

# MINUTES

## COUNCIL

THURSDAY, 29 OCTOBER 2009

2.00 PM



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### PRESENT

Councillor Bob Adams Chairman

Councillor Ray Auger  
Councillor Harrish Bisnauthsing  
Councillor Pam Bosworth  
Councillor Christine Brough  
Councillor Robert Broughton  
Councillor Paul Carpenter  
Councillor Mrs Frances Cartwright  
Councillor George Chivers  
Councillor Michael Cook  
Councillor Nick Craft  
Councillor Alan Davidson  
Councillor John Dawson  
Councillor Mike Exton  
Councillor Stuart Farrar  
Councillor John Harvey  
Councillor Robert Hearmon  
Councillor Bryan Helyar  
Councillor Trevor Holmes  
Councillor Reginald Howard  
Councillor Mrs Maureen Jalili  
Councillor Mrs Rosemary Kaberry-Brown  
Councillor Jock Kerr  
Councillor Albert Victor Kerr  
Councillor Reg Lovelock MBE.

Councillor Peter Martin-Mayhew  
Councillor Stuart McBride  
Councillor Andrew Moore  
Councillor Mrs. Linda Neal  
Councillor John Nicholson  
Councillor Alan Parkin  
Councillor Mrs Margery Radley  
Councillor Bob Russell  
Councillor Susan Sandall  
Councillor Bob Sandall  
Councillor Trevor Scott  
Councillor John Smith  
Councillor Mrs Judy Smith  
Councillor Mrs Maureen Spencer-Gregson O.B.E.  
Councillor Peter Stephens  
Councillor Ian Stokes  
Councillor Mike Taylor  
Councillor Jeff Thompson  
Councillor Frank Turner  
Councillor Tom Webster  
Councillor Graham Wheat  
Councillor Avril Williams  
Councillor Mike Williams  
Councillor Raymond Wootten

### OFFICERS

Chief Executive (Beverly Agass)  
Interim Strategic Director (Tracey Blackwell)  
Corporate Head Finance & Customer Services (Richard Wyles)  
Legal Services Manager (Lucy Youles)  
Democracy Service Manager (Lena Shuttlewood)  
Scrutiny Support Officer (David Lambley)

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**South Kesteven District Council**

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## **50. PUBLIC OPEN FORUM**

### **Question – from Mr A J Burns to the Leader, Councillor Mrs Neal:**

Is the Council Leader happy with the result of the Poplar Farm vote by the Development Control Committee?

### **Reply from Councillor Mrs Neal:**

Thank you Mr Burns for the question. My response is that I am neither happy nor unhappy about the decision taken by the Development Control Committee to grant outline planning permission subject to finalisation of a section 106 agreement on the site known as Poplar Farm.

### **Mr Burns' supplementary question:**

That's fine. So there is no question of altering the format of future meetings where a big decision like that is taken by all the Councillors, not just a handful?

### **Reply from Councillor Mrs Neal:**

I think my response to that would be that it isn't appropriate for the whole Council to actually take a vote on planning applications. It is the responsibility of the Development Control Committee and the Development Control Committee alone to take it on behalf of the whole of the Council.

## **51. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Miss Channell, Mrs Gaffigan, Higgs, Jalili, Joynson, Selby, Andrea Webster and Wood.

## **52. DECLARATIONS OF INTEREST**

The following Councillors declared a personal interest relating to item 6 on the agenda, the Concessionary Travel Scheme, and item 7, the Members Independent Remuneration Panel:

Adams	Martin-Mayhew
Auger	McBride
Bisnauthsing	Moore
Mrs Bosworth	Nicholson
Broughton	Parkin
Carpenter	Mrs Radley
Mrs Cartwright	Russell
Chivers	Bob Sandall
Cook	Susan Sandall

Craft	Scott
Davidson	Smith
Dawson	Mrs Smith
Exton	Mrs Spencer-Gregson
Hearmon	Stokes
Holmes	Taylor
Howard	Thompson
Mrs Jalili	Turner
Mrs Kaberry-Brown	Wheat
Jock Kerr	Avril Williams
Vic Kerr	Mike Williams
Lovelock	

The following Councillors declared a personal interest relating to item 7 only, the Members Independent Remuneration Panel:

Brough	Mrs Neal
Farrar	Stephens
Harvey	Webster
Helyar	Woottten

### **53. MINUTES**

The minutes of the meeting held on 3 September 2009 were confirmed as a correct record of the meeting.

### **54. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)**

Circulated with the agenda was a list of the Chairman's engagements for the period 3 September to 29 October 2009. These were noted.

The Democracy Service Manager informed Members of the political "speed dating" event that had been held as part of Local Democracy Week on 13 October 2009. Councillors had met with young people from Grantham, who had judged the Councillors on their approachability, ability to listen and answers to a number of questions. Councillor Mrs Radley won the vote. The event had been very successful and the Council would like to hold similar events elsewhere. Harriet Moreton, who attended the event, said they had learned about the Councillors and their role, and more about Grantham itself. The young people had been pleased with the event, describing it as good fun, the Councillors as very approachable, and had all been happy to attend. It was hoped that similar events could be run in the future.

A number of Members commented that they had also learned something from the event and that it had been enjoyable. Members noted their disappointment that the event had not been reported in the local press.

## **55. CONCESSIONARY TRAVEL SCHEME - UPDATE AND REVIEW OF SCHEME**

### **DECISION:**

**To approve the extension of the concessionary travel scheme from the statutory scheme (9:30am – 11pm Monday to Friday and all day weekends and bank holidays) to the extended scheme of all day travel with effect from 1 April 2010.**

Report number CHFCS71 was introduced by the Access and Engagement Portfolio Holder. The recommendation was moved and duly seconded.

A debate took place and a number of issues were raised by Members. Members took the view that the Council had made a prudent decision to adopt the statutory scheme initially, as the costs of the scheme were unknown at the time. It was noted that when the decision had been taken the Council had pledged to review the option of a 24 hour scheme when further information regarding costs had become available. Data had now been obtained from other authorities in Lincolnshire and costs were not expected to increase significantly.

Members raised the issue of rural communities having little access to public transport and it was suggested that the funding for extending the concessionary travel scheme would be better spent subsidising rural bus services. Members expressed the view that whilst there was sympathy with the lack of rural services, the opportunity to extend the concessionary travel scheme should be taken.

On being put to the vote the motion was duly carried.

## **56. MEMBERS' INDEPENDENT REMUNERATION PANEL**

### **DECISION:**

**That the Council agrees to refer to South Holland District Council Members' Independent Remuneration Panel for independent advice on the review of South Kesteven District Council's Member Allowance Scheme for 2011/12.**

Report number DEM034 was introduced by the Access and Engagement Portfolio Holder. It was noted that the recommendation had been clarified to remove the words "in principle" and that the Members Allowance Scheme itself it should have stated "Opposition Leader" rather than just "Opposition". The recommendation was then moved and duly seconded.

It was confirmed that Members were not being asked to consider remuneration at this point, but whether to approve to take advice from an Independent

Remuneration Panel. Members would have the opportunity to make representations to the Independent Remuneration Panel and that Members would not be obliged to accept its recommendations.

On being put to the vote the motion was duly carried.

## **57. REPRESENTATIVES ON OUTSIDE BODIES**

### **DECISION:**

- 1. To agree to appoint two Members to represent the Council on Lincolnshire Tourism.**
- 2. To appoint Councillors Adams and Bob Sandall to represent the Council on Lincolnshire Tourism.**
- 3. To appoint Councillor Stokes to represent the Council on the Upper Witham Internal Drainage Board.**

Report number DEM033 was introduced by the Access and Engagement Portfolio Holder. It was moved and duly seconded that the Council agree to appoint two representatives on Lincolnshire Tourism. On being put to the vote, the motion was carried.

Councillors Adams, Mrs Kaberry-Brown, Thomson and Bisnauthsing were nominated and seconded to represent the Council on Lincolnshire Tourism. Councillor Thompson then withdrew his nomination as he believed that a Member from Stamford should be the representative due to Stamford being the main tourist draw within the district, and that he would not be available to attend all the meetings. Councillor Bob Sandall was then nominated and seconded. On being put to the vote, Councillors Adams and Mrs Kaberry-Brown were elected to represent the Council. Councillor Mrs Kaberry-Brown then withdrew her nomination, taking account of the comments regarding Stamford and the necessary time commitment for the role. Councillor Bob Sandall, having received the next highest number of votes, was therefore elected alongside Councillor Adams.

Councillors Stokes and Kerr were nominated and seconded to represent the Council on the Upper Witham Internal Drainage Board. On being put to the vote Councillor Stokes was elected as the Council's representative.

## **58. RECOMMENDATIONS FROM THE CONSTITUTION COMMITTEE: 12 OCTOBER 2009**

### **DECISION:**

- 1. That the following amendment be made to Part 3 of the Constitution under Delegated Authority at page 99:**

**Corporate Head Healthy Environment**

**7a. That the Corporate Head of Healthy Environment in consultation with Legal Services and the Licensing Committee Chairman (or Vice-chairman in his/her absence) be authorised to immediately suspend or revoke a hackney carriage or private hire drivers' license if "the interests of public safety require the suspension or revocation of the licence to have immediate effect" as detailed in Section 52 of the Road Safety Act 2006.**

- 2. That the following amendment be made to Part 4 of the Constitution under the Council Procedure Rules at page 123:**

**Substitution**

**4 (iii) after the Group Leader has notified the Democracy Service Manager or any other person so authorised by the Democracy Service Manager prior to the commencement of the meeting of an appropriate intended substitution.**

- 3. That the following amendment be made to Part 3 of the Constitution under Delegated Authority at page 92:**

**Corporate Head Finance and Customer Services (Chief Finance Officer) (Section 151 Officer)**

**26. To exercise the powers of the Council to prosecute as contained in the Social Security Administration Act 1992 (as amended) and any subsequent legislation relating to Housing and Council Tax Benefit Fraud and any other fraud which local authorities are permitted to prosecute in accordance with current legislation in consultation with Legal Services.**

- 4. That the delegated authority to Portfolio Holders at pages 76 - 78 be amended to clarify as follows:**

- Corporate Governance to be taken out of the Resources and Assets Portfolio and placed within the Portfolio for Corporate Governance and Housing.**
- The Carbon Management Plan to be added to the Healthy Environment Portfolio.**
- The Annual Report to be added to the Leaders Portfolio**

The Chairman of the Constitution Committee introduced report number LEG056 and moved the recommendations made by the Constitution Committee at its

meeting of 12 October 2009, which was duly seconded.

A number of Members were of the opinion that the Constitution had become large and unwieldy, was constantly changing and that it ought to be rewritten. It was noted that Members had the opportunity to contribute to alterations to the Constitution at the meetings of the Constitution Committee.

On being put to the vote the motion was duly carried.

## **59. QUESTIONS ON NOTICE**

There were no questions on notice.

## **60. CLOSE OF MEETING**

Members thanks Harriet Moreton for attending the meeting and giving her thoughts on the Local Democracy Week “speed dating” event.

The meeting closed at 3:25pm.