

MINUTES

COUNCIL

THURSDAY, 28 OCTOBER 2010

2.00 PM



PRESENT

Councillor Mrs Margery Radley Chairman

Councillor Bob Adams
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 Mrs Joyce Gaffigan
Councillor John Harvey
Councillor Robert Hearmon
Councillor Bryan Helyar
Councillor David Higgs
Councillor Trevor Holmes
Councillor Reginald Howard
Councillor Sam Jalili
Councillor Mrs Maureen Jalili
Councillor Kenneth Joynson

Councillor Mrs Rosemary Kaberry-Brown
Councillor Albert Victor Kerr
Councillor Jock Kerr
Councillor Reg Lovelock MBE.
Councillor Stuart McBride
Councillor John Nicholson
Councillor Alan Parkin
Councillor Bob Sandall
Councillor Trevor Scott
Councillor Ian Selby
Councillor Mrs Judy Smith
Councillor John 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 Andrea Webster
Councillor Graham Wheat
Councillor Avril Williams
Councillor Mike Williams
Councillor Raymond Wootten

OFFICERS

Chief Executive (Beverly Agass)
Strategic Director (Ian Yates)
Strategic Director (s151 officer) (Daren Turner)
Interim Strategic Director (Tracey Blackwell)

OFFICERS

Head of Legal and Democratic Services
(Monitoring Officer) (Lucy Youles)
Committee Support Officer (David Lambley)

47. PUBLIC OPEN FORUM

Question from Mr David Burling to the Economic Development Portfolio Holder:

Does the Portfolio Holder for Economic Development agree that the closure of Marks and Spencer in Grantham is a hammer blow for our local economy and would they consider this closure reflects in anyway on the credibility of the existing development plan for Grantham?

Reply from the Economic Development Portfolio Holder:

Thank you for your question Mr Burling. I would agree that it is a severe blow to the staff who will be made redundant but my message to Grantham is “use it or lose it” and that applies to every shop and business in the town. As for the Growth Point we have already corresponded on this and you know that we have the full support of both the previous and the new government for our plans. I would be absolutely delighted to read of any of your proposals for the town, if there are any that are available that meet planning and economic development constraints.

Supplementary Question from Mr David Burling:

I agree we have corresponded on this previously and I do have some ideas and I will forward those to you. Considering all that is good about Grantham and the major infrastructure that we have and the arterial routes that we do have, the history and culture and our people, what is being done by South Kesteven District Council to promote the town to investors and encourage businesses to our area and to encourage our people to shop and spend their money in our local economy.

Reply from the Economic Development Portfolio Holder:

We do actually have great plans for an event in the spring, but it’s a little premature to bring that forward at the moment because the plans are in the embryonic stage, but that will kickstart a large festival that will be running year on year and will put the name of Grantham into the public spotlight in the same way the Cheltenham Festival or the Stoke Potteries festival have done. Hopefully it will be based on science, on Isaac Newton so that it will actually have some context to the town and be relevant just to this town, so that will certainly be a help I’m sure.

48. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Miss Channell, Moore, Mrs Neal, Russell, Susan Sandall, Webster and Wood.

49. DECLARATIONS OF INTEREST

Councillor Andrea Webster declared a personal and prejudicial interest in relation to item 11, as Nick Boles MP was her employer. She would leave the Chamber while the item was discussed and voted on.

Councillor Harvey declared a personal interest in relation to item 9 as he was relinquishing his position as the Council's representative on the Board of Trustees of Truesdale's Hospital, Stamford.

50. MINUTES

The minutes of the ordinary meeting held on 2 September 2010 were confirmed as a correct record of the meeting. It was noted that the attendance list should not have included Councillor Lovelock twice and that Councillor Sandall was present at the meeting.

51. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

A list of engagements undertaken by the Chairman since the last Council meeting was noted. It was further noted that the list should have stated that the Vice Chairman attended the event at Prince William of Gloucester Barracks on 11 September in place of the Chairman and that unfortunately no-one had been available to attend the event at Louth Town Hall on 8 October.

52. INITIAL SUMMARY OF THE COMPREHENSIVE SPENDING REVIEW

The Council's Chief Executive, Beverly Agass, made a presentation to the Council on the initial summary of the Comprehensive Spending Review in order to keep Members up to date with what the Council knew at this stage. It was noted that the Council was taking a considered approach to budget constraints. The Council would face budget cuts of around 7% for the next four years in real terms. There was further uncertainty over the grant in relation to concessionary travel. It was noted that the Council was well placed financially as it had taken a prudent approach to financial management. It was proposed that there would be major changes to Council Tax Benefit from 2013 and from 2014 the Council would be able to retain business rates collected. There were a number of proposed new funds that the Council could look to access. The new government had made a strong commitment to devolve power to local authorities and it was also noted that there would be a further removal of ring-fencing of budgets, which would give the Council greater flexibility and financial control. Lincolnshire County Council had also been nominated to pilot Community Budgets from April 2011, prior to this being introduced nationally from 2013. The Council would also no longer be required to report performance

against some 4700 Local Area Agreement targets or National Indicators.

It was noted that the Council would have to consider new ways of working, which may involve the Council becoming a commissioner of services rather than a provider of services. It was also thought that other ways of providing services, such as through the community or volunteer providers could be considered. It was necessary to consider the needs of local people, and some work had already been undertaken to establish the community's priorities.

A debate took place and Members raised a number of issues. Members highlighted that where services were outsourced, the Council still retained the responsibility for those services. Members needed to be aware that outsourcing services was not an easy way out and that any poor service would reflect on the Council, not on the providers of those services. It was noted that this was something that may have to be considered. Members expressed some concern that the County Council was to pilot Community Budgets and questioned why the Council had not been consulted on this. It was noted that the timescale for applications had been particularly short and full details were not available as to how it would work. Members noted that they were pleased that there were no sudden decisions and that a measured approach was being taken. It was noted that the Council held reserves and it was suggested that it may be useful to use these reserves in the short term to maintain services levels. Members noted that there had been an announcement made and it may be possible that the Council could receive an extra 2.5% in grant funding if the level of Council Tax was frozen. It was also noted that there was some talk of the housing subsidy ceasing, with the Council allowed to keep all rental income, but this may come at the cost of having to take on the debt for the housing stock. A question was raised as to whether the Council's reserves would be taken in to account when establishing the level of grant funding, but the Council had not heard that this would be taken in to account.

The Members thanked the Chief Executive for her presentation.

53. DESIGNATION OF SECTION 151 OFFICER

DECISION:

That the Council designate Mr Daren Turner, the Strategic Director – Corporate Focus, as the Council's s151 officer with immediate effect.

(Daren Turner left the Chamber prior to the commencement of the item).

Report number CEX010 was introduced by the Chief Executive. The Council was required to have a s151 officer in place, and it was recommended that Mr Turner be appointed to this position. It was stressed that this was no reflection on the performance of the current post holder, Mr Richard Wyles, but that

guidance from CIPFA suggested that the s151 officer should be positioned at the strategic management level, whereas it was currently at the level below that. Mr Turner had spent a number of years as s151 officer in his role at other local authorities.

The recommendation in the report was moved and it was further noted that the Council wished to thank Mr Wyles for the work he had done as post holder. This was then seconded and a debate took place.

The Chairman of the Resources PDG specifically thanked Mr Wyles on behalf of the Resources PDG for the advice that he had provided to the group. The Chairman of the Governance and Audit Committee similarly expressed the thanks of his Committee. The Resources and Assets Portfolio Holder also offered his personal thanks to Mr Wyles, and wished to welcome Mr Turner to the Council.

Some Members noted that the role of s151 officer was a particularly important one, and expressed the opinion that they would have preferred to have had an opportunity for Mr Turner to be introduced to the Council prior to this meeting. A question was raised as to whether the Monitoring Officer role would also be moved to the Strategic Director role, as this seemed to be an anomaly. It was confirmed to Members that the group leaders had been involved with the decision to appoint Mr Turner and that he was very qualified to undertake the financial stewardship role. Mr Wyles would remain as Head of Finance within the Council. There was no question of moving the Monitoring Officer role and it was noted that the s151 officer role was merely being realigned to strategic management level in line with CIPFA guidance for best practice. Members noted that Mr Wyles had always been very professional and it was stressed that this was no reflection on Mr Wyles' performance in the role.

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

(Daren Turner returned to the Chamber)

In the absence of the Leader, the Deputy Leader of the Council welcomed Mr Turner to the Council.

54. NEW EXECUTIVE ARRANGEMENTS

DECISION:

That the Council approves the adoption of the new style Leader and Cabinet executive arrangements in accordance with s33B of the Local Government Act 2000 as amended by s64 of the Local Government and Public Involvement in Health Act 2007.

The Head of Legal and Democratic Services introduced report number

LDS002. The Council had consulted with the public on the proposals for new types of executive arrangements, which the Council was now required to consider. A decision had to be made before 31 December 2010. 45 preferences had been recorded, but it was noted that this represented a very small proportion of the electorate in South Kesteven, which stood at over 100,000. The Minister for Housing and Local Government had written to local Councils to urge them not to spend significant sums of money on consultation regarding this as the Government were due to propose changes to how local government operated, although full details were not yet available. It was, however, still necessary for the Council to consider these arrangements at this time.

The recommendation in the report was then moved and seconded.

A debate then took place. It was noted that some Members would have liked to have seen an option to return to the committee system, as it was felt that the Cabinet did not give enough value to the existing Policy Development Groups. Some Members were of the opinion that a directly elected mayor would not be appropriate for the district as there were four distinct towns, but that it was also inappropriate to have a Leader and Cabinet system if the Cabinet was not representative of the wishes of the community in terms of political balance and geographical balance. It was noted that the Council did not have the authority to change the directive from the Government. Some Members expressed that the public had shown it had an appetite for government by consensus with the result of the General Election.

An amendment was then moved and seconded to add a further recommendation to the recommendation in the report to state:

It is recommended that the Leader appoint a Cabinet that is balanced both politically and geographically and giving greater value to the findings of the Policy Development Groups.

A debate then took place. Members expressed some support for the amendment, stating that as it stood the ruling group appointed whoever it wanted to posts and that these were not necessarily the best people for the job. Other Members noted that the ruling group had been given a mandate at the local elections to appoint people to positions as it saw fit, and noted that previous administrations had taken the same approach. Some Members noted that a politically balanced Cabinet was something that was used in other areas and expressed support for this and noted that it may improve communication with other Members. Members noted that the consultation had yielded a terrible result in terms of the number of responses, but it was noted that the Council had been specifically directed not to incur significant expenditure as the situation was likely to change in future.

On being put to the vote, the amendment was defeated. The original motion then became the substantive motion, and on being put to the vote, this was

duly carried.

(The Council went in to recess between 3:39 pm and 3:58 pm)

55. REPRESENTATIVES ON OUTSIDE BODIES

DECISION:

- 1) To appoint Councillor Moore as the Council's representative on the Board of Trustees of Truesdale's Hospital, Stamford**
- 2) To appoint Councillor Russell as the Council's non-executive representative to the Lincolnshire County Council Flood and Drainage Management Scrutiny Committee.**

The Head of Legal and Democratic Services introduce report number LDS006. The report recommended that the Council appoint a representative to the Board of Trustees of Truesdale's Hospital, Stamford, a role which had previously been undertaken by Councillor Harvey, who was now a co-opted member of the Board. The Council had also been requested to nominate a representative for the Lincolnshire County Council Flood and Drainage Management Council.

Councillor Moore was nominated and seconded for appointment to the Board of Trustees of Truesdales Hospital, Stamford. Councillor Christine Brough was also nominated and seconded. On being put to the vote, Councillor Moore was declared to be the Council's appointment to the Board of Trustees of Truesdale's Hospital.

Councillor Russell was nominated and seconded for appointment to the Lincolnshire County Council Flood and Drainage Management Scrutiny Committee. No other nominations were made. On being put to the vote the Council appointed Councillor Russell to the Lincolnshire County Council Flood and Drainage Management Scrutiny Committee.

56. QUESTIONS ON NOTICE

Two questions on notice had been received from Councillor Williams, which were referred to the Resources PDG. Councillor Williams stated that he had not received a reply to his last question on notice and was informed that written feedback would be provided to him.

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

DECISION:

That this Council appreciates the right of any Member of Parliament to have their own opinion, but to ensure the retention of all tiers of democracy, this Council cannot agree with the personal opinions of the Member for Grantham and Stamford with regard to the abolition of district councils.

(Councillor Andrea Webster left the Chamber prior to the commencement of the item)

Councillor Selby moved the following motion:

That this Council rejects the view of Nick Boles our Member of Parliament who says that South Kesteven District Council should be abolished.

The motion was then seconded.

Councillor Selby noted that Mr Nick Boles advocated the abolition of the Council. Councillor Selby noted that there were a number of people who felt pride in South Kesteven and provided a number of results from the customer satisfaction survey which suggested that the Council was performing well. Councillor Selby also noted that Mr Boles had suggested giving powers to county councils and parish councils. Councillor Selby suggested that it was not the District Council which should be the one to be abolished. Councillor Carpenter stated that he agreed with most of what Councillor Selby had said, but proposed the following amendment:

That this Council appreciates the right of any Member of Parliament to have their own opinion, but to ensure the retention of all tiers of democracy, this Council cannot agree with the personal opinions of the Member for Grantham and Stamford with regard to the abolition of district councils.

The amendment was duly seconded and was then debated.

A number of Members spoke to agree with what Councillor Selby had said. It was suggested that the funding the County Council received would be better of being given to district councils to use, and that South Kesteven District Council performed very well on a much smaller budget than the County Council. Other Members noted that the County Council was a very effective partner to the Council in a number of areas

Some Members suggested that Mr Boles was doing what all new Members do in suggesting sweeping changes. It was noted that everybody made statements from time to time and the best course of action might be to ignore his statement.

It was also noted that Mr Boles was not the MP for all Members of the Council. Members also pointed out that the Council should defend the people's right to free speech.

Councillor Selby used his right to reply to state that he agreed with the amendment.

On being put to the vote, the amendment was carried and became the substantive motion.

It was noted that the Leader and Deputy Leader had received letters of apology from Mr Boles for his comments. The Deputy Leader had spoken to Mr Boles who had assured him that other MPs disagreed with his comments.

It was moved and seconded that a recorded vote be taken on the motion. This was supported by more than ten members' show of hands as required by Council procedure rule 16.4.

The results of this vote were:

Voting FOR the motion:

Councillor Adams	Councillor Lovelock M.B.E.
Councillor Auger	Councillor McBride
Councillor Bisnauthsing	Councillor Nicholson
Councillor Mrs Bosworth	Councillor Parkin
Councillor Brough	Councillor Mrs Radley
Councillor Carpenter	Councillor Bob Sandall
Councillor Mrs Cartwright	Councillor Scott
Councillor Chivers	Councillor Selby
Councillor Cook	Councillor John Smith
Councillor Craft	Councillor Mrs Judy Smith
Councillor Davidson	Councillor Mrs Spencer-Gregson O.B.E
Councillor Dawson	Councillor Stephens
Councillor Exton	Councillor Stokes
Councillor Mrs Gaffigan	Councillor Taylor
Councillor Harvey	Councillor Thompson
Councillor Helyar	Councillor Turner
Councillor Higgs	Councillor Wheat
Councillor Holmes	Councillor Avril Williams
Councillor Howard	Councillor Mike Williams
Councillor Mrs Jalili	Councillor Wootten
Councillor Sam Jalili	

Councillor Joynson
Councillor Mrs Kaberry-Brown
Councillor Jock Kerr
Councillor Vic Kerr

There were no votes against the motion, nor any abstentions.

The motion was duly carried.

CLOSE OF MEETING

The meeting closed at 4:33 pm.