

AGENDA



For a meeting of the
COUNCIL
to be held on
THURSDAY, 7 JULY 2011
at
2.00 PM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM
Beverly Agass, Chief Executive

Members of the Council are invited to attend the above meeting to consider the items of business listed below.

1. PUBLIC OPEN FORUM

The public open forum will commence at **2.00 p.m.** and the following formal business of the Council will commence at **2.30 p.m.** or whenever the public open forum ends, if earlier.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

Members are asked to declare any interests in matters for consideration at the meeting.

4. MINUTES OF THE MEETING HELD ON 19 MAY 2011

(Enclosure)

5. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

(Enclosure)

6. STANDARDS COMMITTEE ANNUAL REPORT

Report number LDS027 by the Chairman of the Standards Committee.

(Enclosure)

7. AMENDMENTS TO THE CONSTITUTION

Report number LDS028 by the Head of Legal and Democratic Services.

(Enclosure)

8. ALLOCATION OF SEATS ON COMMITTEES AND POLICY DEVELOPMENT GROUPS

Report number LDS029 by the Head of Legal and Democratic Services.

(Enclosure)

9. REPRESENTATIVES ON OUTSIDE BODIES

Report number LDS030 by the Head of Legal and Democratic Services.

(Enclosure)

10. QUESTIONS WITHOUT DISCUSSION

To note the list of questions asked under Council procedure rule 11.1 as circulated at the start of the meeting and their reference to the relevant Policy Development Group.

The deadline for notices of motion for the Council meeting on Thursday 8 September 2011 is 2pm on Thursday 25 August 2011.

MINUTES

COUNCIL

THURSDAY, 19 MAY 2011

2.00 PM



PRESENT

Chairman for the first item: Mrs Margery Radley
After the election, Councillor Mike Cook in the Chair

Councillor Bob Adams
Councillor Mark Ashberry
Councillor Jean Bevan
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Robert Broughton
Councillor Terl Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor Ibis Channell
Councillor George Chivers
Councillor Michael Cook
Councillor Kelham Cooke
Councillor Paul Cosham
Councillor Nick Craft
Councillor Alan Davidson
Councillor Breda Griffin
Councillor Reginald Howard
Councillor Mrs Rosemary Kaberry-Brown
Councillor Jock Kerr
Councillor Vic Kerr
Councillor Mike King
Councillor Charmaine Morgan
Councillor David Nalson
Councillor Mrs. Linda Neal
Councillor John Nicholson

OFFICERS

Chief Executive (Beverly Agass)
Strategic Directors (Tracey Blackwell,
Daren Turner, Ian Yates)

Councillor Helen Powell
Councillor Nick Robins
Councillor Graddon Rowlands
Councillor Bob Russell
Councillor Bob Sampson
Councillor Susan Sandall
Councillor Bob Sandall
Councillor Trevor Scott
Councillor Ian Selby
Councillor Rob Shorrocks
Councillor Jacky Smith
Councillor Mrs Judy Smith
Councillor John Smith
Councillor Ian Stokes
Councillor Adam Stokes
Councillor Brenda A Sumner
Councillor Mrs Jean Taylor
Councillor Mike Taylor
Councillor Jeff Thompson
Councillor Frank Turner
Councillor Bruce Wells
Councillor Martin Wilkins
Councillor Rosemary H Woolley
Councillor Raymond Wootten
Councillor Debbie Wren

OFFICERS

Head of Democratic and Legal Services
(Lucy Youles)
Principal Democracy Officer (Jo
Toomey)

Before the start of the formal business and after prayers were said, the outgoing Chairman (Mrs Margery Radley) asked the Council to observe a minute's silence to honour the contribution of former Councillor, Ken Joynson, who had recently passed away.

1. ELECTION OF THE CHAIRMAN OF THE DISTRICT COUNCIL

Decision:

That Councillor Mike Cook be elected Chairman of South Kesteven District Council until the next annual meeting of the Council.

It was proposed and seconded that Councillor Mike Cook be Chairman of the Council for the ensuing year. In proposing Councillor Cook, reference was made to the time he had spent living in the district and his service as a local councillor. The proposer also felt his interests made him particularly suited to chairing the Council. No other nominations were put forward and a vote was taken. Councillor Cook was duly elected Chairman of South Kesteven District Council.

The Chairman was invested with the chains of office. He made a declaration of acceptance and took the chair.

COUNCILLOR MIKE COOK IN THE CHAIR

2. VOTE OF THANKS TO THE RETIRING CHAIRMAN

A vote of thanks was made to the retiring Chairman. Members commended Mrs Radley's term of office and complimented the way she had carried out her civic functions, acting as ambassador for the Council and presiding over meetings. Members offered Mrs Radley best wishes for the future.

The Chairman presented Mrs Radley with gifts to commemorate her year in office including a past Chairman's badge, and a plaque bearing the District Council's coat of arms.

Mrs Radley thanked Members for their support during her term of office and added that she was grateful for the opportunity to serve as Chairman. She also thanked the Chief Executive and officers who provided support for the civic function. She offered her best wishes to the Council and said that Members should never forget the people they serve.

3. APPOINTMENT OF VICE CHAIRMAN OF THE DISTRICT COUNCIL

Decision:

That Councillor Mrs Rosemary Kaberry-Brown be appointed Vice-Chairman of South Kesteven District Council until the next annual meeting of the Council.

It was proposed and seconded that Councillor Mrs Rosemary Kaberry-Brown be appointed Vice-Chairman of South Kesteven District Council. Reference was made to Councillor Mrs Kaberry-Brown's active service within the local community and her long history working in politics.

A further nomination was made that Councillor Alan Davidson be appointed as Vice-Chairman of the Council. This was seconded. In proposing Councillor Davidson, it was highlighted that the Vice-Chairmanship was not a politically-based appointment. Councillor Davidson had served his community for many years and in the past had served as mayor of Grantham.

On being put to the vote, Councillor Mrs Kaberry-Brown was duly appointed Vice-Chairman of South Kesteven District Council. Councillor Mrs Kaberry-Brown signed the declaration of acceptance and thanked Members for their support and stated she would endeavour to serve the Council to the best of her ability.

The Chairman advised Members that during his term of office he aimed to increase awareness of local governance in schools, particularly to young people aged 15-years and over. He invited Councillors to forward the names of any schools that would benefit from a visit. Councillor Cook also informed Members that instead of supporting one charity, he would be making donations to a number of small local charities and groups.

The Chairman congratulated Councillor Kelham Cooke, who was celebrating his 21st birthday.

4. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Higgs, Parkin, Stephens and Wood.

5. DECLARATIONS OF INTEREST

No declarations of interest were made.

6. MINUTES OF THE MEETING HELD ON 3 MARCH 2011

The minutes of the meeting of the Council held on 3 March 2011 were confirmed as a correct record.

7. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

A list of the outgoing Chairman's engagements as circulated with the agenda was received and noted. There were no other communications.

8. AMENDMENTS TO THE CONSTITUTION

Decision:

That the Constitution be amended

1.1 At clause 8.2(b) page 48 of the Articles of the Constitution relating to the Cabinet to read as follows:

Article 8 – The Cabinet

8.2 (b) Form and Composition

The Cabinet will consist of the Leader together with at least 2 but not more than 9 Councillors appointed to the Cabinet by the Leader.

8.2 (c) Leader

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office until:

- a) he/she resigns from the office; or
- b) he/she is suspended from being a Councillor under Part III of The Local Government Act 2000 (although he/she may resume office at the end of the period of suspension) or is disqualified from holding office; or
- c) he/she is no longer a Councillor
- d) the expiry of a 4 year term which will be extended to end on the day of the next post-election annual meeting of the Council by virtue of s.44(D) of the Local Government Act 2000 unless removed from office earlier by resolution of the Council.

The Leader will:

- Determine the size of the Cabinet
- Appoint members of the Cabinet
- Allocate portfolio areas to Cabinet members
- Allocate decision making power to Cabinet and individual Cabinet members
- Remove and replace Cabinet members.

8.3 Other Cabinet Members (including the Deputy Leader)

Only Councillors may be appointed to the Cabinet. There may be no co-optees and no substitutes for Cabinet members. Neither the Chairman nor Vice-Chairman of the Council may be appointed to the Cabinet. Members of the Cabinet (including the Leader) may not be members of a Scrutiny Committee or the PDG's. Other Cabinet members including the Deputy Leader shall hold office until whichever of the following events shall first occur.

- (i) they resign from office; or
- (ii) they are suspended from being Councillors under Part III of the Local

Government Act 2000 (although they may resume office at the end of the period of suspension); or

- (iii) they are no longer Councillors; or
- (iv) they are removed from office, either individually or collectively, by resolution of the Council.
- (v) until the next annual meeting of the Council
- (vi) the Leader rearranges portfolios and/or Cabinet members
- (vii) the Leader removes a Cabinet Member from his or her post.

The Leader may at his or her discretion appoint Councillors to support Cabinet Members to assist with their work in shaping and developing the priorities of the Council so far as it relates to individual portfolios provided that any support member so appointed will not exercise any executive function of a Cabinet Member and no special responsibility allowance can be made.

1.2 At page 120 of Part 4 of the Constitution

(vi) Elect the Leader as required in accordance with Article 8.2 (c) at Part 2 of the Constitution

1.3 That the Terms of Reference of the Governance and Audit Committee be amended to read as follows at Article 12 in the Constitution:

12.1 The Council will establish and maintain a Governance and Audit Committee

12.2 **Composition**

The Governance and Audit Committee will comply with the Political Balance Rules in Section 15 of the Local Government and Housing Act 1989. The Governance and Audit Committee will be composed of 7 Councillors appointed annually at the Annual Council Meeting.

The Committee may appoint, as a co-opted member, an external appointee (subject to the appropriate training) as a member of the Governance and Audit Committee with voting rights.

Membership of the Governance and Audit Committee will be subject to having the appropriate skills, experience and mandatory training set out at 12.3 below.

12.3 **Skills, experience and mandatory training required for members of the Governance and Audit Committee**

(a) **Skills**

- Ability to question, probe and seek clarification about complex issues.
- Ability to contribute to free and open discussions covering a

- wide range of governance, risk and audit issues.
- Ability to work closely with internal and external audit whilst recognising the respective roles of auditors and management

(b) **Experience**

- Familiar with the requirements of legislation and local arrangements for governance, including the role of this committee relative to the role of other committees of the Council
- Familiar with the Council's core activities
- Broad understanding of financial and accounting issues
- Broad understanding of risk management and internal control
- Familiar with regulation and compliance

(c) **Mandatory Training Requirements**

(i) **Induction Training**

- Role of the committee
- Terms of reference
- Time input required of members
- Overview of Council activities
- Financial, risk and control environment.

(ii) **Specific Training**

- Financial reporting, including the statutory timetable
- Governance agenda, including the six core principles of good governance
- Understanding financial statements
- Regulatory framework
- Role of internal and external audit
- Importance of risk management and internal control
- Awareness of counter fraud, bribery & corruption framework

12.4 Meetings of the Committee

- Meetings will take place at least five times per annum
- Additional meetings will be arranged as required to consider exceptional items, etc.
- Appropriate officers of the Council along with the appointed internal and external auditors will be included as regular attendees
- The committee, led by the chairman may request private meetings with both the internal and external auditors.

12.5 Terms of Reference – Terms of reference of the Governance and Audit Committee will be as follows:

<p>(a) <u>Audit Activity</u></p> <ul style="list-style-type: none"> (i) To approve the appointment of internal auditors (ii) To approve (but not direct) internal audit's strategy, plan and monitor performance (iii) To review internal audit progress reports outlining the main issues arising, paying particular attention to reports with limited assurance (iv) To review the status of agreed internal audit recommendations to ensure implementation by the due date (v) To receive the annual report and opinion of the Head of Internal Audit (vi) To consider the appointment of external auditors (vii) To consider and/or review the reports of external audit, including the audit plan, annual letter and certification of grants and returns, etc (viii) To review the effectiveness of the relationship between internal audit and external audit and that the value of the audit process is actively promoted in line with the Accounts and Audit regulations (ix) To meet in private with the internal and external auditors at least annually
<p>(b) <u>Risk Management</u></p> <ul style="list-style-type: none"> (i) To approve the risk management strategy and framework (ii) To review the corporate risk register and other key risks (including partnerships) and seek assurance that appropriate mitigating action has been taken where necessary (iii) To approve the annual report on risk management activity and consider the effectiveness of the Council's overall arrangements for managing risk
<p>(c) <u>Governance</u></p> <ul style="list-style-type: none"> (i) To approve the Annual Governance Statement and ensure that in-year assurance statements completed by officers properly reflect the risk and control environment and any actions required to improve it (ii) To approve the Code of Corporate Governance and action plan (iii) To review the effectiveness of the governance arrangements underpinning the establishment and maintenance of key partnerships (iv) To consider the outcome of a self-assessment of the effectiveness of the Committee's work (at least bi-annually) (v) To produce a Chairman's Annual Report on the activities of

the Committee and present to Council

(d) Regulatory Framework

- (i) To review the Council's internal control policies – for example: Contract Procedure Rules, Financial Regulations, Codes of Conduct and Complaints and any significant amendments or revisions to them
- (ii) To monitor, review and amend as appropriate the thresholds and limits contained in the Financial Regulations Guidance Notes
- (iii) To approve the Counter Fraud, Bribery and Corruption Framework, including Whistle-blowing Policy and Anti-Money Laundering Policy
- (iv) To monitor, review and amend as appropriate the Council's approved Treasury Management Strategy paying particular attention to the inherent risks of the prevailing economic/financial climate
- (v) To review the annual report on the effectiveness of the Council's Business Continuity arrangements
- (vi) To review the annual report on the effectiveness of the Council's Health and Safety arrangements
- (vii) To receive an annual report on the Council's involvement in safeguarding vulnerable adults and children
- (viii) To initiate inquiries on matters brought to the Committee's attention by the Chief Executive, Strategic Director, Head of Service or any Council body

(e) Accounts & Financial Reporting

- (i) To approve the annual statement of accounts and receive the external auditor's Annual Governance Report on issues arising from the audit and the value for money opinion.
- (ii) To approve the Annual Revenue and Capital Outturn report, including the movement of reserves
- (iii) To approve the Statement of Accounting Policies to be used in the production of the financial statements. In particular, to approve the underlying assumptions to be used to calculate International Accounting Standard (IAS) 19 pension figures in the statement of accounts
- (iv) To review and draw the attention of the Council to issues arising out of the financial statements and financial reports in accordance with the Local Government Act 2003

(f) Ombudsman

- (i) To consider the Monitoring Officer's annual report on the outcome of Ombudsman enquiries.
- (ii) To consider specific reports from the Ombudsman as required.

The Head of Legal and Democratic Services presented report number LDS023, containing the recommendations of the Constitution Committee. The report contained two recommendations. The first related to the Council's Executive arrangements and the appointment of Leader. The Local Government and Public Involvement in Health Act required that the Council review its Executive arrangements. During 2010, the Council adopted the strong Leader model. The appointment is made for a four year term which would end at the annual council meeting after the next district election. The proposed constitutional changes reflected the legislative provision within the Act. The second recommendation was to increase the size of the Governance and Audit Committee from five to seven members. It was proposed and seconded that the Council accept the recommendations of the Constitution Committee.

Brief comment was made on the legislative provision for the strong Leader Executive model and the size of the Cabinet.

Included in the Constitution Committee's recommendations about the Governance and Audit Committee was provision for a co-opted member. Some Members expressed concern that the co-opted member would have voting rights on that Committee.

An amendment was proposed and seconded that the following paragraph be removed from recommendation 1.3, item 12.2:

"The Committee may appoint, as a co-opted member, an external appointee (subject to the appropriate training) as a member of the Governance and Audit Committee with voting rights."

or that the article be referred back to the Constitution Committee.

Debate ensued about the impact of a co-optee on political balance, accountability and that provision for a co-opted member already existed in the Constitution. A vote on whether to accept the amendment as the substantive motion was taken and lost. A vote was taken on the original proposition to accept the recommendations of the Committee, which was carried.

9. APPOINTMENT OF LEADER OF THE COUNCIL

Decision:

That Councillor Mrs Linda Neal be appointed Leader of the District Council until the next annual meeting of the Council.

It was proposed and seconded that Councillor Mrs Linda Neal be appointed leader of the Council. There were no other nominations. This was put to the vote and the Council confirmed the appointment.

10. DETERMINATION OF THE NUMBER OF CABINET SEATS

The Leader announced that the Cabinet would continue with six members and announced the appointment of Cabinet members and their portfolios:

Portfolio	Member
Resources	Councillor Mike Taylor
Housing	Councillor Terl Bryant
Healthy Environment	Councillor John Smith
Economic Development	Councillor Mrs Frances Cartwright
Engagement and Corporate Services	Councillor Paul Carpenter
Strategic Partnerships	Councillor Mrs Linda Neal

Councillor Carpenter would remain the Deputy Leader.

11. APPOINTMENTS TO COMMITTEES AND POLICY DEVELOPMENT GROUPS

Decision:

1) To approve the following appointments to Committees and Policy Development Groups based on rules of political balance:

Committee/Group	Member
Resources Policy Development Group	Councillor Nick Craft Councillor Trevor Scott Councillor Jean Bevan Councillor Mike Cook Councillor Jacky Smith Councillor Bob Sandall Councillor Alan Davidson
Engagement Policy Development Group	Councillor Bob Adams Councillor Nick Robins Councillor Brenda Sumner Councillor Rosemary Woolley Councillor Jock Kerr Councillor Ibis Channell Councillor Rob Shorrocks
Communities Policy Development Group	Councillor John Nicholson Councillor Kelham Cooke Councillor Breda Griffin Councillor Mrs Jean Taylor Councillor Ray Wooten Councillor Jeff Thompson Councillor Charmaine Morgan
Scrutiny Committee	Councillor Mrs Judy Smith Councillor Paul Cosham Councillor Mrs Rosemary Kaberry-Brown Councillor Michael King Councillor David Nalson Councillor Bob Russell Councillor Frank Turner Councillor Helen Powell

	<p>Councillor Reg Howard Councillor Bob Sampson Councillor Ian Selby</p>
Development Control Committee	<p>Councillor Alan Parkin Councillor Bob Adams Councillor Mike Cook Councillor David Higgs Councillor Rosemary-Kaberry Brown Councillor Michael King Councillor Jacky Smith Councillor Mrs Judy Smith Councillor Adam Stokes Councillor Brenda Sumner Councillor Martin Wilkins Councillor Debbie Wren Councillor Reg Howard Councillor Vic Kerr Councillor Helen Powell Councillor Mark Ashberry Councillor Charmaine Morgan</p>
Licensing Committee & Alcohol and Entertainment Licensing Committee	<p>Councillor Mrs Pam Bosworth Councillor Frank Turner Councillor George Chivers Councillor Breda Griffin Councillor David Higgs Councillor Graddon Rowlands Councillor Bob Russell Councillor Mrs Jean Taylor Councillor Reg Howard Councillor Bob Broughton Councillor Ian Selby</p>
Governance and Audit	<p>Councillor Ian Stokes Councillor Jean Bevan Councillor Trevor Scott Councillor Martin Wilkins Councillor Rosemary Woolley Councillor Jeff Thompson Councillor Rob Shorrock</p>
Constitution Committee	<p>Councillor Ray Wootten Councillor Adam Stokes Councillor Alan Parkin Councillor Susan Sandall Councillor Mark Ashberry</p>
Standards Committee	<p>Councillor David Nalson Councillor Vic Kerr Councillor Ian Selby Councillor Harrish Bisnauthsing</p>
Chief Executive's Remuneration Panel	<p>Councillor Nick Craft Councillor Trevor Scott</p>

	Councillor Bob Sampson
Chief Executive's Performance Panel	Councillor Mrs. Linda Neal Councillor Mike Taylor Councillor Helen Powell
Chief Executive's Appeal Panel	Councillor Paul Carpenter Councillor Ian Stokes Councillor Vic Kerr

2) To approve the appointments of chairmen and vice-chairman

Committee/Group	Chairman	Vice-Chairman
Resources Policy Development Group	Councillor Craft	Councillor Scott
Engagement Policy Development Group	Councillor Adams	Councillor Woolley
Communities Policy Development Group	Councillor Nicholson	Councillor Thompson
Scrutiny Committee	Councillor Howard	Councillor Judy Smith
Development Control Committee	Councillor Parkin	Councillor Wilkins
Licensing Committee	Councillor Mrs Bosworth	Councillor Russell
Governance and Audit	Councillor I Stokes	Councillor Bevan
Constitution Committee	Councillor Wootten	Councillor A Stokes
Standards Committee	Mr Chris Holtom	Mr Fred Mann

The Council had before them report number LDS021, which informed Council of the proposed apportionment of places on the Council's committees and policy development committees when the rules of political balance were applied. Members were advised that a single member did not constitute a political group; therefore the Liberal Democrat Councillor would not be entitled to any seats on this basis. Councillors were also informed that the Standards Committee was not subject to the rules of political balance. Normal practice required one representative from each political party, which did provide the opportunity for the Liberal Democrat Member to take a seat on a Committee.

Nominations for seats to Committees were invited from Group Leaders. All nominations were seconded. After membership had been agreed, nominations were taken for the Chairmen and Vice-Chairmen of each Committee as detailed above.

12. TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS 2011/12

Decision:

In accordance with Council procedure rule 1.1 (x) that the meetings of the Council and Committees be held in accordance with the draft programme circulated with the agenda.

The adoption of the draft timetable of Council meetings as circulated with the agenda for the meeting was proposed and seconded.

A procedural motion - Council procedure rule 13 (iv) - was moved and seconded:

"The timings of meetings should be determined at the first meeting of the relevant body by all members of the relevant committee or PDG, taking into account public access and the wide responsibilities of Members."

The proposer argued that when the Council set its timetable it should be aware of the accessibility of meetings for Members of the Council and members of the public. Debate on the amendment followed, during which, issues around making best use of the Council's resources and officer time, the availability of allowances for carers and the transparency of decision-making processes were discussed.

The motion was put to the vote and lost. The Council then voted on accepting the draft programme of meetings, which was carried.

13. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

Decision:

To approve the following list of nominations for representatives on outside bodies until the annual meeting in May 2015 (or until where otherwise indicated):

Organisation	Representations
Age UK Kesteven	Councillor Vic Kerr
Black Sluice Internal Drainage Board	Councillor Bob Russell (until March 2014)
Bourne Youth Centre Management Committee	Councillor Bob Russell
Council for the Protection of Rural England	Councillor John Nicholson
Dame Margaret Thorold's Educational Foundation	Councillor Vic Kerr (until January 2012)
Deeping St. James United Charities	To be decided on 7 July 2011
East Midlands Councils	Councillor Mrs Linda Neal (1 year appointment)
Elsa Park Community Trust	Councillor Judy Smith
Grantham Almshouse Charity	Councillor Ray Wootten
Grantham Canal Partnership	Councillor Mrs Frances Cartwright
Grantham Growth Point Strategic Board	Councillor Mrs Frances Cartwright Councillor Nick Craft (Reserve: Councillor Mike Taylor) (Reserve: Councillor Ian Stokes)

Heritage Lincolnshire	Councillor Jeff Thompson
Joseph Clark's (Grantham) Apprenticing Foundation	Councillor Jeff Thompson Councillor Mike Cook
Lincolnshire Health Scrutiny Committee	Councillor Mrs Rosemary Kaberry-Brown
Lincolnshire Playing Fields Association	Councillor Ian Stokes
Lincolnshire Safeguarding Children's Board	Councillor Terl Bryant
Lincolnshire Sports Partnership	Councillor John Smith
Local Government Association	Councillor Mrs Linda Neal (1 year appointment)
Local Government Association (Rural Commission)	Councillor John Smith – voting rights Councillor Ray Wootten (1 year appointment)
Local Government Association (Urban Commission)	Councillor Mrs Frances Cartwright (voting rights) Councillor Michael King (1 year appointment)
Shaping Health for Mid-Kesteven Programme Board	Councillor Mrs Linda Neal
South Kesteven Citizen's Advice Bureau	Councillor Bob Adams Councillor Bob Sandall Councillor Alan Davidson
South Kesteven Local Children's Partnership	Councillor Mike Taylor
South Kesteven Local Strategic Partnership	Councillor Mrs Linda Neal
Stamford Endowed Schools	Councillor John Nicholson
Thomas Truesdale's Hospital	Councillor Bob Sandall
Town Centre management Partnership: Bourne	Councillor David Higgs Councillor Mrs Linda Neal Councillor Bob Russell Councillor John Smith
Grantham Future	Councillor Bob Adams Councillor Alan Parkin
Town Centre Management Partnership: Deepings	To be decided on 7 July 2011
Town Centre Management Partnership: Stamford	Councillor Jean Bevan
Upper Witham Internal Drainage Board	Councillor Nick Craft Councillor Ian Stokes Councillor Bob Adams (Until March 2014)
Welland and Deepings Internal Drainage Board	To be decided on 7 July 2011
Lincolnshire County Council Flood and Drainage Management Committee	Councillor Bob Russell
Lincolnshire Waste Partnership	Councillor John Smith

It was proposed and seconded that Council Procedure Rule 13 (xiv) be suspended for this item only. This would see voting by a show of hands instead of using the electronic voting system. This was put to the vote and carried.

Members had before them report number LDS022, by the Head of Legal and Democratic Services setting out those outside bodies and organisations who were seeking district council representation. The Council went through each body in turn, receiving nominations. Where the number of nominees was equal to the number of vacancies, a vote to confirm that representative was taken. When more candidates were nominated than there were vacancies, a vote was taken and the Councillor(s) with the majority of votes were appointed. The names in *italic* indicate the Councillors appointed to the body.

The Council agreed that appointments to Deeping St. James United Charities, Deeping Town Centre Management Partnership and the Welland and Deeping Internal Drainage Board should be made at the Council meeting on 7 July following the by-election in Deeping St. James on 23 June 2011.

Organisation	Nominations
Age UK Kesteven	<i>Councillor Vic Kerr</i>
Black Sluice Internal Drainage Board	<i>Councillor Bob Russell</i>
Bourne Youth Centre Management Committee	<i>Councillor Bob Russell</i>
Council for the Protection of Rural England	<i>Councillor John Nicholson</i>
Dame Margaret Thorold's Educational Foundation	<i>Councillor Vic Kerr</i>
East Midlands Councils	<i>Councillor Mrs Linda Neal</i>
Elsa Park Community Trust	<i>Councillor Judy Smith</i>
Grantham Almshouse Charity	<i>Councillor Ray Wooten</i>
Grantham Canal Partnership	<i>Councillor Mrs Frances Cartwright</i> <i>Councillor Bob Sampson</i>
Grantham Growth Point Strategic Board	<i>Councillor Mrs Frances Cartwright</i> <i>Councillor Nick Craft</i> <i>(Reserve: Councillor Mike Taylor)</i> <i>(Reserve: Councillor Ian Stokes)</i>
Heritage Lincolnshire	<i>Councillor Jeff Thompson</i>
Joseph Clark's (Grantham) Apprenticing Foundation	<i>Councillor Jeff Thompson</i> <i>Councillor Mike Cook</i>
Lincolnshire Health Scrutiny Committee	<i>Councillor Mrs Rosemary Kaberry-Brown</i> <i>Councillor Helen Powell</i> <i>Councillor Charmaine Morgan</i>
Lincolnshire Playing Fields Association	<i>Councillor Ian Stokes</i>
Lincolnshire Safeguarding Children's Board	<i>Councillor Terl Bryant</i> <i>Councillor Charmaine Morgan</i>
Lincolnshire Sports Partnership	<i>Councillor John Smith</i> <i>Councillor Ian Selby</i>
Local Government Association	<i>Councillor Mrs Linda Neal</i>

Local Government Association (Rural Commission)	<i>Councillor John Smith Councillor Ray Wootten</i>
Local Government Association (Urban Commission)	<i>Councillor Mrs Frances Cartwright Councillor Michael King</i>
Shaping Health for Mid-Kesteven Programme Board	<i>Councillor Mrs Linda Neal</i>
South Kesteven Citizen's Advice Bureau	<i>Councillor Bob Adams Councillor Bob Sandall Councillor Alan Davidson</i>
South Kesteven Local Children's Partnership	<i>Councillor Mike Taylor Councillor Charmaine Morgan</i>
South Kesteven Local Strategic Partnership	<i>Councillor Mrs Linda Neal</i>
Stamford Endowed Schools	<i>Councillor John Nicholson</i>
Thomas Truesdale's Hospital	<i>Councillor Bob Sandall</i>
Town Centre management Partnership: Bourne	<i>Councillor David Higgs Councillor Mrs Linda Neal Councillor Bob Russell Councillor John Smith</i>
Grantham Future	<i>Councillor Bob Adams Councillor Alan Parkin Councillor Rob Shorrocks</i>
Town Centre Management Partnership: Stamford	<i>Councillor Jean Bevan</i>
Upper Witham Internal Drainage Board	<i>Councillor Nick Craft Councillor Ian Stokes Councillor Bob Adams</i>
Lincolnshire County Council Flood and Drainage Management Committee	<i>Councillor Bob Russell</i>
Lincolnshire Waste Partnership	<i>Councillor John Smith</i>

From this point forward, the Council reverted to using the electronic voting system.

14. GOVERNANCE AND AUDIT ANNUAL REPORT AND WORK PLAN

Decision:

- 1) The Council approves the Annual Report of the Governance and Audit Committee for 2010/11**
- 2) The Council notes the indicative work plan and timetable for 2011/12 that reflect the proposed changes to the terms of reference of the Committee**

The Strategic Director for Corporate and Customer Services presented report number GAC003. He explained that the report was brought to Council at the annual meeting every year. It was a factual report on the work that the Governance and Audit Committee had undertaken during the previous year and the indicative work programme for the coming year. The constitutional

changes were reflected in the draft work programme for 2011/12. Mr Turner thanked the outgoing Chairman (Reg Lovelock MBE) for his support, and wished him a happy retirement.

The Portfolio Holder for Resources moved the recommendation that the Council approves the annual report for 2010/11 and notes the indicative work programme for 2011/12. He added his thanks to Mr Lovelock, and extended his gratitude to Committee members and officers for their efforts. The motion was seconded.

Members were given the opportunity to make comments and ask questions. In response to questions, Mr Turner advised Members that there were no resource implications in the training of new Members, as budgetary provision had been made and would be delivered in partnership with North Kesteven District Council to provide efficiencies. Mr Turner also explained, in response to a question on consulting with stakeholders, that the consultation referred to included the publishing of accounts and public access to and scrutiny of the Council's accounts.

The motion to approve the recommendations in report number GAC003 was put to the vote and carried.

15. CLOSE OF MEETING

The meeting was closed at 16:41.

Agenda Item 5

Cllr Mike Cook – 2011/12
Civic Events
19.5.11 to 7.7.11

Date	Ref	Organisation and Event	Location	Chauff
23.5.11	MC12 VC04	Funeral of ex-Councillor Ken Joynson	Priory Church, Market Deeping	
26.5.11	MC09	Grantham Charter Trustees Mayor Making	Council Chamber, followed by reception in the Ballroom	
29.5.11	MC10	Grantham Charter Trustees Mayor's Sunday	St. Wulframs Church	
4.6.11	MC06	Royal Naval Association Dedication Ceremony in memory of JMS Beryl and Cmdr. Sellwood	Beryl Mews, Bourne followed by refreshments in Methodist Church Hall, Bourne	
5.6.11	MC11	Dysart Park Fun Day	Dysart Park	
5.6.11	VC01	Bourne Town Council Civic Service	Bourne Abbey Church	
8.6.11	MC07	RAF College Cranwell HM The Queen's Birthday Reception	College Hall, RAF Cranwell	
11.6.11	MC09	Lincolnshire Army Cadet Force National Athletics Competition	Meres Stadium, Grantham	
12.6.11	MC14	City of Peterborough Civic Service	Peterborough Cathedral	Yes
18.6.11	VC02	SSAFA	Belvoir Lodge, Grantham, Lincs.	
18.6.11	MC08	Grantham Carnival 2011 – Presentation of trophies to the winning floats at Wyndham Park	British Rail Car Park and Wyndham Park	Yes
19.6.11	MC13	Stamford Town Council Mayor's Sunday Civic Parade	All Saints and St. John the Baptist – reception Town Hall	Yes
19.6.11	VC03	Grantham Carnival 2011 – Annual Car Show	Queen Elizabeth Park	
20.6.11	MC03	Armed Forces Day Flag Raising Ceremony	Flagpole, Council Offices, Grantham	
22/23.6	VC04	Lincolnshire Show – Visit to WLDC Stand	Lincolnshire Showground	
3.7.11	VC06	Market Deeping T.C. Civic Service	St. Guthlacs Church MD	

REPORT TO COUNCIL

REPORT OF: MR. CHRIS HOLTOM – CHAIRMAN OF STANDARDS COMMITTEE

REPORT NO: LDS027

DATE: 7th July 2011

TITLE:	STANDARDS COMMITTEE ANNUAL REPORT - 2010/11	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Engagement and Corporate Services	
CONTACT OFFICER:	Mrs. Lucy Youles - Head of Legal and Democratic Services (01476 406105; e-mail: l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Members’ Code of Conduct 2007	

1. RECOMMENDATIONS

It is recommended:

- 1.1 Council note the report of the Chairman of the Standards Committee for the period April 2010 to March 2011 and raise any questions relating to the working of the Standards Committee.
- 1.2 Council acknowledge the proposed work of the Standards Committee to establish a standards regime in line with the provisions of the Localism Bill to present options for consideration by the Engagement Policy Development Group for recommendation of a way forward to Cabinet and to Council.

2. PURPOSE OF THE REPORT

The purpose of the report is to highlight to Council the work of the Standards Committee over the last year, detail issues and report on what can be expected in the coming year.

3. DETAILS OF REPORT

This report covers the period April 2010 to March 2011.

COMMITTEE MEETINGS

The role of the Standards Committee is to promote, monitor and enforce probity and high ethical standards within the District, Town and Parish Councils of South Kesteven. The Committee met 4 times during the period covered by this report. In addition, the Assessment sub-committee of 3 members met on a further six occasions to assess a total of 15 complaints received. Of those 15 complaints, 10 were assessed for no further action and 5 were referred for investigation. One of those cases remains to be heard. Breach of the code was found in 2 of the cases investigated. The breaches of the code related to non-declaration of interests and failure to leave a meeting having declared an interest. Both Members involved acknowledged their breach and offered their apologies. No sanctions were imposed. The 2 cases where no breach was found related to matters of disrespect and related aspects of the code.

Of the 15 cases received, 5 related to councilors acting in their capacity as district councilors. The other 10 related to councilors acting in their capacity as town and parish councillors.

THE FUTURE OF STANDARDS

The Localism Bill proposes to abolish the current standards regime.

The provisions proposed include:

- To abolish Standards for England (The Standards Board)
- To remove the mandated requirement for a Standards Committee.
- To remove a mandated national Code of Conduct for councillors
- A new duty on local authorities to promote and maintain high standards of conduct, including provision for the adoption of a voluntary code of conduct and the powers to revise, adopt and withdraw such a code.
- To create a criminal offence relating to failure to register or declare interests.
- Clarification of rules relating to pre-determination

The expected consequences of the proposed provisions are that:

- A duty on local authorities to promote and maintain high standards of conduct, including provision for the adoption of a voluntary code of conduct and the powers to revise, adopt and withdraw such a code without precise national boundaries.
- the District Council will no longer have responsibility for dealing with town and parish council member complaints with the implication that they will have to be dealt with at that level. The District may wish to provide a suggested framework and advice
- A method of dealing with complaints will have to be established.

As the detail of the Localism Bill becomes clear, it is proposed that the Standards Committee will develop options available for working under the new regime. Those options can be presented to the Engagement Policy Development Group for consideration and recommendation to Cabinet and adoption by Council.

4. OTHER OPTIONS CONSIDERED

The provision and workings of the Standards Committee are based on statutory requirements.

5. RESOURCE IMPLICATIONS

The resource implications of any new regime are unknown. The cost of implementation must be a relevant consideration in the adoption of any new regime.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

There are no health and safety risks associated with this report. The data has been supplied from records held by the Head of Legal and Democratic Services.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not applicable

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and order implications arising from this report.

9. COMMENTS OF FINANCIAL SERVICES

10. COMMENTS OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

Both the monitoring officer and the deputy monitoring officer have worked closely with the Chairman and Vice Chairman of the Standards Committee to ensure complaints received have been processed in accordance with regulatory requirements. The Standards Committee have worked hard to ensure that all complaints are dealt with fairly and effectively. The Committee is best placed to develop options for future ways of working.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

None applicable

12. APPENDICES: None

REPORT TO COUNCIL

REPORT OF: CHAIRMAN OF CONSTITUTION COMMITTEE

REPORT NO: LDS028

DATE: 7TH July 2011

TITLE:	Recommendations from the Constitution Committee - 13th June 2011	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	n/a	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter - Engagement and Corporate Services	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services (Monitoring Officer) E-mail: l.youles@southkesteven.gov Telephone: 01476 406105	
INITIAL IMPACT ASSESSMENT:	Carried out and appended to the report: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	The Council’s Constitution Report LDS024 – Minor amendments HOF 162 – Mileage Rate	

1. RECOMMENDATIONS

It is recommended that Council approve the recommendations made by the Constitution Committee at its meeting on the 13th June 2011 as follows:

The Constitution be amended

- 1.1 At page 129 – part 4 – rule 13 (xvi) is amended to refer to rules 21.4 and 21.5. instead of rules 21.3 and 21.4.
- 1.2 At page 140 - Rule 24.5 (i), (ii), (iii) and (iv) is amended to refer to paragraph (i) and (ii)

- 1.3 At page 178 – clause 7 is amended to refer to Council Procedure Rule 1.1(viii) and Council Procedure Rule 1.1(xiii) is re-numbered (xi)
- 1.4 To grant delegated authority to the Head of Legal and Democratic Services to make corrections to the constitution in respect of minor anomalies and inaccuracies and to report.
- 1.5 To ensure the Members Allowance Scheme within the Constitution be updated to reflect the change in the mileage rate allowance for 2011/12 to 45p per business mile in line with Her Majesty’s Revenue and Customs (HMRC) tax threshold rate from 9th May 2011 being the start of the current term of office.

2. PURPOSE OF THE REPORT

The purpose of this report is to detail the recommendations made by the Constitution Committee at its meeting on the 13th June 2011 to Council for approval. The minutes of the Constitution Committee meeting of the 13th June 2011 are attached to this report at the Appendix 1 for information.

3. CONTRIBUTE TO PRIORITY THEME

The amendments to the Constitution recommended contribute to the quality organisation priority theme.

4. DETAILS OF REPORT

The details of the recommendations and the reasons for the recommendations are given in the minutes of the Constitution Committee meeting attached to this report and the reports made to that meeting.

- 4.1 Recommendations 1.1 to 1.3 relate to minor amendments to correct inaccuracies in numbering .
- 4.2 Recommendation 1.4 will permit changes to be made in respect of inaccuracies without reference to Constitution Committee provided a report of any changes made is made to the next Constitution Committee.
- 4.3 Recommendation 1.5 reflects the change in travel allowance in line with the tax threshold permitted by Her Majesty’s Revenue and Customs.

5. OTHER OPTIONS CONSIDERED

No other options have been considered in respect of this report. Options relating to each recommendation were considered at the Constitution Committee meeting.

6. RESOURCE IMPLICATIONS

The additional cost of introducing the increased rate can be met from existing budgetary resources in 2011/12.

7. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The recommendations are made to ensure the Constitution reflects changes in legislation and ensure arrangements for committees are fit for purpose.

8. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

No assessment is required in respect of this report.

9. CRIME AND DISORDER IMPLICATIONS

No crime and disorder implications arise as a result of this report.

10. COMMENTS OF FINANCE SECTION

As detailed in the Resource Implications above.

11. COMMENTS OF LEGAL AND DEMOCARATIC SERVICES

The amendments are required to ensure that clause numbering is correct and that the Constitution includes up to date data.

12. COMMENTS OF OTHER RELEVANT SERVICE MANAGERS

Non applicable

13. APPENDIX

1. Minutes of the Constitution Committee meeting of the 13th June 2011

MINUTES

CONSTITUTION COMMITTEE
MONDAY, 13 JUNE 2011



COMMITTEE MEMBERS PRESENT

Councillor Mark Ashberry
Councillor Reginald Howard
Councillor Alan Parkin

Councillor Adam Stokes (Vice-Chairman)
Councillor Raymond Wootten (Chairman)

OFFICERS

Head of Finance (Richard Wyles)
Head of Legal & Democratic Services
(Lucy Youles)
Democratic Officer (Lucy Bonshor)

OTHER MEMBERS

Councillor Helen Powell

1. MEMBERSHIP

Councillor Howard was substituting for Councillor Susan Sandall for this meeting only.

2. DECLARATIONS OF INTEREST

The Chairman referred to the item relating to members' allowances on the agenda and asked if all Members needed to declare an interest. The Head of Legal and Democratic Services replied that the issue came under exceptions to declaring a prejudicial interest (payment, allowances) under the Members Code of Conduct. She confirmed no declaration of a prejudicial interest was required so far as it related to members' membership of the Council.

3. MINUTES OF THE MEETING HELD ON 11TH APRIL 2011

The minutes of the meeting were agreed as a correct record of the decisions taken.

4. AMENDMENTS TO THE CONSTITUTION Minor Amendments to the Constitution

Recommendation

The Constitution Committee recommends the following changes to the Constitution:

- 1) *At page 129 – part 4 – rule 13, section 16 (xvi) is amended to refer*

to rules 21.4 and 21.5 instead of rules 21.3 and 21.4.

- 2) At page 140 - Rule 24.5 (i), (ii), (iii) and (iv) is amended to refer to paragraph (i) and (ii)**
- 3) At page 178 – clause 7 is amended to refer to Council Procedure Rule 1.1(viii) and Council Procedure Rule 1.1(xiii) is re-numbered (xi)**

It was further agreed that in future minor anomalies/in accuracies such as those listed above found within the Constitution can be amended by officers and a report listing the amendments be submitted by the Head of Legal & Democratic Services to future meetings of the Constitution Committee.

Members had been circulated with report LDS024 which highlighted minor amendments required to the Constitution to correct in accuracies and typographical errors. The amendments were at pages 129,140 and 178 of the Constitution and the Head of Legal and Democratic Services went through each amendment. It was suggested that in future minor in accuracies and anomalies of this nature could be amended by Officers and a report submitted to the Constitution Committee by the Head of Legal & Democratic Services detailing the amendments. Members agreed with the suggestion and this together with the amendments outlined by the Head of Legal & Democratic Services were moved, seconded and agreed.

Member Allowances

Recommendation

The Constitution Committee recommends to Council that the Members Allowance Scheme within the Constitution be updated to reflect the change in the mileage rate allowance for 2011/12 to 45p per business mile in line with Her Majesty's Revenue and Customs (HMRC) tax threshold rate from 9th May 2011 being the start of the current term of office.

The Head of Finance present his report HOF162 which followed the changes made at HMRC which made in necessary to incorporate the increase in business mileage payment into the members allowance scheme.

The Head of Finance briefly outlined the history to the current allowance scheme, the current scheme being originally introduced in 2006 and The Independent Remuneration Panel (IRP). At the September meeting of the Council it was agreed that the IRP would carry out a full review of the current scheme including special responsibilities and an assessment of member time allocation. The mileage allowance payments had remained unchanged since 2002/03 and were the same as that applied to staff. The HMRC has increased the rate from 40p to 45p per mile for the first 10,000 business miles in any tax

year. (Mileage allowance payments are payments that are made to officers and members in relation to their use of their own vehicle for business travel). This is the first increase to the level since 2002/03 when at that time a litre of un-leaded petrol cost 69.9p compared with an average price of 135.9p per litre today.

Members were asked to agree to amend the Members Allowance scheme to incorporate the change.

A Member asked a question about the existing reimbursement process to which the Head of Finance replied it would remain the same.

The Head of Legal & Democratic Services reminded members that they were not approving the increase in cost but a constitutional change which was why it had been brought before the Committee. Members agreed with the proposed change and it was moved, seconded and agreed.

5. WORK PLAN

The Head of Legal & Democratic Services then referred to the work plan for the committee. She referred to the Members allowance scheme that had been discussed earlier and suggested that perhaps this was something that the Committee would like to look at, was it in the correct place; would it be better accessed on the website? She then referred to Article 4 at page 40. The details contained within this section must detail full council and some of the items currently listed had been changed or were no longer fit for purpose.

It was AGREED that a paper on Article 4 be submitted to the next meeting of the Committee.

Further issues such as the responsibility for local choice functions at page 87 of the Constitution needed to be kept up to date and required amendments from time to time. Members:

AGREED that a paper on the Responsibility for Local Choice Functions be submitted to the Committee

Article 18 of the Constitution was another area which needed to be reviewed. This dealt with amendments to the Constitution and due to re numbered pages and sections was not fit for purpose.

It was AGREED that a review of Article 18 be added to the work programme.

The Chairman asked Members if they had any suggestions of areas of the Constitution for the Committee to look at. One Member asked if the issues already put forward were urgent enough to hold an extra meeting. The Head of

Legal & Democratic Services replied that a review was required to ensure they were fit for purpose, an extra meeting however, was not required.

6. FUTURE MEETINGS

The following issue was dealt with as a matter of urgency due to the need to inform Members of the Committee when future meetings would be held.

The Chairman informed the Committee that he would continue to hold future meetings of the Committee in the morning commencing at 10.30am. One Member indicated that he would prefer an afternoon meeting, however, the majority of those present preferred a morning meeting.

It was AGREED future meetings of the Constitution Committee would be held in the morning with the meetings starting at 10.30am.

The Chairman referred to references of “he” or “his” within the Constitution; surely this should refer to both genders. The Head of Legal & Democratic Services replied that as changes were made to the Constitution the “he” “his” was replaced by “he/she” or “his/her”. It was suggested that perhaps member should replace he/she, his/her. However, Members of the Committee felt that it should be he/she or his/her.

The Chairman of the Development Control Committee who was also a member of the Constitution Committee referred to the notification period for speaking at a Development Control Committee. In the Constitution it specified notification had to be 24hours before the meeting which caused problems when a bank holiday preceded the committee, he asked if this could be changed to working day rather than 24 hours. A paper would be put together for the Committee to consider.

Another Member raised the issue of substitutions and why they were not allowed on the Licensing Committee. The Head of Legal & Democratic Services replied that specific training had to undertaken by Members before they could attend the Licensing Committee but she did not have the legislation to hand about substitutions.

It was AGREED that the Committee be supplied with the relevant legislation confirming that substitutions are not allowed on the Licensing Committee.

7. CLOSE OF MEETING

The meeting closed at 11.25am.

REPORT TO COUNCIL

REPORT OF: HEAD OF LEGAL AND DEMOCRATIC SERVICES

REPORT NO: LDS029

DATE: 7TH July 2011

TITLE:	Appointments to Committees and Policy Development Groups	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services. E-mail l.youles@southkesteven.gov.uk . Telephone: 01476 406105	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below N/A	Full impact assessment Required: N/A
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	The Council's Constitution	

1. RECOMMENDATIONS

Following the postponed election for the Deeping St. James ward on the 23rd June 2011, The Council appoints Members of the Committees, Policy Development Groups, in accordance with the legislative provisions regarding political balance.

2. PURPOSE OF THE REPORT

The purpose of the report is to detail the Committees and Policy Development Groups to which appointments must be made.

3. DETAILS OF REPORT

- 3.1 At its annual meeting on the 19th May 2011, The Council appointed members to the various Committees and Policy Development Groups in accordance with the Local Government (Committees and Political Groups) Regulations which requires seats on politically balanced Committees to be allocated according to the respective size of the political groups represented on the Council. Under

these regulations to constitute a political group, members have to sign to state that they wish to be treated as a member of a political group and to inform the Chief Executive who the leader of that group is. The regulations mean that members who do not align themselves to a political group (i.e. non-aligned members) do not have any right to be appointed to any Council Committee or Policy Development Group. The decision made by members regarding their membership of any group on this Council is entirely unrelated to any membership of any national political party or to any statement on their nomination form/ballot paper.

- 3.2 This report has been prepared on information available at the time of writing which indicated that one member of the Conservative Group, one member of the Independent Group and one unaligned member had been elected on the 23rd June 2011. Following this alignment of new members, the composition of the Committees and Policy Development Groups is shown at Appendix 1.
- 3.3 The current membership of Committees and Policy development Groups as determined at the Council meeting on the 19th May 2011 is shown at Appendix 2. The changes required to the composition of the Committees and Policy Development Groups to reflect the new political balance are shown in red at Appendix 1. Members are required to de-select one member of the Conservative Group from the Development Control and Licensing Committees, de-select one member of the Labour Group from the Policy Development Group and appoint one member from the Independent Group for each of the Development Control Committee, Licensing Committees and Policy Development Group.

Appointments to the Development Control and Licensing Committees must undertake mandatory training.

3

Consideration of other options may be required depending on the alignment of members to political groups.

5. RESOURCE IMPLICATIONS

There are no additional resource implications. Appropriate budget provision has been made for the appointments detailed.

6. RISK AND MITIGATION

The Committees and Policy Development Groups are required to be politically balanced

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

No issues arising from this report. Political balance is a legal requirement.

8. CRIME AND DISORDER IMPLICATIONS

None

9. COMMENTS OF FINANCIAL SERVICES

There are no financial implications arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The structure of the Council and its meetings is determined by the Local Government Act 1972 and the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007. This structure as set out in the Constitution has been determined by Council.

11. COMMENTS OF OTHER RELEVANT SERVICES

None applicable

12. APPENDICES:

Appendix 1 - composition post 23.6.11

Appendix 2 – composition before 23.6.11

Stage 1 Allocation to decision-making Committees ensuring balance on each Committee

Party	Seats	%	DC Prop	DC Rounded	Lic Prop	Lic Rounded	Const'n Cttee	Const'n rounded	Gov & A	Gov & A Rounded	Gov & A	Gov&A rounded	Scrutiny	Scrutiny Rounded
Conservative	37	67.27%	11.43636	12	7.4	8	3.363636	3	3.363636	3	4.709091	5	7.4	7
Independents	11	20.00%	3.4	3	2.2	2	1	1	1	1	1.4	1	2.2	3
Labour	6	10.91%	1.854545	2	1.2	1	0.545455	1	0.545455	1	0.763636	1	1.2	1
Lib Dem	1	1.82%	0.309091		0.2		0.090909		0.090909		0.127273		0.2	
Total	55			17		11		5		5		7		11

Stage 2: Allocation to Policy Development Groups to ensure balance in totality

Total seats available 21

Party	Seats	%	Seats prop	ats Rounde	Eng	Com	Res	Eng	Com	Res	Jo.s rounded
Conservative	37	67.27%	14.1273	14	4	5	5	4.709091	4.709091	4.709091	5
Independents	11	20.00%	4.2000	4	2	1	1	1.4	1.4	1.4	1
Labour	6	10.91%	2.2909	3	1	1	1	0.763636	0.763636	0.763636	1
Lib Dem	1	1.82%	0.3818					0.127273	0.127273	0.127273	0
Total	55		0	21	7	7	7				

Stage 1 Allocation to decision-making Committees ensuring balance on each Committee

Party	Seats	%	DC		Lic		Const'n		Gov & A		Gov&A		Scrutiny	
			DC Prop	Rounded	Lic Prop	Rounded	Const'n Cttee	rounded	Gov & A	Rounded	Gov & A	rounded	Scrutiny	Rounded
Conservative	38	65.52%	11.13793	11	7.206897	7	3.275862	3	3.275862	3	4.586207	5	7.206897	7
Independents	12	20.69%	3.517241	4	2.275862	3	1.034483	1	1.034483	1	1.448276	1	2.275862	3
Labour	6	10.34%	1.758621	2	1.137931	1	0.517241	1	0.517241	1	0.724138	1	1.137931	1
Lib Dem	1	1.72%	0.293103	0	0.189655	0	0.086207	0	0.086207		0.12069	0	0.189655	
Total	58			17		11		5		5		7		11

Stage 2: Allocation to Policy Development Groups to ensure balance in totality

Total seats available

21

Party	Seats	%	Seats prop	Rounded	Eng	Com	Res	Policy Development Groups			
								Eng	Com	Res	Lo.s rounded
Conservative	38	65.52%	13.7586	14	4	5	5	4.586207	4.586207	4.586207	5
Independents	12	20.69%	4.3448	5	2	2	1	1.448276	1.448276	1.448276	1
Labour	6	10.34%	2.1724	2	1	0	1	0.724138	0.724138	0.724138	1
un aligned	1	1.72%	0.3621	0	0	0	0	0.12069	0.12069	0.12069	0
Total	58		0	21	7	7	7				

REPORT TO COUNCIL

REPORT OF: Head of Legal and Democratic Services

REPORT NO: LDS030

DATE: 7 July 2011

TITLE:	Representatives on Outside Bodies	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter - Portfolio Holder, Engagement and Corporate Services	
CONTACT OFFICER:	Lucy Youles 01476 40 61 05 l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
Equality and Diversity	Not applicable	No
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	None	

1. RECOMMENDATIONS

The Council appoints representatives to:

- **Deeping St. James United Charities (1 rep)**
- **Deepings Town Centre Management Partnership (2 reps)**
- **Welland and Deeping Internal Drainage Board (4 reps)**

2. PURPOSE OF THE REPORT/DECISION REQUIRED

Following each quadrennial election, it has been the practice of the District Council to review its representation on outside bodies. Under Part 4 of the Constitution, specifically Council Procedure Rule 1.2(iv), the annual meeting of the Council will receive nominations of Councillors to serve on a variety of outside bodies. The report deals with three bodies to which appointments were deferred pending a by-election in Deeping St. James (23 June 2011).

3. DETAILS OF REPORT

All outside organisations and bodies to whom the District Council appointed representatives at the annual meeting in May 2007 have been contacted to ask whether they still wished to seek district council representation. Any other bodies to which appointments have been made in the intervening four years have also been contacted.

Based on the responses received, nominations were made at the annual meeting of the Council on 19 May 2011. Nominations to three bodies who had requested appointments: Deeping St. James United Charities, Deepings town centre partnership and the Welland and Deeping Internal Drainage Board, were deferred pending the outcome of a by-election in Deeping St. James on 23 June 2011. The Council agreed to defer this decision because representatives local to the Deepings area were required.

Deeping St. James United Charities

The body has a single vacancy for a Member from the parish of Deeping St James and Frognall. The appointment is for a 4-year period and will run until the next district council elections in 2015. The Charity requires that an appointment is made from members who live within the ecclesiastical parish of Deeping St James and Frognall. It is understood all members elected on the 23rd June 2011 live within that parish.

Deeping town centre partnership

The body has two vacancies that run until the next district council elections in 2015.

Welland and Deeping Internal Drainage Board

Appointments to the drainage board run until March 2014. There are four vacancies on this body.

4. OTHER OPTIONS CONSIDERED

The Council could decline to make an appointment or appointments unless there was any legal requirement to do so.

5. RESOURCE IMPLICATIONS

Travelling expenses are payable to Councillors who attend meetings of outside bodies to which they have been appointed by the Council. Provision is made with the Legal and Democratic Services budget for the payment of travel expenses.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

The Council should make any appointments of representatives to outside bodies in accordance with the provisions in the Council's Constitution and where statutory requirements exist, the Member with the appropriate office should be appointed.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not applicable.

8. CRIME AND DISORDER IMPLICATIONS

Not applicable.

9. COMMENTS OF FINANCIAL SERVICES

Any financial implications arising from this report have been included in the budget framework for 2011/12.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

Any appointment to such bodies must be registered by the member appointed as a registerable interest. In accordance with the members' code of conduct, such interests need only be declared as personal interests at this authority's meetings if a matter relating to the outside body is to be discussed at the meeting and/or the interest is not prejudicial and/or the member appointed intends to speak on the issue.

11. APPENDICES:

None