councillor A Williams
Councillor M Williams
Councillor Mrs A Woods

OFFICERS

Chief Executive
Legal Services Manager
Democracy Services Manager
Scrutiny Officer

OFFICERS

Strategic Directors (2)
Corporate Head of Finance and
Resources
Corporate Head Sustainable
Communities

99. PRAYERS AND SANDRA MULLIN MBE

The Chairman opened the meeting at 2.00pm with prayers led by the Reverend Sally Myers.

The Chairman on behalf of the Council congratulated Sandra Mullin, Estate Supervisor in Tenancy and Neighbourhood Services, on her recent award of the Member of the British Empire (MBE).

100. PUBLIC OPEN FORUM

Question from Mr J N Cockroft, Proprietor, The Castlegate to Councillor Terl Bryant

Mr Cockroft:

Councillor Bryant, why is this Council not selling a piece of land to The Castlegate?

Reply (Councillor Bryant):

The Council have recently appointed King Sturge as their selling agent for the East Street site and they will be obtaining sealed offers for purchasing the site.

Mr Cockroft (supplementary question):

I feel that the request has been ignored, no opposition to purchasing it through a broker, why are the Council not supportive when there is a community issue of crime and disorder?

Reply (Councillor Bryant):

The Council has a duty, on behalf of the taxpayer, to obtain best price in respect of all land transfers unless there is a good reason to sell at under value or for the benefit of the community. Any bids made by a prospective purchaser will be considered as part of the tender process in due course.

101. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gibbins, F Hurst, J Hurst, Lovelock, Nadarajah, Nicholson, O'Hare, Radley, Steptoe, Stokes, Mrs Wheat and Wood.

102. DECLARATIONS OF INTEREST

Councillor John Smith declared a personal interest in minute 110 (Bourne Core Area) as he was a member of a club which met within the Bourne town centre.

103. MINUTES OF THE ORDINARY MEETING HELD ON 26TH OCTOBER 2006 AND THE TWO EXTRAORDINARY MEETINGS HELD ON 30TH NOVEMBER 2006

The minutes of the meeting held on 26th October 2006 and the two meetings held on 30th November 2006 were signed as a correct record by the Chairman.

As a matter of accuracy, Councillor Thompson advised that, with regard to minute 79, he was indeed the Father of the House, (ie the longest serving

member) but only in respect of wisdom.

Councillor Howard replied that he was glad to give up the claim to be Father of the House.

104. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

Councillor M Williams advised that the Chairman's Variety Show would be held on 15th February 2007. Tickets were on sale and attendance by all members and officers was compulsory.

Councillor Bryant suggested that the Council should look sympathetically at the number of engagements carried out by the Chairman and Vice-Chairman using their own transport.

105. LEADER'S REPORT ON SPECIAL URGENCY DECISIONS

DECISION:

To note the Leader's report on urgent non-key decisions taken since the last ordinary meeting of the Council on 26th October 2006.

In accordance with the Access to Information Procedure Rule 17.3, the Leader submitted her quarterly report to Council on key and non key decisions that had been taken under special urgency provisions. Details of these decisions and background reports had been published and were publicly available via the Council's website.

The motion was duly proposed, seconded and carried.

106. OUTCOME OF INAUGURAL PARISH COUNCIL CONFERENCE

DECISION:

That the schedule of meetings prepared for presentation to the Council at its AGM in May 2007 includes provision for a Parish Council Conference to be held on 8th November 2007 and that the Council thanks all Parish Councils who participated in this innovative event.

The Council had before them report number CEX363 by the Chief Executive.

The Council had staged its first Parish Councils Conference on 7th December 2006. It had been attended by 75 delegates representing 33 Parish and Town Councils and had been chaired by Councillor Gerald Taylor. Feedback on the day was very positive and there was a good interchange of ideas and suggestions at each of the workshops. Experience had identified a number of areas where the conference could be improved and these would be taken on board for the next meeting.

The motion was duly moved, seconded and carried.

107. OVERVIEW & SCRUTINY ANNUAL REPORT TO COUNCIL

DECISION:

- 1) That the Council notes and endorses the Annual Scrutiny Report 2005/06; and
- 2) That the 2006/07 Annual Scrutiny Report be submitted to Full Council by September 2007.

The Council had before them report number DLS91 by the Scrutiny Officer which outlined the work of the Council's Development and Scrutiny Panels (DSPs) during the municipal year 2005/06. The report highlighted the continued improvement in the Council's scrutiny arrangements, which had continued beyond May 2006 up to the present time.

The motion was duly proposed, seconded and carried.

108. DATE OF ANNUAL MEETING OF THE COUNCIL

DECISION:

That the next annual meeting following the District Council elections on 3rd May 2007 be held at 2pm on Thursday 17th May 2007.

The Council had before them report number DLS90 by the Service Manager, Democracy on the date for the next annual meeting of the Council.

Councillor Shorrock suggested that the Council should examine when council meetings were held in view of the number of people who were not able to attend meetings held during the day. He advised that he had asked for an equalities impact assessment on decision making to take place. He moved an amendment that "the date of the annual general meeting of the Council be set as Saturday 19th May 2007". This was duly seconded.

Councillor Bryant referred to the Local Government Act 1972 and he suggested that the Act prescribed certain dates when meetings could not be held, including Saturdays. The officers were not aware of any such provision in the 1972 or any other Act, but the Council adjourned in order for legal advice to be obtained.

Upon the resumption of the meeting, the Monitoring Officer advised that there were no dates prescribed when meetings could not be held.

During the course of the ensuing debate it was pointed out that the local forums met during the evening which gave members of the public the opportunity to participate in meetings outside of normal working hours.

After further discussion, the amendment was put to the vote and lost.

The Chairman of Engagement DSP indicated that the question of the timing of meetings would appear on the agenda for a future meeting of the DSP.

After further discussion, the motion was duly proposed, seconded and carried.

109. GROUPING ORDERS - PARISHES OF COLSTERWORTH, GUNBY & STAINBY AND NORTH WITHAM

DECISION:

- 1) That the Chief Executive be authorised to take necessary action to make an order in accordance with section 11 of the Local Government Act 1972 to group the parishes of Colsterworth, Gunby & Stainby and North Witham and a common parish council to be known as the Colsterworth and District Parish Council;
- 2) That representatives on the Parish Council should comprise eleven from Colsterworth, two from Gunby and Stainby and two from North Witham; and
- 3) That the first parish councillors for the combined area should be elected at the ordinary election of parish councillors on 3rd May 2007.

The Council had before them report number DLS092 which advised of a request from North Witham and Colsterworth, and Gunby and Stainby Parish Meetings for a grouping order to combine the two parish councils into one.

Councillor Thompson suggested that parish councillors and clerks were finding it increasingly difficult to undertake their duties, partly because they were being inundated with paperwork from central government. Was there anything the District Council could do to bring the attention of the government to this issue? Perhaps our concerns should be voiced through the Local Government Association. The Chairman advised that this should be done outside of the Council meeting.

The local government white paper anticipated devolving powers and duties to parish councils and it was clear that there was a problem around resources.

After further discussion, the motion was duly proposed, seconded and carried.

110. BOURNE CORE AREA

DECISION:

That the Council:

- 1) Indicates a willingness to contemplate the use of compulsory purchase order (CPO) powers for the Bourne Core Area project where the Council deems it necessary and appropriate in accordance with and subject to point two below, provided that all reasonable endeavours to acquire the site by negotiation have been exhausted and where it is deemed for the greater public good;
- 2) Receives a further report on an evaluation of the impact of the use of CPO powers to establish whether the use of the powers are necessary and appropriate, taking into account an appraisal of the financial, legal and planning implications and risks to the Council of making such an order; and
- 3) Subject to two above, receives a further report detailing the work plan required to proceed with consideration of a resolution to make a CPO.

The Chairman gave notice that he would allow this item to be considered as urgent business because the District Council would receive information from the East Midlands Development Agency imminently on the status of the grant

request, at which point the Bourne Core Area project could go live. In order to move the project forward, agreement to consider the use of compulsory purchase order powers would be sought from the Council.

Councillor John Smith declared a personal interest in this matter as he was a member of a club which met within the Bourne town centre area. He took no part in the voting or discussion thereon.

The Council had before them report number EDTCM005 of the Service Manager (Economic Development and Town Centre Management) which set out the issues regarding the development of the Bourne Core Area project and the requirements and tools needed for South Kesteven District Council to support the developer in regenerating Bourne town centre. It was confirmed that the Bourne town centre project had been the subject of extensive consultation, both at the Bourne area local forum and in exhibitions at the Bourne Corn Exchange and local supermarkets, the project had received full support from local residents. Bourne Town Council were also fully supportive of the proposed development.

The motion was duly moved, seconded and carried.

111. QUESTIONS WITHOUT DISCUSSION

One question had been submitted prior to the meeting. Verbatim details of the question, together with supplementary question and answer, are set out in the appendix to these minutes.

(Council adjourned for tea from 3.15 – 3.30pm)

112. NOTICES OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:

From Councillor Stephen O'Hare

Two motions had been submitted by Councillor Stephen O'Hare for consideration. Councillor O'Hare not being present, his group leader (Councillor K Joynson) decided not to proceed with these motions.

Councillor Brailsford then moved Councillor O'Hare's second motion as follows:

"That this Council lacks confidence in the Cabinet due to their continued failure for a period of over two and a half years between February 2004 and November 2006 to take any constructive action to protect the council housing stock of SKDC, being the greatest single financial asset of this council, by tackling the issue of the "loss" to the Housing Revenue Account of this council of over £4 million every single year starting from 1st April 2004 and continuing."

Councillor Bryant then indicated his intention to move an amendment to the motion as follows:

"That this Council lacks confidence in Councillor O'Hare due to his continued failure for a period of over two and a half years between February 2004 and November 2006 to take any constructive action at DSP or Council meetings to tackle the issue of the "loss" to the Housing Revenue Account of this council of

well over £4 million every single year into “government coffers”.”

Upon further explanation by Councillor Joynson, both the amendment and the original motion were withdrawn.

113. MEETING CLOSURE

There being no further business, the Chairman concluded the meeting at 4.03pm.

COUNCIL 25th JANUARY 2007

QUESTIONS WITHOUT DISCUSSION

QUESTION 1

TO: COUNCILLOR RAY AUGER

Do you agree with me that it is not an unreasonable request for a resident to ask for some hard standing at a waste recycling bin so that the residents can recycle their waste without getting their clothes and footwear dirty in the process? Furthermore, as the District Council nor County Council want to take any responsibility whatsoever for such a request, can you therefore give me a definite answer as to whether the District Council or the County Council to whom such a request for hard standing should be addressed to for a small waste recycling site such as the one near the A1 at Colsterworth? This I suggest is a typical case of bureaucrats passing the buck!

COUNCILLOR IAN SELBY

REPLY: COUNCILLOR RAY AUGER

The land in question belongs to Lincolnshire County Council, they have looked at this problem in the past, as you know, and have advised that as the area serves no highway purpose, other than for the use of the recycling banks, they have no budget to fund such hard standing. There is a further problem with the drainage , which would have to be addressed by the County Council to improve the site.

Similarly SKDC has no budget to fund any hard standing. Perhaps your parish council could enter into joint funding with Lincolnshire County Council.

SUPPLEMENTARY REPLY: COUNCILLOR SELBY

This is typical passing the buck. Councillor Auger has not Answered my Question and we are getting s*****d up in the process...

CHAIRMAN

Councillor Selby, you will apologise for using that unsuitable word.

COUNCILLOR SELBY

I apologise.

COUNCILLOR AUGER

My answer has not changed.