

AGENDA



For a meeting of the
COUNCIL
to be held on
THURSDAY, 21 MAY 2015
at
2.00 PM
in the
COUNCIL CHAMBER - COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM. NG31 6PZ
Beverly Agass, Chief Executive

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

For those Councillors who wish to attend, prayers will be held in the Council Chamber at 1:55pm before the commencement of the meeting. Please be seated by 1:50pm.

1. ELECTION OF THE CHAIRMAN OF THE DISTRICT COUNCIL

The Chairman will take the chair, make the declaration of acceptance of office and be invested with the chain of office.

2. VOTE OF THANKS TO THE RETIRING CHAIRMAN

3. APPOINTMENT OF VICE-CHAIRMAN OF THE DISTRICT COUNCIL

The Vice-Chairman will make the declaration of acceptance of office and be invested with the Vice-Chairman's medallion.

4. APOLOGIES FOR ABSENCE

5. DISCLOSURE OF INTERESTS

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

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6. **MINUTES OF THE MEETING HELD ON 2 MARCH 2015**

(Enclosure)
7. **COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)**

(Enclosure)
8. **APPOINTMENT OF LEADER OF THE COUNCIL**
9. **ANNOUNCEMENT ON THE SIZE AND MEMBERSHIP OF THE CABINET AND THE ALLOCATION OF PORTFOLIOS**
10. **APPOINTMENTS TO COMMITTEES AND POLICY DEVELOPMENT GROUPS INCLUDING THE APPOINTMENT OF THEIR CHAIRMEN AND VICE-CHAIRMEN**

Report number LDS147 of the Chief Executive. (Enclosure)
11. **TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS**

To approve a programme of ordinary meetings of the Council and note the timetable for its committees for the municipal year – report number LDS148 of the Chief Executive. (Enclosure)
12. **APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES**

To consider nominations to represent the district council on outside bodies – report number LDS149 of the Chief Executive. (Enclosure)
13. **GOVERNANCE AND AUDIT ANNUAL REPORT AND WORK PLAN**

Report number GAC007 of the Chairman of the Governance and Audit Committee. (Enclosure)
14. **MODIFICATIONS TO, AND ARRANGEMENTS FOR A REFERENDUM ABOUT THE STUBTON NEIGHBOURHOOD PLAN**

Report number SEG02 by the Grow the Economy Portfolio Holder. (Enclosure)
15. **MODIFICATIONS TO, AND ARRANGEMENTS FOR A REFERENDUM ABOUT THE HOUGH-ON-THE-HILL NEIGHBOURHOOD PLAN**

Report number SEG03 by the Grow the Economy Portfolio Holder. (Enclosure)

16. AMENDMENTS TO THE CONSTITUTION

To consider the recommendations of the Constitution Committee in report number LDS150. **(Enclosure)**

17. 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.

MINUTES

COUNCIL

MONDAY, 2 MARCH 2015

2.00 PM



PRESENT

Councillor Reginald Howard Chairman

Councillor Bob Adams
Councillor Mark Ashberry
Councillor Ray Auger
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Terl Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor Ibis Channell
Councillor George Chivers
Councillor Kelham Cooke
Councillor Paul Cosham
Councillor Nick Craft
Councillor Phil Dilks
Councillor Breda Griffin
Councillor Mrs Rosemary Kaberry-Brown
Councillor Vic Kerr
Councillor Michael King
Councillor Charmaine Morgan
Councillor Dr Peter Moseley
Councillor David Nalson
Councillor Mrs. Linda Neal
Councillor John Nicholson
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 John Smith
Councillor Jacky Smith
Councillor Mrs Judy Smith
Councillor Peter Stephens
Councillor Judy Stevens
Councillor Ian Stokes
Councillor Adam Stokes
Councillor Mrs Brenda Sumner
Councillor Mrs Jean Taylor
Councillor Mike Taylor
Councillor Jeff Thompson
Councillor Frank Turner
Councillor Bruce Wells
Councillor Martin Wilkins
Councillor Paul Wood
Councillor Rosemary H Woolley
Councillor Raymond Wooten

OFFICERS

Chief Executive (Beverly Agass)
Strategic Directors (Tracey Blackwell,
Steve Ingram, Daren Turner)
Executive Manager, Corporate (Lucy
Youles)

OFFICERS

Corporate Finance Manager (Richard
Wyles)
Principal Democracy Officer (Jo Toomey)

55. PUBLIC OPEN FORUM

Question 1

Question to the Portfolio Holder for Grow the Economy – Economic Development, Councillor Mrs Frances Cartwright

Mr Morgan:

In the proposed Southern Quadrant development of Grantham, what proportion of the housing (both as number of homes and number of bedrooms) will be: (a) social housing and (b) affordable housing?

Councillor Mrs Cartwright:

Thank you Mr. Chairman, and thank you for your very interesting question. I gather you've tried to put this before but I'm afraid the answer is that you're still too early with this question because we are still in negotiation with the developers and until that has happened we cannot release any figures until we know what they are, but thank you for the question anyway.

Mr Morgan (supplementary):

Given that we have thousands on the council waiting list and many more people who are in need of more housing; young people growing up and can't afford to move out and staying in their parents' houses and clogging up the streets with the extra cars could I draw your attention to the fact that this is a once in a generation opportunity to end the Council waiting lists certainly in the Grantham end of the district and sort out the problem and suggest that you take this on board with a view to achieving that in your negotiations.

Councillor Mrs Cartwright:

Thank you for that. I'm sure I can reassure you that we are taking that on board and we are working extremely hard with all sorts of partners to make sure affordable housing is bought right across our district. Indeed if you look on the DCLG, which is the Department for Communities and Local Government, website you will find that we have actually produced 143 by the end of this year as long as all the developments go to plan, which is quite a high number compared to some of the other districts in Lincolnshire. Thank you.

56. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bevan, Broughton, Cook, Davidson, Higgs, Parkin and Powell.

57. DISCLOSURE OF INTERESTS

No interests were disclosed.

58. MINUTES OF THE MEETING HELD ON 22 JANUARY 2015

The minutes of the meeting held on 22 January 2015 were proposed, seconded and agreed as a correct record.

59. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)

The Council noted the Chairman's engagements.

60. DETERMINATION OF BUDGET 2015/16 (AND INDICATIVE FOR 2016/17 AND 2017/18) - GENERAL FUND, HOUSING REVENUE ACCOUNT AND ASSOCIATED CAPITAL PROGRAMMES

Decision:

PART A

In relation to the General Fund - Revenue

- a. ***to set a General Fund budget requirement of £13.014M for 2015/16 shown at Appendix A of report number HOF310 (inclusive of special expenses) taking into consideration the savings and efficiencies shown at Appendix B***
- b. ***to approve a Council Tax freeze (no increase) for 2015/16***
- c. ***to note the indicative base estimates for 2016/17 and 2017/18 as detailed in the summary at Appendix A of report number HOF310***
- d. ***To approve the fees and charges as shown at Appendix C of report number HOF310***

In relation to the General Fund – Capital

- e. ***approve the General Fund Capital programme for 2015/16 to 2019/20 detailed at Appendix D page 1 of report number HOF310***
- f. ***approve the Capital Financing statement detailed at Appendix D page 2 of report number HOF310***

In relation to the General Fund - Reserves and Balances

- g. ***to approve the use of reserves as detailed at Appendix E of report number HOF310***

Management and prudential indicators

- h. to approve the Treasury Management Strategy provided at Appendix F of report number HOF310***

In relation to the Housing Revenue Account - Revenue

- i. to approve dwelling rent increases in accordance with Government guideline rent providing an average rent of £80.91 (an average rental increase of 3.56%)***
- j. to approve an increase in garage rents of 2.3%***
- k. to approve an increase in service charges by 2.3%***
- l. to approve the Housing Revenue Account for the year 2015/16 (including the items at Appendix H in the report) and indicative years 2016/17 and 2017/18 shown at Appendix G of report number HOF310***

In relation to the Housing Revenue Account - Capital

- m. approve the indicative Housing Investment Programme for 2015/16 to 2019/20 detailed at Appendix I page 1 of report number HOF310***
- n. approve the Capital Financing statement detailed at Appendix I page 2 of report number HOF310***

In relation to the Housing Revenue Account - Reserves and balances

- o. to approve the use of the reserves as detailed at Appendix J of report number HOF310***

Pay Policy Statement

- p. to approve the pay policy statement shown at Appendix K of report number HOF310***

PART B

In accordance with paragraphs 32 to 36 of the Local Government Finance Act 1992, as amended, the Council adopts:

- 1) That the following amounts be calculated by the Council for the year 2015/16 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended)***
- a) £77,763,996 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act (including special expense and parish precepts).***
- b) £63,605,236 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to***

(c) of the Act.

- c) **£14,158,760 being the amount by which the aggregate at a) above exceeds the aggregate at b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.**
- d) **£6,476,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant increased by the amount of the sum to be transferred from the Collection Fund to the General Fund**
- e) **£171.67 being the amount at c) above less the amount at d) above, all divided by the Council's tax base of 44,753.20 as recorded in minute 29 of the cabinet meeting of 1 December 2014, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2015/16.**
- f) **£2,071,850 being the aggregate amount of all special items referred to in Section 34(1) of the Act.**
- g) **£127.47 being the amount of e) above, less the result given by dividing the amount of f) above by the Council's tax base relating to special items as set on 1 December 2014, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.**
- h) **Part of the Council's area being calculated by adding to the amount at (g) above the amounts of special items relating to dwellings in those parts of the Council's area, divided in each case by the individual tax bases as recorded in minute 33 in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special item relates.**

<u>Parish</u>	<u>Adjusted Band D Equivalents</u>
	No.
Grantham combined	10295.23
Stamford combined	6753.02
Bourne Combined	4978.27
Allington	338.90
Ancaster	543.21
Aslackby	103.80
Barholm & Stowe	33.35

<i>Barkston and Syston combined</i>	242.89
<i>Barrowby</i>	683.50
<i>Baston</i>	544.72
<i>Belton & Manthorpe</i>	202.93
<i>Billingborough</i>	452.34
<i>Bitchfield & Bassingthorpe</i>	53.72
<i>Boothby Pagnell</i>	62.15
<i>Braceborough & Wilsthorpe</i>	139.34
<i>Ropsley, Humby, Braceby, Sapperton combined</i>	345.40
<i>Burton Coggles</i>	37.77
<i>Careby</i>	74.22
<i>Carlby</i>	200.66
<i>Carlton Scroop and Normanton combined</i>	126.26
<i>Castle Bytham</i>	284.72
<i>Caythorpe & Frieston</i>	513.16
<i>Claypole</i>	507.85
<i>Colsterwoth, Gunby & Stainby, North Witham combined</i>	743.16
<i>Corby Glen & Birkholme</i>	389.66
<i>Counthorpe & Creeton</i>	25.33
<i>Deeping St James</i>	2365.68
<i>Denton</i>	120.43
<i>Dowsby</i>	51.75
<i>Dunsby</i>	44.45
<i>Stoke Rochford and Easton combined</i>	90.58
<i>Edenham</i>	106.83
<i>Fenton</i>	57.33
<i>Folkingham</i>	267.24
<i>Foston</i>	210.09
<i>Fulbeck</i>	211.80
<i>Greatford</i>	126.02
<i>Great Gonerby</i>	719.78
<i>Great Ponton</i>	120.38
<i>Haconby & Stainfield</i>	182.26
<i>Harlaxton</i>	331.02
<i>Heydour</i>	148.48
<i>Honington</i>	64.27
<i>Horbling</i>	154.63
<i>Hougham</i>	77.62
<i>Hough-on-the-Hill</i>	156.76
<i>Ingoldsby</i>	113.57

Irnham	107.05
Kirkby Underwood	76.61
Langtoft	745.07
Lenton, Keisby & Osgodby	65.41
Little Bytham	110.71
Little Ponton & Stroxton	65.73
Londonthorpe & Harrowby without combined	1608.55
Long Bennington	897.86
Market Deeping	2032.09
Marston	148.41
Morton & Hanthorpe	802.49
Old Somerby	87.07
Pickworth	75.24
Pointon & Sempringham	188.70
Rippingale	330.35
Sedgebrook	142.53
Skillington	130.63
South Witham	433.28
Stubton	71.83
Swayfield	137.54
Swinstead	72.71
Tallington	202.15
Thurlby	780.48
Toft Lound & Manthorpe	137.23
Uffington	314.14
Welby	78.64
Westborough & Dry Doddington	145.96
West Deeping	115.23
Witham-on-the-Hill	94.72
Woolsthorpe	138.51
Wyville cum Hungerton	19.80

- i) *The amounts on the attached schedule (Appendix A to Part B), being the amounts given by multiplying the amounts at g) above and h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.*
- j) *That it be noted that for the year 2015/16, Lincolnshire County Council has stated the following amounts as a precept issued*

to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band

A	B £	C £	D £	E £	F £	G £	H £
723.96	844.62	965.28	1085.94	1327.26	1568.58	1809.90	2171.88

- k) That it be noted that for the year 2015/16, Police and Crime Commissioner has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-**

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
131.76	153.72	175.68	197.64	241.56	285.48	329.40	395.28

- l) That, having calculated the aggregate in each case of the amounts at i), j) and k) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts in Appendix B to Part B as the levels of Council Tax for the year 2015/16 for the categories of dwellings shown in Appendix A to Part B.**

It was proposed, seconded and, on being put to the vote agreed, that Council Procedure Rule 14.4 be suspended for this agenda item only, removing the five-minute time limit for speeches.

The Leader of the Council proposed the draft Budget for 2015/16 (together with indicative budgets for 2016/17 and 2017/18) for the General Fund, Housing Revenue Account and their associated Capital Programmes as set out in report number HOF310. In so doing, she explained that the Budget was designed to deliver against the Council's priorities in difficult financial conditions; she also drew Members' attention to the proposed freeze of Council Tax and savings that had been made during the 2014/15 financial year. She highlighted a number of key projects including the Southern Quadrant development, the Local Authority Mortgage Scheme and 'Love South Kesteven, Hate Litter' campaign. Reference was also made to economic development activity, including the arrival of new employers in the district, car parking, the Gravity Fields and Georgian Festivals and the leisure offer.

The proposal was seconded by the Portfolio Holder for Good Housing, who drew Members' attention to proposals for the Housing Revenue Account. Reference was made to new council homes that had been built and the reacquisition of properties that had formerly been part of the housing stock; proposals for rent increases which complied with Government Guidance, work to take the Council's housing stock beyond the decent homes standard, improvements to the energy efficiency of council properties, opportunities to acquire additional land and properties and the way that the Council was working with tenants. The proposals were set out in the context of the Housing Revenue Account Business Plan, which determined where resources should be allocated.

A series of amendments to the Budget were proposed and seconded (a full copy of the alternative proposals are attached as an appendix to these minutes)

The proposer spoke on each of the amendments, explaining each of the proposals. The first proposal related to maximising the HRA borrowing headroom in order to release up to a maximum £68m funding to build 500 new council homes in year five. Issues highlighted included the need for new homes and the pressure this need placed on other services. The amendments also included increasing the funding available for discretionary housing payments to support residents affected by the spare room subsidy.

The third proposed amendment related to a community fly-tipping pilot project. The proposer explained that the amendment was designed to provide a fund for clearing fly-tipping in communal and private areas. It was suggested that this fund could be spent in conjunction with improved security and education. The success of the proposed pilot scheme would be reviewed when it had been in operation for a year.

The final two amendments related to the preparation of feasibility studies into waste collection for businesses and to allow two-hours free car parking in the town centres. Identifying demand for a business waste collection scheme could ultimately lead to an additional source of revenue for the authority. The proposer also felt that introducing two-hours free parking in the town centres would increase the number of visitors and result in economic growth.

In speaking against the amendment that related to the programme for building council housing, reference was made to the Housing Revenue Account Business Plan, which included a commitment to build further council houses. Some concern was also expressed that the proposal, while stating an increase of 500 homes, did not demonstrate a breakdown of costs.

Those members in favour of the amendment highlighted the shortage on one and two bedroom homes.

Several Councillors spoke about their experiences of fly-tipping in their Wards and its impact on local neighbourhoods. Members' attention was drawn to a Community Fund Reserve of £300k that had been included in the draft budget and the suggestion was made that this might be a more appropriate source of funding for any requests to clear fly-tipping in exceptional circumstances. Councillors opposing the amendment had concerns that the Council with such a scheme the Council would have to clear fly-tipping from private property and the risks that the creation of such a scheme would encourage fly-tipping.

It was further added that the proposal to collect waste was under consideration as part of the review of the Waste Strategy.

Other broader concerns about the proposed amendments included a reliance for funding the projects through reserves. The alternate view was put forward that the amount of reserves committed to carry out feasibility studies would be outweighed by income generated through a scheme to collect business waste.

Those Councillors who did not support the proposal for a feasibility study for two-hour free parking highlighted periods in the past when all day parking had been offered across the district on Saturdays in the run up to Christmas, when no economic advantage had been demonstrated.

The suggestion was made that the most appropriate route for the amendments, particularly where feasibility studies to change council policy had been suggested, would have been through the policy development groups, to enable wider discussion and consideration at an earlier date. Several members felt that it would have been advantageous to have the proposed amendments at an earlier date while expressed that a decision should not be based on when the amendments were received but the merit of the amendment itself.

The Section 151 Officer stated that he had considered the proposed amendments as to whether what they were trying to achieve was legal and the Council had powers to do it. He added that he had also discussed the viability of spending the proposed sums in a short period of time.

As the proposer of the original motion, the Leader was given the opportunity to sum up. She gave a brief explanation of the refinancing and repayment arrangements. She also clarified that an additional £60m could be available to the Council if it decided to maximise its borrowing headroom that has been created following the introduction of the self financing arrangements following the abolition of the national subsidy policy. She reminded Councillors of the commitment to build additional houses set out in the Housing Revenue Account Business Plan. She also reiterated concerns about the potential effects of introducing a fund specifically to deal with incidences of fly-tipping, particularly highlighting the risk of increasing those incidences. She also added that business waste collection had been considered previously but suggested it might not be an appropriate time to reconsider such a scheme; gate fees charged to the council for disposal of the recyclate would make such a service

costly to provide. Brief argument was also made against the proposal for a feasibility study for two-hours free parking and increasing the amount available for discretionary housing payments.

The amendments relating to building additional council homes and increasing the amount of discretionary housing payment fund were both put to the vote (each voted on separately) and lost.

In accordance with Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on each of the three amendments because their amendment would affect the making of calculations in accordance with the Local Government Finance Act 1992.

Fly-tipping amendment:

For	Against	Abstain
Councillor Ashberry	Councillor Adams	Councillor Howard
Councillor Bisnauthsing	Councillor Auger	Councillor V Kerr
Councillor Miss Channell	Councillor Mrs Bosworth	Councillor B Sandall
Councillor Dilks	Councillor Bryant	Councillor S Sandall
Councillor Morgan	Councillor Carpenter	Councillor Thompson
Councillor Sampson	Councillor Mrs Cartwright	
Councillor Selby	Councillor Chivers	
Councillor Shorrocks	Councillor K Cooke	
Councillor J Stevens	Councillor Cosham	
Councillor Wells	Councillor Craft	
Councillor Wood	Councillor Griffin	
	Councillor Mrs Kaberry-Brown	
	Councillor King	
	Councillor Dr Moseley	
	Councillor Nalson	
	Councillor Mrs Neal	
	Councillor Nicholson	
	Councillor Robins	
	Councillor Rowlands	
	Councillor Russell	
	Councillor Scott	
	Councillor Jacky Smith	
	Councillor John Smith	
	Councillor Judy Smith	
	Councillor P Stephens	
	Councillor A Stokes	
	Councillor I Stokes	
	Councillor Mrs Sumner	
	Councillor Mrs J Taylor	

	Councillor M Taylor Councillor Turner Councillor Wilkins Councillor Woolley Councillor Wootten	
11	34	5

The amendment was lost.

Feasibility study relating to the collection of business waste:

For	Against	Abstain
Councillor Ashberry Councillor Bisnauthsing Councillor Miss Channell Councillor Dilks Councillor Howard Councillor Morgan Councillor Sampson Councillor B Sandall Councillor Selby Councillor Shorrock Councillor J Stevens Councillor Wells Councillor Wood	Councillor Adams Councillor Auger Councillor Mrs Bosworth Councillor Bryant Councillor Carpenter Councillor Mrs Cartwright Councillor Chivers Councillor K Cooke Councillor Cosham Councillor Craft Councillor Griffin Councillor Mrs Kaberry-Brown Councillor King Councillor Dr Moseley Councillor Nalson Councillor Mrs Neal Councillor Nicholson Councillor Robins Councillor Rowlands Councillor Russell Councillor Scott Councillor Jacky Smith Councillor John Smith Councillor Judy Smith Councillor P Stephens Councillor A Stokes Councillor I Stokes Councillor Mrs Sumner Councillor Mrs J Taylor Councillor M Taylor Councillor Turner Councillor Wilkins Councillor Woolley	Councillor V Kerr Councillor S Sandall Councillor Thompson

	Councillor Wootten	
	34	3

The amendment was lost.

Feasibility study for two-hours free car parking

For	Against	Abstain
Councillor Ashberry	Councillor Adams	Councillor Howard
Councillor Bisnauthsing	Councillor Auger	Councillor V Kerr
Councillor Miss Channell	Councillor Mrs Bosworth	Councillor S Sandall
Councillor Dilks	Councillor Bryant	Councillor Thompson
Councillor Morgan	Councillor Carpenter	
Councillor Sampson	Councillor Mrs Cartwright	
Councillor B Sandall	Councillor Chivers	
Councillor Selby	Councillor K Cooke	
Councillor Shorrocks	Councillor Cosham	
Councillor J Stevens	Councillor Craft	
Councillor Wells	Councillor Griffin	
Councillor Wood	Councillor Mrs Kaberry-Brown	
	Councillor King	
	Councillor Dr Moseley	
	Councillor Nalson	
	Councillor Mrs Neal	
	Councillor Nicholson	
	Councillor Robins	
	Councillor Rowlands	
	Councillor Russell	
	Councillor Scott	
	Councillor Jacky Smith	
	Councillor John Smith	
	Councillor Judy Smith	
	Councillor P Stephens	
	Councillor A Stokes	
	Councillor I Stokes	
	Councillor Mrs Sumner	
	Councillor Mrs J Taylor	
	Councillor M Taylor	
	Councillor Turner	
	Councillor Wilkins	
	Councillor Woolley	
	Councillor Wootten	
12	34	4

The amendment was lost.

Debate returned to the substantive motion. Brief reference was made to the addendum that was circulated following the publication of the agenda. Councillors were informed that the addendum contained information relating to the precept levels for Lincolnshire Police and Lincolnshire County Council's Council Tax requirements. These amounts had not been agreed sufficiently early to include them in agenda packs.

The Leader summed up, reiterating the Council's focus on growth and investment despite funding reductions of 45% over the last five years. She also made reference to the ambitions of the Council and the focus on neighbourhoods. Finally she commended the Budget as proposed.

The recommendations were split into sections and separate votes were taken on each. Where proposals related to the making of calculations in accordance with the Local Government and Finance Act 1992, a recorded vote was taken. The electronic voting system was used for all other votes.

Recommendations a to d

For	Against	Abstain
Councillor Adams Councillor Ashberry Councillor Auger Councillor Bisnauthsing Councillor Mrs Bosworth Councillor Bryant Councillor Carpenter Councillor Mrs Cartwright Councillor Chivers Councillor K Cooke Councillor Cosham Councillor Craft Councillor Dilks Councillor Griffin Councillor Howard Councillor Mrs Kaberry- Brown Councillor V Kerr Councillor King Councillor Morgan Councillor Dr Moseley Councillor Nalson Councillor Mrs Neal Councillor Nicholson Councillor Robins Councillor Rowlands		Councillor Miss Channell

Councillor Russell Councillor Sampson Councillor B Sandall Councillor S Sandall Councillor Scott Councillor Selby Councillor Shorrock Councillor Jacky Smith Councillor John Smith Councillor Judy Smith Councillor P Stephens Councillor J Stevens Councillor A Stokes Councillor I Stokes Councillor Mrs Sumner Councillor Mrs J Taylor Councillor M Taylor Councillor Thompson Councillor Turner Councillor Wells Councillor Wilkins Councillor Wood Councillor Woolley Councillor Wootten		
49	0	1

The recommendations were approved.

Recommendations e and f

For	Against	Abstain
Councillor Adams Councillor Ashberry Councillor Auger Councillor Bisnauthsing Councillor Mrs Bosworth Councillor Bryant Councillor Carpenter Councillor Mrs Cartwright Councillor Chivers Councillor K Cooke Councillor Cosham Councillor Craft Councillor Dilks Councillor Griffin Councillor Howard Councillor Mrs Kaberry-		Councillor Miss Channell

Brown Councillor V Kerr Councillor King Councillor Morgan Councillor Dr Moseley Councillor Nalson Councillor Mrs Neal Councillor Nicholson Councillor Robins Councillor Rowlands Councillor Russell Councillor Sampson Councillor B Sandall Councillor S Sandall Councillor Scott Councillor Selby Councillor Shorrock Councillor Jacky Smith Councillor John Smith Councillor Judy Smith Councillor P Stephens Councillor J Stevens Councillor A Stokes Councillor I Stokes Councillor Mrs Sumner Councillor Mrs J Taylor Councillor M Taylor Councillor Thompson Councillor Turner Councillor Wells Councillor Wilkins Councillor Wood Councillor Woolley Councillor Wootten		
49	0	1

The recommendations were approved.

Recommendation g

For	Against	Abstain
Councillor Adams Councillor Auger Councillor Bisnauthsing Councillor Mrs Bosworth Councillor Bryant Councillor Carpenter Councillor Mrs	Councillor Ashberry Councillor Dilks Councillor Morgan Councillor Selby Councillor Shorrock Councillor Wells	Councillor Miss Channell

Cartwright Councillor Chivers Councillor K Cooke Councillor Cosham Councillor Craft Councillor Griffin Councillor Howard Councillor Mrs Kaberry- Brown Councillor V Kerr Councillor King Councillor Dr Moseley Councillor Nalson Councillor Mrs Neal Councillor Nicholson Councillor Robins Councillor Rowlands Councillor Russell Councillor Sampson Councillor B Sandall Councillor S Sandall Councillor Scott Councillor Jacky Smith Councillor John Smith Councillor Judy Smith Councillor P Stephens Councillor J Stevens Councillor A Stokes Councillor I Stokes Councillor Mrs Sumner Councillor Mrs J Taylor Councillor M Taylor Councillor Thompson Councillor Turner Councillor Wilkins Councillor Wood Councillor Woolley Councillor Wootten		
43	6	1

The recommendations were approved.

Recommendation h

For	Against	Abstain
Councillor Adams Councillor Ashberry Councillor Auger		Councillor Miss Channell

Councillor Bisnauthsing Councillor Mrs Bosworth Councillor Bryant Councillor Carpenter Councillor Mrs Cartwright Councillor Chivers Councillor K Cooke Councillor Cosham Councillor Craft Councillor Dilks Councillor Griffin Councillor Howard Councillor Mrs Kaberry- Brown Councillor V Kerr Councillor King Councillor Morgan Councillor Dr Moseley Councillor Nalson Councillor Mrs Neal Councillor Nicholson Councillor Robins Councillor Rowlands Councillor Russell Councillor Sampson Councillor B Sandall Councillor S Sandall Councillor Scott Councillor Selby Councillor Shorrocks Councillor Jacky Smith Councillor John Smith Councillor Judy Smith Councillor P Stephens Councillor J Stevens Councillor A Stokes Councillor I Stokes Councillor Mrs Sumner Councillor Mrs J Taylor Councillor M Taylor Councillor Thompson Councillor Turner Councillor Wells Councillor Wilkins Councillor Wood Councillor Woolley Councillor Wooten		
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49		1
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The recommendations were approved.

Separate electronic votes were taken on recommendations i to l; m and n; o and p. All of which were carried.

A further recorded vote was required on Part B of HOF310:

For	Against	Abstain
Councillor Adams	Councillor Morgan	Councillor Ashberry
Councillor Auger	Councillor Shorrocks	Councillor Miss
Councillor Bisnauthsing		Channell
Councillor Mrs Bosworth		Councillor Dilks
Councillor Bryant		Councillor Selby
Councillor Carpenter		Councillor Wells
Councillor Mrs		
Cartwright		
Councillor Chivers		
Councillor K Cooke		
Councillor Cosham		
Councillor Craft		
Councillor Griffin		
Councillor Howard		
Councillor Mrs Kaberry-		
Brown		
Councillor V Kerr		
Councillor King		
Councillor Dr Moseley		
Councillor Nalson		
Councillor Mrs Neal		
Councillor Nicholson		
Councillor Robins		
Councillor Rowlands		
Councillor Russell		
Councillor Sampson		
Councillor B Sandall		
Councillor S Sandall		
Councillor Scott		
Councillor Jacky Smith		
Councillor John Smith		
Councillor Judy Smith		
Councillor P Stephens		
Councillor J Stevens		
Councillor A Stokes		
Councillor I Stokes		
Councillor Mrs Sumner		
Councillor Mrs J Taylor		

Councillor M Taylor Councillor Thompson Councillor Turner Councillor Wilkins Councillor Wood Councillor Woolley Councillor Wootten		
43	2	5

The vote was carried and the recommendations were approved.

16:15 to 16:38 – the meeting adjourned

61. MEMBERSHIP OF COMMITTEES AND POLICY DEVELOPMENT GROUPS

Decision:

In order to ensure that the Council's committees and policy development groups to maintain political balance, the following adjustments should be made to their membership:

- 1. Councillor Peter Stephens replacing Councillor Mrs Jean Taylor on both the Licensing Committee and the Alcohol, Entertainment and Late Night Refreshment Licensing Committee***
- 2. Councillor Mrs Jean Taylor replaces Councillor David Higgs on the Development Control Committee***
- 3. Councillor Paul Wood replaces Councillor Martin Wilkins on the Governance and Audit Committee***
- 4. Councillor Mike Taylor replaces Councillor Mrs Jean Taylor on the Communities Policy Development Group***
- 5. Councillor Mrs Frances Cartwright replaces Councillor Mike Taylor on the Chief Executive's Performance Panel***

The Leader of the Conservative Group nominated Councillor Peter Stephens to fill the vacancy on the Licensing Committee and the Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Councillor Mrs Cartwright to fill the vacancy on the Chief Executive's Performance Panel. She nominated the vacancy on the Communities Policy Development Group as the PDG seat for the UKIP group. She also informed members that Councillors David Higgs would be removed from the Development Control Committee and Councillor Martin Wilkins from Governance and Audit Committee.

The Leader of the UKIP group nominated Councillor Mrs Taylor to take its seat on the Development Control Committee and he (Councillor Mike Taylor) would take the group's seat on the Communities Policy Development Group.

Councillor Howard nominated Councillor Wood to fill the additional seat to which the group of Independents was entitled on the Governance and Audit

Committee.

The nominations were put to the vote *en bloc* and the appointments were duly confirmed.

62. MEMBERSHIP OF THE CABINET

The Leader notified the Council that Councillor Mike Taylor was no longer a member of the Cabinet and that for the remainder of the term, she would take on the Strategic Resources – Well Run Council Portfolio.

63. UPDATES FROM CONSTITUTION COMMITTEE

1.1 Amendment to the Constitution

The Council approves that the Constitution is amended to include in the Scheme of Delegation for the Executive Manager, Environment the following:

“The Mobile Homes Act 2013 and the Mobile Homes Act 1983 and Enterprise and Regulatory Reform Act 2013 are added to the list of statutes contained within the Constitution and that the Executive Manager Environment and Officers delegated in writing by them are authorised to act under these statutes and Regulation Orders made thereunder.”

1.2 Amendment to the Arrangements for dealing with Standards Complaints

The Council approves the following amendments to the arrangements for dealing with Standards Complaints under the Localism Act 2011 (the Arrangements):

- **That legal representation is permitted for Members who face an allegation of misconduct and are required to appear before the Review Board**
- **That such representation must be provided at the cost to the Member and not at a cost to the Council**

1.3 Constitution Review

The Council approves the draft Constitution document (Appendix 2 to report number LDS145) incorporating all previously agreed amendments together with the following amendment:

Procedure for cancellation of meetings

The Chairman or Vice-Chairman in the Chairman's absence has the authority to cancel meetings of a committee/policy development group where there are insufficient items for the agenda of the next meeting.

The Chairman of the Constitution Committee presented the recommendations in report number LDS145, which summarised the Committee's deliberations at its meeting on 9 February 2015.

He proposed the first recommendation in the report, which would see the Constitution amended to include officer delegations related to mobile homes. The proposal was seconded and on being put to the vote agreed.

The Constitution Committee Chairman then proposed the second recommendation which related to dealing with standards complaints and legal representation for members who face allegations of misconduct. This was seconded and on being put to the vote agreed.

The third proposition related to the introduction of a procedure for the cancellation of meetings which would involve the Chairman or Vice-Chairman consulting with other members of the committee/policy development group, with a majority agreeing to the cancellation of the meeting. Under this proposition, this procedure could only be invoked once the notice period for adding items to the agenda had lapsed.

An amendment to replace the wording of the proposal was proposed and seconded that: The Chairman or Vice-Chairman in his or her absence has the authority to cancel meetings of a committee/policy development group where there are insufficient items for the agenda of the next meeting. Some discussion ensued on this item where members recognised that the business of the regulatory committees was demand-led. While this was acknowledged by those Councillors speaking against the amendment, they suggested that in relation to policy development groups and other committees, consulting with members could generate business. The concern was also raised that cancelling a meeting without consulting the wider membership could disenfranchise the rest of the members of the committee/policy development group.

A vote was taken on the amendment, which was carried. In turn it became the substantive motion and, on being put to the vote, was approved.

The final recommendation moved by the Chairman of the Constitution Committee was the adoption of the reformatted version of the Constitution (appendix 2 to report LDS145). This was seconded and on being put to the vote, agreed.

64. QUESTIONS WITHOUT DISCUSSION

Three Questions Without Discussion had been received and referred to the

relevant Policy Development Groups for response.

Question 1

From: Councillor Morgan

What plans do SKDC have with regard to increasing parking and appropriate secure cycle storage capacity in Grantham town centre given the significant developments approved and those in the pipe line?

Referred to the Communities Policy Development Group

Question 2

From: Councillor Morgan

How is SKDC planning to increase the locally agreed living wage to match the national living wage?

Referred to the Resources Policy Development Group

Question 3

From: Councillor Ashberry

How is SKDC proposing to ensure the appropriate upgrade and maintenance of playground equipment in areas where there is no parish council and low opportunity for S106 funding?

Referred to the Communities Policy Development Group

65. CLOSE OF MEETING

The meeting was closed at 17:09.

Chairman's Engagements 3 March 2015 to 21 May 2015

Date	Ref	Organisation and Event	Location	Chauf
06.03.15	RH073	Mayor of Melton's Civic Dinner	Scaford Hall Hotel, Melton Mowbray	✓
08.03.15	RH077	The Town Mayor and Mayoress of Newark – Hercules Clay Commemoration Service	Parish Church: St. Mary Magdalene, Newark	✓
09.03.15	DD	Commonwealth Flag Raising	SKDC	
11.03.15	RH071	Rotary Club of Grantham Kesteven – Children of Courage Awards	Urban Hotel, Grantham	
14.03.14	RH068	Mayor of Market Deeping's Charity Civic Dinner	The Deepings Sports and Social Club, Market Deeping	
16.03.15	VC009	The Rock Challenge Evening 2015	Mere's Leisure Centre Grantham	
17.03.15	VC008	Rededication of St Wulfram's Church spire	St. Wulfram's Church Grantham	
20.03.15	RH074	North Lincolnshire Council – Mayor's Civic Dinner	Normanby Hall Normanby DN15 9HU	✓
27.03.15		Chairman's Civic Dinner	Belton Park Golf Course	
11.04.15	RH076	Grantham Lions Club 44 th Charter Anniversary Dinner	Belton Park Golf Club	✓
25.04.15	VC010	Grantham Choral Society – Performance of The Creation by Hayden –	St. Wulfram's Church, Grantham	
26.04.15	VC011	The Grantham and District Scout Association Annual St. George's Day Parade 2015	St. Wulfram's Church Grantham	

REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS147

DATE: 21 May 2015

TITLE:	Appointments to Committees, Policy Development Groups, Panels and Boards of the Council and the appointment of Chairmen and Vice-Chairmen	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Decision of Council	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Jo Toomey, Principal Democracy Officer. Telephone: 01476 40 60 80 Ext. 6152 E-mail: j.toomey@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	Not applicable	
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	Local Government and Housing Act 1989 http://www.legislation.gov.uk/ukpga/1989/42/part/1/crossheading/political-balance-on-committees-etc Local Government (Committees and Political Groups) Regulations 1990 http://www.legislation.gov.uk/uksi/1990/1553/contents/made	

1. RECOMMENDATIONS

1.1 That the Council appoints members to its committees, groups and boards taking account of the requirements for political balance

1.2 That the Council appoints the Chairmen and Vice-Chairmen of its Committees and Policy Development Groups

2. PURPOSE OF THE REPORT

2.1 This report sets out the requirements placed on the Council for the appointment of members to its committees, panels and boards and the appointment of their Chairmen and Vice-Chairmen.

3. DETAILS OF REPORT

Membership of Committees/Groups/Boards

3.1 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the council as a whole is divided. Those appointments to which the rules of political balance apply are:

- Ordinary committees or subcommittees of the authority
- Advisory committees and any subcommittees appointed by an advisory committee
- Specified prescribed bodies where at least three seats have to be filled by the relevant authority.

3.2 The legislation also requires that in appointing members on a politically proportional basis, it should, as far as possible conform with the following principles:

- (a) That not all seats are appointed to the same political group
- (b) That a political group with an overall council majority gets a majority of seats allocated
- (c) Subject to (a) and (b) that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership
- (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the council as a whole

3.3 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 to be. 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. 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.

- 3.4 The agenda deadlines for this report have meant that it has had to be written before the political composition of the Council was known. It is essential that decisions made by members regarding the composition of political groups must be forwarded to the Chief Executive by their respective group leaders by no later than **Friday 15 May 2015**. This will enable the apportionment of seats on political balanced committees to be calculated and group leaders can be informed so that they can consider their nominations before the annual council meeting.
- 3.5 Details of which committees need to be politically balanced, their size and training requirements are included in Table 1 (below). Where mandatory training is required, it is essential it is completed before any member can sit on the relevant committee.

Table 1

Committee	No. of members	Politically balanced?	Training: Core (C) or Mandatory (M)
Resources Policy Development Group	7	Yes	C
Engagement Policy Development Group	7	Yes	C
Communities PDG	7	Yes	C
Scrutiny Committee	11	Yes	C
Development Control Committee	17	Yes	M
Licensing Committee*	11	Yes	M
Governance and Audit Committee	7	Yes	M
Constitution Committee	5	Yes	C
Chief Executive's Remuneration Panel	3	Yes	C
Chief Executive's Performance Panel	3	Yes	C
Chief Executive's Appeal Panel	3	Yes	C

* Includes members of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Review Board

- 3.6 When making appointments, there are a number of factors that must be taken into consideration:
- In order to demonstrate a robust and effective scrutiny process, no member of the Cabinet may be appointed to the Scrutiny Committee or a Policy Development Group
 - There cannot be common membership between the Scrutiny Committee and Policy Development Groups.

- The membership of the Chief Executive's Panels must include at least one member of the Cabinet

Chairmanship of Committees/Groups/Boards

3.7 The Constitution states that the Chairmen and Vice-Chairmen of these committees and groups should be appointed by Council following the advice of the Leader relating to the suitability and merit of candidates. It is not necessary for the Council to appoint a Chairman or Vice-Chairman for any of the Chief Executive's panels. Members should also note that it is best practice that the Chairman of the Scrutiny Committee should not be a member of the administration.

4. OTHER OPTIONS CONSIDERED

4.1 The Council must either comply with the provisions of the Local Government and Housing Act 1989 and apply the principles of political balance as per table 1 or agree to make alternative arrangements.

5. RESOURCE IMPLICATIONS

5.1 This report has no resource implications. Finance for special responsibility allowances is incorporated within existing budgets.

6. RISK AND MITIGATION

6.1 No significant risks were identified in the preparation of this report.

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 An equality analysis is not applicable.

8. CRIME AND DISORDER IMPLICATIONS

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

9. COMMENTS OF FINANCIAL SERVICES

9.1 There are no financial comments arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 In making appointments to its committees and subcommittees the Council is required to comply with the Local Government and Housing Act 1989 (LGHA) and the Local Government (Committees and Political Groups) Regulations 1990. These set out requirements relating to political balance and the application of this principle to prescribed categories of meeting and makes provision for alternative arrangements. To agree alternative arrangements, no members of the authority present at the meeting may vote against the alternative arrangements. This means that abstentions would not defeat the vote.

10.2 If no alternative arrangements can be agreed, the requirements to address political balance must be put in place.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 Not applicable.

REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS148

DATE: 21 May 2015

TITLE:	Programme of meetings of Council, Committees and Policy Development Groups for 2015/16	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Jo Toomey, Principal Democracy Officer Tel: 01476 40 60 80 (Ext. 6152) E-mail: j.toomey@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	Not applicable	
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: http://moderngov.southkesteven.gov.uk/ecCatDisplay.aspx?bcr=1&sch=doc	

1. RECOMMENDATIONS

- 1.1 That the Council approves the dates for meetings of full Council and notes dates for other committees and policy development groups

2. PURPOSE OF THE REPORT

- 2.1 Under Article 4 of the Constitution it is the business of the annual Council meeting to approve a programme of ordinary meetings of the Council for the year. This report also sets out the indicative dates for meetings of the Cabinet, Policy Development Groups and Committees

3. DETAILS OF REPORT

- 3.1 A copy of the draft programme of meetings is attached at appendix 1 to this report.
- 3.2 Any changes made to the draft programme following the circulation of this report will be highlighted at the meeting to enable Members to note and mark their diaries accordingly.
- 3.3 Provisions within the Constitution give the Chairman (or the Vice-Chairman in the Chairman’s absence) the authority to cancel meetings of a committee or policy development group where there are insufficient items for the agenda of the next meeting.

4. OTHER OPTIONS CONSIDERED

- 4.1 Under the Local Government Act 1972, the Council must hold an annual meeting. The Council’s committees and groups should meet with sufficient frequency in order to determine business a timely manner and within any statutory timeframes.

5. RESOURCE IMPLICATIONS

- 5.1 There are no additional resource implications

6. RISK AND MITIGATION

- 6.1 Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
Statutory failure through not taking decisions at the required time	If there are not sufficient meetings the Council risks being unable to complete necessary business. For the consideration of urgent issues, additional meetings can be called as required.

7. ISSUES ARISING FROM IMPACT ANALYSIS

- 7.1 No issues arising from this report.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 None

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 There are no financial implications arising from this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 In respect of meetings of the Council, the Constitution stipulates a minimum number of meetings that should be held. Instances in which urgent business arises can be dealt with through provisions that allow the calling of additional meetings of the Council and its committees.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 None applicable.

12. APPENDIX:

12.1 Draft programme of meetings.

MEETING DATES 2015/16

	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL
Mon		1 Cabinet		3 Cabinet			2 Cabinet					
Tues		2 Scrutiny Cmte						1 Scrutiny Cmte.				
Thurs		4 Communities PDG		6 Resources PDG		1 Engagement PDG		3 Gov & Audit				
Fri	1 Licensing *	5 Licensing	3 Licensing	7 Licensing	4 Licensing	2 Licensing	6 Licensing	4 Licensing	1 BH	5 Licensing	4 Licensing	1 Licensing
Mon	4 BH		6 Cabinet		7 Cabinet	5 Cabinet		7 Cabinet	4	8 Cabinet	7 Cabinet	4 Cabinet
Tues							10 Dev Control	8 Dev Control		9 Dev Control	8 Dev Control	5 Dev Control
Thurs	7 ELECTION DAY	11 Engagement PDG	9 Council		10 Council	8 Resources PDG	12 Council				10 Communities PDG	7 Resources PDG
Fri									8 Licensing			
Mon		15 Constitution						14 Constitution	11 Cabinet			
Tues				18 Dev Control	15 Dev Control	13 Dev Control			12 Dev Control	16 Scrutiny Committee		
Thurs		18 Resources PDG			17 Communities PDG		19 Communities PDG		14 Communities PDG			
Fri									15 Engagement			
Mon											21 Constitution	*
Tues		23 Dev Control	21 Dev Control	25 Scrutiny Cmte.		20 Scrutiny Cmte.					22 Scrutiny Cmte	*
Thurs	21 Annual Council	25 Gov & Audit	23 Communities PDG		24 Gov & Audit		26 Resources PDG		21 Council		24 Gov & Audit	21 Annual Council
Fri							27 Engagement	25 BH			25 BH	
Mon	25 BH			31 BH	28 Constitution		30	28		29 Council	28 BH	*
Tues	26 Dev Control		28 Gov & Audit									
Thurs			30 Engagement						28 Resources		31 Engagement	*
Fri												

Lincolnshire School Holidays



REPORT TO COUNCIL

REPORT OF: Chief Executive

REPORT NO: LDS149

DATE: 21 May 2015

TITLE:	Representatives on Outside Bodies	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Decision for Council	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Jo Toomey, Principal Democracy Officer Telephone: 01476 40 60 80 (Ext. 6152) E-mail: j.toomey@southkesteven.gov.uk	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	N/A	
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

- 1.1 That the Council considers nominations and make appointments to the various organisations seeking district council representation

2. PURPOSE OF THE REPORT

- 2.1 Following each quadrennial election, it has been the practice of the district council to review its representation on outside bodies. In accordance with Article 4 of the Council's Constitution, the annual meeting of the Council will receive nominations of Councillors to serve on a variety of outside bodies.

3. DETAILS OF REPORT

- 3.1 The Council makes appointments to arrange of outside bodies. A list of those bodies is shown in Table 1, below. Most appointments run for four years,

coinciding with the quadrennial elections. Where the appointments do not coincide with the district council elections, they are shown in bold type.

- 3.2 There is no formal arrangement whereby political balance must be achieved with these appointments – appointments are offered to all members.

Table 1

Organisation	No. of reps	Term of Office	End date
Black Sluice Internal Drainage Board	1	3 years	March 2017
Bourne Youth Centre Management Committee	1	4 years	May 2019
Council for the Protection of Rural England	1	4 years	May 2019
Dame Margaret Thorold Educational Foundation	1	4 years	January 2016
Deeping St James United Charities	1	4 years	May 2019
East Midlands Councils*	1	1 year	May 2016
Elsa Park Community Trust	1	4 years	May 2019
Grantham Almshouse Charity	1	4 years	May 2019
Grantham Canal Partnership	1	4 years	May 2019
Grantham Growth Point Strategic Board	2 (plus 2 reserves)	4 years	May 2019
Greater Lincolnshire Enterprise Partnership	1	4 years	May 2019
Heritage Lincolnshire	1	4 years	May 2019
Joseph Clark's (Grantham) Apprenticing Foundation	2	4 years	May 2019
Lincolnshire County Council Flood and Drainage Management Scrutiny Committee	1	4 years	May 2019
Lincolnshire Health Scrutiny Committee	1 (plus 1 reserve)	4 years	May 2019
Lincolnshire Playing Fields Association	1	4 years	May 2019
Lincolnshire Police and Crime Panel	1	4 years	May 2019
Lincolnshire Sports Partnership	1	4 years	May 2019
Local Government Association*	1	1 year	May 2016
Shaping Health for Mid-Kesteven Programme Board	1	4 years	May 2019
South Fenland Nature Partnership	1	4 years	May 2019
South Kesteven Citizen's Advice Bureau	3	4 years	May 2019
Stamford Endowed Schools	1	4 years	May 2019
Thomas Triesdales Hospital	1	4 years	May 2019
Upper Witham Internal Drainage Board		3 years	March 2017
Welland and Deepings Internal Drainage Board	4	3 years	March 2017
West Lincolnshire Domestic Abuse Service	1	4 years	May 2019

- 3.3 When making appointments to some outside bodies, there are a number of requirements that must be taken into account. Asterisks note those appointments that are filled by the Leader or in the Leader's absence, the Deputy Leader.
- 3.4 **Deeping St James United Charities** – the representative must live within the ecclesiastical parish of Deeping St James and Frognall.
- 3.5 **Grantham Growth Point Strategic Board** – one of the seats to be filled by the relevant Portfolio Holder.
- 3.6 **Lincolnshire Health Scrutiny Committee** – the Council's representative on the Lincolnshire Health Scrutiny Committee is required to be a member of the authority's Scrutiny Committee.
- 3.7 **Lincolnshire Police and Crime Panel** – the membership of this panel must reflect the political balance of local authorities across the county. As the administering body, East Lindsey District Council will make this calculation and inform each authority of the political group to which their representative must belong.
- 3.8 Details of the outgoing representatives are included in appendix 1 to the report.

4. OTHER OPTIONS CONSIDERED

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

5. RESOURCE IMPLICATIONS

- 5.1 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

- 6.1 Risk has been considered as part of this report and no specific high risks were identified.

7. ISSUES ARISING FROM IMPACT ANALYSIS

- 7.1 Not applicable

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 Not applicable

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 Any financial implications arising from this report have been included in the budget for 2015/16.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 There is now no longer any requirement to register appointment to such bodies as disclosable pecuniary interests unless remuneration by way of profit or gain is received from the body for attendance or shares or land are held by the Member appointed as a trustee or otherwise.

10.2 In the event that a conflict of interest arises for any Member appointed between the interests of the Council and the interests of the body, an interest may need to be disclosed whenever the issue to which the interest relates is discussed.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 Not applicable

12. APPENDICES:

- Appendix 1: Representatives as at the end of the 2014/15 municipal year

Appendix 1: Representatives as at the end of the 2014/15 municipal year

Organisation	Representative(s)
Black Sluice Internal Drainage Board	Councillor Bob Russell
Bourne Youth Centre Management Committee	Councillor Bob Russell
Council for the Protection of Rural England	Councillor John Nicholson
Dame Margaret Thorold Educational Foundation	Councillor Vic Kerr
Deeping St James United Charities	Councillor Judy Stevens
East Midlands Councils*	Leader or Deputy Leader in Leader's absence
Elsa Park Community Trust	Councillor Mrs Judy Smith
Grantham Almshouse Charity	Councillor Ray Wootten
Grantham Canal Partnership	Councillor Mrs Frances Cartwright
Grantham Growth Point Strategic Board	Councillors Mrs Frances Cartwright Councillor Nick Craft
Greater Lincolnshire Enterprise Partnership	Councillor Mrs Linda Neal
Heritage Lincolnshire	Councillor Jeff Thompson
Joseph Clark's (Grantham) Apprenticing Foundation	Councillor Mike Cook Councillor Jeff Thompson
Lincolnshire County Council Flood and Drainage Management Scrutiny Committee	Councillor Bob Russell
Lincolnshire Health Scrutiny Committee	Councillor Mrs Rosemary Kaberry-Brown Reserve: Councillor Bob Russell
Lincolnshire Playing Fields Association	Councillor Ian Stokes
Lincolnshire Police and Crime Panel	Councillor Ray Wootten
Lincolnshire Sports Partnership	Councillor John Smith
Local Government Association*	Leader or Deputy Leader in Leader's absence
Shaping Health for Mid-Kesteven Programme Board	Councillor Mrs Linda Neal
South Fenland Nature Partnership	Councillor Rosemary Woolley
South Kesteven Citizen's Advice Bureau	Councillor Bob Adams Councillor Bob Sandall Councillor Alan Davidson
Stamford Endowed Schools	Councillor John Nicholson
Thomas Truesdale's Hospital	Councillor Mrs Brenda Sumner
Upper Witham Internal Drainage Board	Councillor Nick Craft Councillor Frank Turner Vacancy
Welland and Deepings Internal Drainage Board	Councillor Auger Councillor Paul Cosham Councillor Jacky Smith Councillor Reg Howard
West Lincolnshire Domestic Abuse Service	Councillor Ray Wootten

REPORT TO COUNCIL

REPORT OF: CHAIRMAN OF GOVERNANCE & AUDIT COMMITTEE

REPORT NO: GAC007

DATE: 21 May 2015

TITLE:	Governance & Audit Committee Annual Report to Council for year ending 31 March 2015	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:		
CONTACT OFFICER:	Richard Wyles – Corporate Finance Manager r.wyles@southkesteven.gov.uk 01476 406210	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required: N/A
Equality and Diversity:	N/A	
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	Governance & Audit Committee Agendas and Minutes 2014-15 available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	

1. RECOMMENDATIONS

1.1 Council is asked to:

- Approve the Annual Report of the Governance & Audit Committee for 2014-15
- Approve the indicative work plan and timetable for 2015-16 which reflect the terms of reference of the Committee

2. PURPOSE OF THE REPORT

- 2.1 The purpose of this report is to advise Council of the key outcomes arising from the work of the Governance & Audit Committee for 2014-15 and to approve the indicative annual work plan of the Committee for 2015-16.
- 2.2 The Committee's work is key to delivering good governance throughout the authority. It provides independent assurance and challenge on the effectiveness of the Council's overall arrangements for corporate governance and internal control, including risk management. It is good practice to publicise the work of the Committee in order to ensure a greater understanding of governance and audit issues. It is also important for the Committee to demonstrate the impact of its work to Members, partners, stakeholders and the wider community.

3. DETAILS OF THE REPORT

2014-15 Key Outcomes

- 3.1 The following is a summary of the key outcomes arising from the work of the Committee that have helped to improve and strengthen the Council's overarching control environment and governance arrangements.
- 3.2 The Committee met five times during 2014-15. The work programme takes account of the nature of the items included and the frequency with which Members require to be kept informed. Some of the items are a statutory requirement (Statement of Accounts, Annual Governance Statement, Annual Audit Letter) whereas others are included because they meet professional guidance and recommended best practice (reports covering internal audit, risk management and counter fraud). In addition, some items are ad-hoc and cover such matters as the accounting policies and corporate protocols, including partnerships and health and safety.

Governance:

- Reviewed and approved the Annual Governance Statement for 2013-14 on behalf of Council.

Internal Audit:

- Considered and reviewed the internal audit plan, progress reports, tracking reports and the annual report and audit opinion.
- Reviewed the status of all outstanding internal audit recommendations to ensure they were implemented within the agreed timeframe.

External Audit & Inspection:

- Considered and reviewed external audit (KPMG) annual fee letter, progress reports and audit opinion.
- Considered the Certification of Grant Claims and Returns Annual Report. This included the outcome of the audit of the Housing and Council Tax Benefit Grant claim and the Housing Subsidy claim which were all unqualified.

Financial Reporting:

- Considered the provisional and final General Fund and Housing Revenue Account Revenue and Capital Outturn 2013-14.
- Approved the draft (pre-audit) and revised (post audit) Statement of Accounts for 2013-14 and the external auditor's Annual Governance Report 2013-14 detailing adjustments to the Financial Statements and the Value for Money Conclusion.
- During the year the Committee received reports on the pension fund assumptions and accounting policies to be used in the closedown of the 2014-15 accounts.

Treasury Management:

- The Governance & Audit Committee is responsible for monitoring treasury management performance. Specifically this covered the review of the Treasury Management Annual Report for 2013-14 and a mid-year review report on assurance relating to treasury management activity.

Risk Management:

- Biannually reviewed the Corporate Risk Register.
- Approved the Risk Management Annual Report that summarised the work of the Risk Management Group.

Other Reports & Feedback:

- Reviewed the Local Government Ombudsman's Annual Letter
- Reviewed the Counter Fraud Annual Report
- Reviewed the Health and Safety Annual Report

3.3 2015-16 Indicative Annual Work Plan & Timetable

In line with best practice, an indicative annual work plan and timetable has been developed and this is attached as Appendix A. The existence of an annual work plan and timetable will assist Members in planning the work of the Committee and ensure that they are better informed and therefore engaged in the wide spectrum of audit, governance and financial issues. It will also ensure that the focus of the Committee's work is correctly balanced in terms of the degree of emphasis and the timing and frequency of reviews.

3.4 Looking forward, it is important to ensure that all Members are appraised of the work of the Committee and are actively engaged in helping to improve and strengthen the Council's governance arrangements in all areas of their work for the local community. It is also important to recognise that the Council's developing governance agenda is not the sole responsibility of the Governance & Audit Committee. The proposed dates of the meetings are included within the draft municipal calendar which is featured elsewhere on the Council agenda.

3.5 To assist in heightening awareness and promoting engagement, every effort will be made to ensure that reports continue to be written in a format that is understandable to all Members of the Council.

4. OTHER OPTIONS CONSIDERED

4.1 None

5. RESOURCE IMPLICATIONS

5.1 None.

6. RISK AND MITIGATION

6.1 Risk has been considered as part of this report and no high level risks have been identified.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

7.1 None

8. CRIME AND DISORDER IMPLICATIONS

8.1 None

9. COMMENTS OF FINANCIAL SERVICES

9.1 There are no specific financial comments.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 Each year it is important that all Members are informed of the work of the Committee and given the opportunity to comment on the work plan and timetable for the ensuing year.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 None

12. APPENDIX

12.1 Appendix A – 2015-16 Indicative Annual Work Plan and Timetable

Appendix A

Governance & Audit Committee 2015-16 Indicative Annual Work Plan & Timetable

	Jun	Jul	Sep	Dec	Mar	Comments/ Frequency
Internal Audit (Baker Tilly)						
Appointment of internal auditors	♦	♦	♦	♦	♦	As required
Indicative Internal Audit Strategy & Plan				✓		
Internal Audit Strategy & Plan					✓	
Progress Report	✓		✓	✓	✓	
Tracking Report	✓			✓	✓	
Annual Report & Opinion	✓					
Private meeting with internal audit				✓		
External Audit (KPMG)						
External Audit Plan					✓	
Progress Report	♦	♦	♦	♦	♦	As required
Annual Governance Report			✓			
Annual Audit Letter				✓		
Certification of Grants & Returns Annual Report					✓	
Private meeting with external audit				✓		
Risk Management						
Risk Management Strategy	✓					
Corporate Risk Register	✓			✓		
Risk Management & Business Continuity Annual Report	✓					
Governance						
Annual Governance Statement		✓				
Code of Corporate Governance				✓		
Review of Effectiveness & Terms of Reference				✓		
Regulatory Framework						
Counter Fraud & Corruption Framework			✓			
Counter Fraud Annual Report			✓			
Other policies eg Contract Procedure Rules, Codes of Conduct	♦	♦	♦	♦	♦	As required
Finance						
Draft/Final Financial Outturn	✓					
Statement of Accounts – Draft		✓				
Statement of Accounts – Final			✓			
Treasury Management Strategy	♦	♦	♦	♦	♦	As required
Treasury Management Annual Report	✓					
Treasury Management mid-year review				✓		
Review of Financial Regulations	♦	♦	♦	♦	♦	As required
Statement of Accounting Policies					✓	
Pension Assumptions					✓	
Other Reports						
Health & Safety Annual Report	✓					
Ombudsman Annual Review Letter			✓			
Review of various protocols – partnerships, sponsorship	♦	♦	♦	♦	♦	As required

♦ These items may occur at any time during the course of the municipal year

REPORT TO CABINET

REPORT OF: Portfolio Holder – Grow the Economy

REPORT NO: SEG02

DATE: 21st May 2015

TITLE:	Modifications to, and arrangements for a Referendum about the Stubton Neighbourhood Plan	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Frances Cartwright Grow the Economy, Economic Development Portfolio Holder	
CONTACT OFFICER:	Rachel Armstrong Senior Planning Policy Officer r.armstrong@southkesteve.gov.uk 01476 406469	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	n/a	n/a
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	Stubton Neighbourhood Plan Submission version Examiner's Report on the Stubton Neighbourhood Plan http://www.southkesteven.gov.uk/index.aspx?articleid=7549 Cabinet Report PLA1092 13 th April 2015 http://moderngov.southkesteven.gov.uk/mgConvert2PDF.aspx?ID=3089&T=10	

1. RECOMMENDATION

1.1 That Council:

- a) accept the Examiner's recommended modifications in respect of the Stubton Neighbourhood Plan are accepted;
- b) agree with the Examiner's recommendation that the Stubton Neighbourhood Plan as modified by recommendation a) should proceed to a referendum of voters within the Parish of Stubton;

- c) **and, following the referendum, if more than half of those voting in the referendum vote in favour of the Stubton Neighbourhood Plan, delegate the decision to bring the plan into force as part of the Development Plan to the Executive Manager for Development and Growth in consultation with the relevant Portfolio Holder**

2. PURPOSE OF THE REPORT

- 2.1 To consider the recommendations of the Examiner following the examination of the Stubton Neighbourhood Plan and to make a decision on how to proceed.
- 2.2 The Cabinet considered a report on this matter on the 13th April 2015 (Report PLA1091) and recommended that the decision regarding taking the Stubton Neighbourhood Plan forward to referendum be made to Council.

3. DETAILS OF REPORT

- 3.1 The Stubton Neighbourhood Plan (the Plan) has been produced by Stubton Parish Council, in conjunction with the local community. The Plan primarily seeks to conserve and enhance the environmental assets, both natural and built, of the Parish. It does not allocate any sites for development.
- 3.2 The Examination version of the Stubton Neighbourhood Plan was submitted to the Council in August 2014. Following initial verification checks, a six week period of public consultation on the Plan was held between 3rd October and 14th November 2014. At the end of the consultation period 12 representations were received.
- 3.3 The Council, with the agreement of Stubton Parish Council, appointed Colin Blundel as the Independent Examiner. All the representations received on the Examination version of the Plan were forwarded to him for consideration.
- 3.4 The Examiner decided that the issues raised in the representations did not require a public hearing to be held.
- 3.5 It is the role of the Examiner to consider whether a neighbourhood plan meets the Basic Conditions. In order to do this the Plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area; and
 - Be compatible with European Union obligations and, not breach, nor be in anyway incompatible with the European Convention on Human Rights.
- 3.6 The Examiner's report into the Plan was received on the 13th January 2015. It has been published on the website. In his report the Examiner recognises that the Plan has taken a balanced approach to meeting the economic,

social and environmental needs of the area and has taken a long-term approach. By including the policies relating to the natural and built environment in particular, the Examiner considers that if development is to take place in Stubton it is likely to be carried out in a sustainable manner. He considers the preparation of the Neighbourhood Plan has included an inclusive and comprehensive approach to seeking the opinions of all interested parties at all stages of the plan-making process. He also recognises that a lot of hard work has gone into preparing the Plan and the Parish Steering Group should be congratulated on pulling it together.

- 3.7 A schedule of the Examiner's recommendations is set out at Appendix 1. The main changes recommended by the Examiner (in order to meet the Basic Conditions) involve relatively minor changes to the wording of several policies and/or supporting text.
- 3.8 The Examiner also recommends to the Council that, subject to the modifications proposed, the Plan should proceed to a Referendum.
- 3.9 The legislation sets out that the Council must consider each of the recommendations made by the Examiner, including the reasons for them, and decide what action to take in response to each recommendation (see Appendix 1).
- 3.10 Stubton Parish Council has given the Examiner's Report due consideration and agree the recommended amendments should be made to the Plan.
- 3.11 It is considered that the recommended modifications should be approved so as to ensure that the Plan meets the basic conditions and comprises a user-friendly document. The revised Plan should then proceed to Referendum in Stubton Parish to determine if local people support it.
- 3.12 The Examiner was also tasked with considering whether the Referendum Area should be extended beyond the designated Neighbourhood Area (the Parish area). He concludes that a Referendum based on the Stubton Neighbourhood Area is appropriate.

Next Steps

- 3.13 The Neighbourhood Planning (General) Regulations 2012 sets out that once the Council has considered the Examiner's report and recommendations, it has to publish a 'Decision Statement' on the Plan. This must set out the Council's decision on the Stubton Neighbourhood Plan and the reasons for making that decision. It is normal practice for the date of the Referendum to be specified also. The suggested changes will then be made to the Plan ready for publication as one of the specified documents in respect of the Referendum.
- 3.14 The date for the Referendum is provisionally set for 2nd July 2015. Therefore the final version of the Plan and other relevant documents must be on the website at least 28 working days before that date. The Council will also need to ensure that the publication of 'notice of referendum' takes place at least 25 working days before the Referendum. The detailed requirements in respect of the referendum process are set out in the Neighbourhood Planning (Referendums) Regulations 2012 (as amended).

- 3.15 The Referendum will follow a similar format to an election. All those registered to vote within the Neighbourhood Area will be given the opportunity to be involved in the Referendum. Local residents will receive a ballot paper with the question (the wording of which is specified in the Regulations) 'Do you want South Kesteven District Council to use the neighbourhood plan for Stubton to help it decide planning applications in the neighbourhood area?' Residents will be given the opportunity to vote 'yes' or 'no'. If more than 50% of those voting in the referendum vote 'yes' then the Local Planning Authority is required to 'make' the plan (i.e. bring it into force). The 'making' of the Plan is currently a decision of Full Council.
- 3.16 As a result of the current procedures and requirements for decision making on Neighbourhood Development Plans the proposed referendum date is some six months after receipt of the Examiner's report. To avoid any further delay in 'making' the Stubton Neighbourhood Plan it is proposed that, following a successful referendum, the decision to make the Stubton Neighbourhood Plan is delegated to the Executive Manager for Development and Growth in consultation with the Portfolio Holder (Grow the Economy).
- 3.17 If the result of the Referendum is "no", then the District Council takes no further action and the Parish Council would have to decide what it wished to do – for example it may wish to re-draft the Plan.

4. OTHER OPTIONS CONSIDERED

- 4.1 To reject some or all of the Examiner's recommendations. This option is not considered appropriate as the proposed modifications will make the Plan more robust, enable it to meet the basic conditions and make it more user-friendly.
- 4.2 To decide not to proceed to referendum on the Neighbourhood Plan. Given that the Plan has managed to get through the examination process successfully, there is no reason why the Plan, including modifications, should not proceed to Referendum. This option is not considered appropriate

5. RESOURCE IMPLICATIONS

- 5.1 The costs associated with the holding of the examination and arranging the referendum can be met from the direct financial support from the Department of Communities and Local Government (DCLG) for Neighbourhood Planning. This direct support is to ensure that local planning authorities receive sufficient funding to enable them to meet their legislative duties in respect of neighbourhood planning. These duties include provision of advice and assistance; holding the examination; and making arrangements for the referendum. In relation to the Stubton Neighbourhood Plan claims of £5,000 on neighbourhood area designation and £5,000 on completion of the pre-submission consultation have already been claimed. An additional £20,000 can be claimed now that the Plan has progressed through the examination stage successfully.
- 5.2 It is estimated that the referendum will cost in the region of £1000.

6. RISK AND MITIGATION

- 6.1 Risk has been considered as part of this report and no high risks have been identified.

7. ISSUES ARISING FROM IMPACT ANALYSIS

- 7.1 In preparing the Plan, the Parish Council has taken time to involve and inform as wide a range of individuals, households, businesses and interest/community groups as possible through a variety of means. This is set out in the Consultation Statement which accompanies the Plan.
- 7.2 Furthermore, in his report the Examiner concludes that the Plan is compatible with European Union obligations and does not breach, nor is in any way incompatible, with the European Convention on Human Rights.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1 None arising out of this report.

9. COMMENTS OF FINANCIAL SERVICES

- 9.1 The report confirms that the Council can claim the costs back from Central Government.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

- 10.1 The Neighbourhood Plan, as proposed to be amended, is considered to meet the Basic Conditions which were set out in law following the Localism Act (see Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990) and this has been confirmed in the Examiner's Report. It is also considered to meet all the relevant legal and procedural requirements.
- 10.2 Should the Council decide to accept the recommendations of this report; a Decision Statement will be prepared and published on the website in accordance with the regulations, and preparations for a referendum in accordance with the Neighbourhood Planning Referendum Regulations will proceed.

11. APPENDICES:

- 11.1 Appendix 1: Examiner's recommendations and action proposed

Appendix 1 – Summary of Examiner’s Recommended Amendments to the Stubton Neighbourhood Plan

Policy or Section in Stubton Neighbourhood Plan	Examiner’s Recommended Amendment	Reason	Action to be Taken
Last sentence on page 32 of SNP	Amend sentence to read: ...The Steering Group holds the view that any development proposals which compromise its aesthetic and economic viability would not be unacceptable acceptable.	Clarification	Amend as recommended
Table of Contents	Review section headings in the Table of Contents to ensure consistent with section headings within the body of the Plan.	Consistency	Amend as recommended
Supporting text in relation to natural environment and built environment	<p>Reorder supporting text as follows:</p> <p>Natural Environment Stubton is located within the open countryside....lifestyle of residents.</p> <p>In response to residents’ views....underpinning this Plan.</p> <p>The following section describes the local landscape....main characteristics.</p> <p>Map</p> <p>The topography of the parish is....issues set within this context.</p> <p>Map</p> <p>Policies NE1, NE2 and NE3</p> <p>Built Environment Stubton is a small residential village...east of</p>	To provide consistency with ordering of Aims and Objectives	Amend as recommended

	<p>the village on Brandon Road.</p> <p>Whilst early village development took place....delineate property boundaries.</p> <p>A small number of farms....character of the buildings(s) or their setting.</p> <p>The Stubton Neighbourhood Plan supports....for the purposes of the Stubton Neighbourhood Plan.</p> <p>Policies BE1 and BE2.</p>		
Policy BE1	<p>Amend Policy to read: New development for appropriate uses, which is in accordance with the other policies of this plan, will be supported where it can be demonstrated that opportunities to protect and enhance the landscape and/or built <u>environment setting</u> of Stubton <u>and/or its setting</u> have been considered and incorporated.</p>	To clarify Policy BE1 refers to the protection and enhancement of the village itself rather than its setting	Amend as recommended
Last paragraph on page 38 of the SNP	<p>Amend Policy to read: The Stubton Neighbourhood Plan supports developments which accord with the South Kesteven District Council spatial strategy, as outlined previously, where it maximises opportunities to protect and enrich the landscape and built setting of the village and its environs as defined within the Stubton Landscape Character Assessment. The <u>list of uses</u> set out within the South Kesteven District Council spatial strategy <u>as 'acceptable uses'</u> are considered to be 'appropriate uses' for the purposes of the Stubton</p>	To ensure consistency between the Neighbourhood Plan and Core Strategy	Amend as recommended

	Neighbourhood Plan and the built environment policies in particular.		
Last paragraph on page 38 of the SNP	Include reference to affordable housing being restricted to identified local need.	Consistency with Core Strategy Policy H1 and Site Allocation and Policies DPD Policy SAP2	Amend as recommended
Supporting text to Policy NE1	Included brief paragraph in the supporting text to explain the terms “remoteness” and “tranquillity” in the context of Stubton Parish.	Clarification to assist implementation of policy	Add the following wording: Peace, quiet and tranquillity were the predominant adjectives used by the Parishioners in response to the question "What do you most value about Stubton and its environs?". Stubton is a small nuclear settlement surrounded by working farmland, sited on the crossroads of four very minor roads which could more accurately be described as country lanes (single track roads). The absence of significant commercial traffic, or any industrial type development, or disturbing outside influences within the area, contributes to the sense of remoteness and calm tranquillity expressed by many of the residents.
Policy T1	Amend Policy to read: New development for appropriate uses will be supported where <u>an assessment has been made of its likely impacts on local traffic</u> it incorporates appropriate and measures <u>have been incorporated</u> to ensure road safety on site and in relation to the public highway. If introduced by South Kesteven District Council, Community Infrastructure Levy (CIL) will be used as contribution to highway	To provide clarity on how road safety measures will be assessed	Amend as recommended

	improvements and traffic calming initiatives as may be identified and agreed with the Highway Authority.		
Section 8: Supplementary Action Plans	Section 8 should become an Appendix	To make clear that these actions are not part of the Neighbourhood Plan	Amend as recommended
Appendix	Move the questions before the table summarising the relevant responses.	To resolve inconsistencies in formatting of the Appendix	Amend as recommended
Appendix	In the 4th table 'Visitor information re footpaths, views and village' should be in the same box as 'history on display boards'.	To resolve inconsistencies in formatting of the Appendix	Amend as recommended

REPORT TO CABINET

REPORT OF: Portfolio Holder – Grow the Economy

REPORT NO: SEG03

DATE: 21st May 2015

TITLE:	Modifications to, and arrangements for a Referendum about the Hough on the Hill Neighbourhood Plan	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Key Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Cllr Frances Cartwright Grow the Economy, Economic Development Portfolio Holder	
CONTACT OFFICER:	Rachel Armstrong Senior Planning Policy Officer r.armstrong@southkesteven.gov.uk 01476 406469	
INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	n/a	n/a
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	Hough on the Hill Neighbourhood Plan Submission version Examiner's Report on the Hough on the Hill Neighbourhood Plan http://www.southkesteven.gov.uk/index.aspx?articleid=7571 Cabinet Report PLA1091 13 th April 2015 http://moderngov.southkesteven.gov.uk/mgConvert2PDF.aspx?ID=3089&T=10	

1. RECOMMENDATION

1.1 That Council:

- a) accept the Examiner's recommended modifications in respect of the Hough on the Hill Neighbourhood Plan;
- b) agree with the Examiner's recommendation that the Hough on the Hill Neighbourhood Plan as modified by recommendation a) (above) should proceed to a referendum of voters within the Parish of Hough on the Hill;

- c) **and, following the referendum, if more than half of those voting in the referendum vote in favour of the Hough on the Hill Neighbourhood Plan, delegate the decision to bring the plan into force as part of the Development Plan to the Executive Manager for Development and Growth in consultation with the relevant Portfolio Holder.**

2. PURPOSE OF THE REPORT

- 2.1 To consider the recommendations of the Examiner following the examination of the Hough on the Hill Neighbourhood Plan and to make a decision on how to proceed.
- 2.2 The Cabinet considered a report on this matter on the 13th April 2015 (Report PLA1091) and recommended that the decision regarding taking the Hough on the Hill Neighbourhood Plan forward to referendum be made to Council.

3. DETAILS OF REPORT

- 3.1 The Hough on the Hill Neighbourhood Plan (the Plan) has been produced by Hough on the Hill Parish Council, in conjunction with the local community. The Plan primarily seeks to conserve and enhance the environmental assets, both natural and built, of the Parish. It contains 16 policies covering protecting/enhancing the character of natural/built environment, heritage (policies on conservation area/listed/unlisted buildings), affordable housing, rural diversification, renewable energy, recreation and accessibility and use of S106/CIL. The Plan also sets out design guidance. A Parish Landscape Character Assessment has been prepared to support the Plan. The Plan does not allocate sites for development but does designate an area as a Local Green Space.
- 3.2 The Examination version of the Hough on the Hill Neighbourhood Plan was submitted to the Council in August 2014. Following initial verification checks, a six week period of public consultation on the Plan was held between 3rd October and 14th November 2014. At the end of the consultation period 12 representations were received.
- 3.3 The Council, with the agreement of Hough on the Hill Parish Council, appointed Colin Blundel, BSc, MSc, DipTP, MRTPI as the Independent Examiner. All the representations received on the Examination version of the Plan were forwarded to him for consideration.
- 3.4 The Examiner decided that the issues raised in the representations did not require a public hearing to be held.
- 3.5 It is the role of the Examiner to consider whether a neighbourhood plan meets the Basic Conditions. In order to do this the Plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;

- Be in general conformity with the strategic policies of the development plan for the area; and
 - Be compatible with European Union obligations and, not breach, nor be in anyway incompatible with the European Convention on Human Rights.
- 3.6 The Examiner's report into the Plan was received on the 20th January 2015. It has been published on the website. In his report the Examiner recognises that the Plan has taken a balanced approach to meeting the economic, social and environmental needs of the area and has taken a long-term approach. By including the policies relating to the natural and built environment in particular, the examiner considers that if development is to take place in Hough on the Hill it is likely to be carried out in a sustainable manner. He considers the preparation of the Neighbourhood Plan has included an inclusive and comprehensive approach to seeking the opinions of all interested parties at all stages of the plan-making process. He also recognises that a lot of hard work has gone into preparing the Plan and the Parish Steering Group should be congratulated on pulling it together.
- 3.7 A schedule of the Examiner's recommendations is set out at Appendix 1. The main changes recommended by the Examiner (in order to meet the Basic Conditions) involve relatively minor changes to the wording of several policies and/or supporting text.
- 3.8 The Examiner also recommends to the Council that, subject to the modifications proposed, the Plan should proceed to a Referendum.
- 3.9 The legislation sets out that the Council must consider each of the recommendations made by the examiner, including the reasons for them, and decide what action to take in response to each recommendation (see Appendix 1).
- 3.10 Hough on the Hill Parish Council has given the Examiner's Report due consideration and agree the recommended amendments should be made to the Plan.
- 3.11 It is considered that the recommended modifications should be approved so as to ensure that the Plan meets the basic conditions and comprises a user-friendly document. The revised Plan should then proceed to Referendum in Hough on the Hill Parish to determine if local people support it.
- 3.12 The Examiner was also tasked with considering whether the Referendum Area should be extended beyond the designated Neighbourhood Area (the Parish area). He concludes that a Referendum based on the Hough on the Hill Neighbourhood Area is appropriate.

Next Steps

- 3.13 The Neighbourhood Planning (General) Regulations 2012 sets out that once the Council has considered the Examiner's report and recommendations, it has to publish a 'Decision Statement' on the Plan. This must set out the Council's decision on the Hough on the Hill Neighbourhood Plan and the reasons for making that decision. It is normal practice for the date of the Referendum to be

specified also. The suggested changes will then be made to the Plan ready for publication as one of the specified documents in respect of the Referendum.

- 3.14 The date for the Referendum is provisionally set for 2nd July 2015. Therefore the final version of the Plan and other relevant documents must be on the website at least 28 working days before that date. The Council will also need to ensure that the publication of 'notice of referendum' takes place at least 25 working days before the Referendum. The detailed requirements in respect of the referendum process are set out in the Neighbourhood Planning (Referendums) Regulations 2012 (as amended).
- 3.15 The Referendum will follow a similar format to an election. All those registered to vote within the Neighbourhood Area will be given the opportunity to be involved in the Referendum. Local residents will receive a ballot paper with the question (the wording of which is specified in the Regulations) 'Do you want South Kesteven District Council to use the neighbourhood plan for Hough on the Hill to help it decide planning applications in the neighbourhood area?' Residents will be given the opportunity to vote 'yes' or 'no'. If more than 50% of those voting in the referendum vote 'yes' then the Local Planning Authority is required to 'make' the plan (i.e. bring it into force). The 'making' of the Plan would normally be a decision of Full Council.
- 3.16 As a result of the current procedures and requirements for decision making on Neighbourhood Development Plans the proposed referendum date is some six months after receipt of the Examiner's report. To avoid any further delay in 'making' the Hough on the Hill Neighbourhood Plan it is proposed that, following a successful referendum, the decision to make the Hough on the Hill Neighbourhood Plan is delegated to the Executive Manager for Development and Growth in consultation with the Portfolio Holder (Grow the Economy). If the result of the Referendum is "no", then the District Council takes no further action and the Parish Council would have to decide what it wished to do – for example it may wish to re-draft the Plan.

4. OTHER OPTIONS CONSIDERED

- 4.1 To reject some or all of the Examiner's recommendations. This option is not considered appropriate as the proposed modifications will make the Plan more robust, enable it to meet the basic conditions and make it more user-friendly.
- 4.2 To decide not to proceed to referendum on the Neighbourhood Plan. Given that the Plan has managed to get through the examination process successfully, there is no reason why the Plan, including modifications, should not proceed to Referendum. This option is not considered appropriate.

5. RESOURCE IMPLICATIONS

- 5.1 The costs associated with the holding of the examination and arranging the referendum can be met from the direct financial support from the Department of Communities and Local Government (DCLG) for Neighbourhood Planning. This direct support is to ensure that local planning authorities receive sufficient funding to enable them to meet their legislative duties in respect of neighbourhood planning. These duties include provision of advice and

assistance; holding the examination; and making arrangements for the referendum. In relation to the Hough on the Hill Neighbourhood Plan claims of £5,000 on neighbourhood area designation and £5,000 on completion of the pre-submission consultation have already been claimed. An additional £20,000 can be claimed now that the Plan has progressed through the examination stage successfully.

5.2 It is estimated that the referendum will cost in the region of £1000.

6. RISK AND MITIGATION

6.1 Risk has been considered as part of this report and no high risks have been identified.

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 In preparing the Plan, the Parish Council has taken time to involve and inform as wide a range of individuals, households, businesses and interest/community groups as possible through a variety of means. This is set out in the Consultation Statement which accompanies the Plan.

7.2 Furthermore, in his report the Examiner concludes that the Plan is compatible with European Union obligations and does not breach, nor is in any way incompatible, with the European Convention on Human Rights.

8. CRIME AND DISORDER IMPLICATIONS

8.1 None arising out of this report.

9. COMMENTS OF FINANCIAL SERVICES

9.1 The report confirms that the Council can claim the costs associated with the recommendation actions can be reclaimed in full from the Central Government funding allocation.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 The Neighbourhood Plan, as proposed to be amended, is considered to meet the Basic Conditions which were set out in law following the Localism Act (see Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990) and this has been confirmed in the Examiner's Report. It is also considered to meet all the relevant legal and procedural requirements.

10.2 Should the Council decide to accept the recommendations of this report; a Decision Statement will be prepared and published on the website in accordance with the regulations, and preparations for a referendum in accordance with the Neighbourhood Planning Referendum Regulations will proceed.

11. APPENDICES:

11.1 Appendix 1: Examiner's recommendations and action proposed

Appendix 1 – Summary of Examiner’s Recommended Amendments to the Hough on the Hill Neighbourhood Plan

Policy or Section in Hough on the Hill Neighbourhood Plan	Examiner’s Recommended Amendment	Reason	Action to be Taken
Paragraph 16	Reference should be made to the Grade II* listed chapel at Brandon.	Accuracy	Amend as recommended
Paragraph 17	Reference should be to 'scheduled monuments' not 'scheduled ancient monuments' as per 1(11) Ancient Monuments and Archaeological Areas Act 1979. This convention should be applied throughout the Plan.	Consistency	Amend as recommended
First objective in paragraphs 55 and 102	Change wording to: Promoting sensitive development which protects and enriches the landscape and built setting of the Parish of the Parish and protects and enhances the built and historic environment of its settlements and their <u>setting</u> .	To clarify that the objective relates to the protection and enhancement of the built environment itself rather than just its setting	Amend as recommended
Policy HoH1	Amend Policy to read: New development for ‘appropriate uses’ (see paras 105 and 106 above), which are in accordance with the other policies of this plan, will be supported where it can be demonstrated that opportunities to enrich the landscape and built <u>environment setting</u> of the Parish <u>and its setting</u> have been incorporated. Locally important features and characteristics against which any development will be assessed are clearly defined in this Neighbourhood Plan and its evidence base and development which appropriately	To clarify Policy HoH1 refers to the protection and enhancement of the Parish itself rather than just its setting	Amend as recommended

	responds to these will be supported.		
Supporting text to Policy HoH4	Add the following wording: <u>There will be a presumption in favour of the retention of heritage assets and loss is a last-resort option in most cases. Any development would need to be consistent with paragraphs 126-41 of the NPPF, which include a requirement that complete or partial loss is equivalent to substantial harm and should only be permitted where there are substantial public benefits that outweigh that harm or loss.</u>	Additional explanation of Policy and consistency with NPPF	Amend as recommended
Policy HoH5	Amend Policy wording: New development will be supported where it would improve, restore or maintain the fabric of a listed building. Development which would have a negative or harmful impact on a listed building, <u>its curtilage</u> or its setting will not be supported unless a clear justification is presented that there would be substantial public benefits which would outweigh the loss or harm to the building.	Clarification	Amend as recommended
Policy HoH7	Amend Policy wording: Affordable housing will be supported within the villages where: <ul style="list-style-type: none"> • It meets a defined local need; • It is within the existing built-up or developed parts of the existing villages and settlements of the Parish; • <u>It is located within the built up part of the village. If no such sites are available consideration may be given to a site adjoining the village, provided that it is demonstrated that all other options have</u> 	To ensure the matters covered by the additional bullet points are fully considered in planning decisions	Amend as recommended

	<p><u>been considered.</u></p> <ul style="list-style-type: none"> • It is on a suitable, previously-developed site or, if no previously developed sites are available, it can be clearly demonstrated that • there are no other suitable sites available; • <u>It is small-scale, and on a site capable of accommodating only the amount of housing needed.</u> • <u>It avoids areas which are protected because they are important for wildlife, biodiversity, natural, cultural or historic assets.</u> • <u>It avoids sites which are at risk of flooding or which could increase the impact of flooding elsewhere.</u> • It has been designed in accordance with the Neighbourhood Plan Design Guidance; and • It is in accordance with the Character and Built Environment and Green Spaces polices of the Neighbourhood Plan. 		
Policy HoH16	<p>Amend Policy to read: All new development must provide necessary and appropriate <u>infrastructure and</u> new facilities on site or contribute to off-site <u>infrastructure and</u> facilities as required either by means of planning condition, s.106 or use of Community Infrastructure Levy (CIL) as appropriate. If a CIL approach is not adopted by South Kesteven District Council, necessary facilities and infrastructure will be secured by negotiation on a case by case basis.</p>	Clarification	Amend as recommended

REPORT TO COUNCIL

**REPORT OF: CHAIRMAN OF THE CONSTITUTION COMMITTEE –
COUNCILLOR RAY WOOTTEN**

REPORT NO: LDS150

DATE: 21 MAY 2015

TITLE:	Recommendations from the Constitution Committee - 23rd March 2015	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Council Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:		
CONTACT OFFICER:	Lucy Youles – Executive Manager, Corporate E-mail: l.youles@southkesteven.gov Telephone: 01476 406105	
INITIAL IMPACT ANALYSIS:	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 Constitution Committee Agenda – 23.3.15	

1. RECOMMENDATIONS

It is recommended that Council approves the recommendations made by the Constitution Committee at its meeting on the 23 March 2015 as detailed in the minutes of the meeting of the Constitution Committee as follows:

- 1.1 At page 105 of the Constitution relating to the delegations to the Executive Manager, Development and Growth, the delegation as follows is added:

Neighbourhood Planning

In relation to Neighbourhood Planning, decisions in respect of action to be taken in response to recommendations included within the Examiner's Report and whether to modify the Plan or Referendum Area prior to submitting it for referendum will be delegated to the Executive Manager for Development and Growth after consultation with the Portfolio Holder (Grow the Economy) and the relevant local Ward member(s).

1.2 At Article 15.17 Local Choice Functions add:

19. Approval of Neighbourhood Development Plan following a referendum result where more than half of those voting are in favour of the proposal - delegated to the Portfolio Holder (Grow the Economy)

2. PURPOSE OF THE REPORT

The purpose of this report is to detail the recommendations made by the Constitution Committee to amend the Constitution at its meeting on the 23 March 2015 to Council for approval. The reports made to the Constitution Committee are included as a link to background papers and the minutes of the Constitution Committee meeting of the 23 March 2015 are attached to this report as an Appendix for information.

3. DETAILS OF REPORT

- 3.1 The details of the recommendations and the reasons for the recommendation are given in the minutes of the Constitution Committee meeting attached to this report.
- 3.2 The recommendations at paragraph 1.1 and 1.2 above require delegation relating to the approval of neighbourhood plans to be submitted for referendum and approval following a majority vote in favour of acceptance of the neighbourhood plan.

4. OTHER OPTIONS CONSIDERED

No other options are proposed.

5. RESOURCE IMPLICATIONS

There are no resource implications relating to the recommendation.

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
No high risks were identified	

7. 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

There are no financial implications resulting from this report.

11. COMMENTS OF LEGAL AND DEMOCARATIC SERVICES

The proposed amendments are required to ensure the Council is able to carry out its functions efficiently in relation to the approval of neighbourhood plans.

12. COMMENTS OF OTHER RELEVANT SERVICE MANAGERS

None relevant

13. APPENDIX:

Minutes of the Constitution Committee held on the 23rd March 2015

MINUTES

CONSTITUTION COMMITTEE
MONDAY, 23 MARCH 2015



COMMITTEE MEMBERS PRESENT

Councillor Nick Craft
Councillor Vic Kerr

Councillor Alan Parkin (Vice-Chairman)
Councillor Raymond Wooten (Chairman)

OFFICERS

Executive Manager Corporate (Lucy Youles)
Executive Manager Development & Growth (Paul Thomas)
Business Manager Spatial and Economic Growth (Roger Ranson)
Democratic Officer (Lucy Bonshor)
Democratic Apprentice (Joe Pearson)

62. MEMBERSHIP

The Committee were notified that Councillor Craft was substituting for Councillor Auger for this meeting only.

63. APOLOGIES

An apology for absence was received from Councillor Shorrock.

64. DISCLOSURE OF INTERESTS

None disclosed.

65. MINUTES OF THE MEETING HELD ON 9TH FEBRUARY 2015

The minutes of the meeting held on 9th February were agreed as a correct record.

66. AMENDMENTS TO THE CONSTITUTION

Decision:

The Constitution Committee recommends to Council the following amendments to the Constitution in relation to Neighbourhood Planning:

Your council working for you

- i) Decisions in respect of action to be taken in response to recommendations included within the Examiner's Report and whether to modify the Plan or Referendum Area prior to submitting it for referendum will be delegated to the Executive Manager for Development and Growth after consultation with the Portfolio Holder (Grow the Economy) and the relevant local Ward member(s).*
- ii) The decision to bring into force the Neighbourhood Development Plan as part of the Development Plan, following a referendum result where more than half of those voting are in favour of the proposal should be delegated to the Portfolio Holder for Grow the Economy as a Non Key Decision.*

Members had before them report PLA1092 which concerned amendments to the Constitution in how Neighbourhood Development Plans were dealt with. The current procedure required by the Function Regulations required full Council to decide whether to take a Neighbourhood Development Plan to referendum. The proposed amendments to the Constitution would speed up the process of approving Neighbourhood Development Plans following the Examiners Report.

A Neighbourhood Development Plan (NDP) sets out policies for the development and use of land in a particular area. If a NDP had successfully passed all stages of preparation including an examination and referendum the Local Planning Authority must adopt it as part of the Development Plan for the area. A Neighbourhood Development Orders (NDO) grants planning permission for specific types of development within a specified area or a site specific development. These must also be subject to examination and referendum.

The report then detailed the current process. In September 2012 a constitution change was approved at Council delegating authority for the stages leading up to the appointment of a person to carry our examination of a NDP or NDO to the Head of Development and Growth in discussion with the relevant Portfolio Holder and local ward member(s). The exception to the delegation was in respect of action to be taken in response to an examiner's report and whether to modify the Plan before submitting it for referendum and the bringing into force of the NDP as part of the Development Plan, this was the responsibility Council.

Currently two Parish Councils had prepared NDP which had been examined. The Examiner for each plan had recommended that subject to minor changes the plans be taken to Referendum. The Examiners submitted the reports in January 2015. In order to proceed to Referendum the Parishes must wait until the next Council meeting which due to the election will not happen until May 2015 and therefore the Referendum will not take place until July. Both Parishes had expressed their concern about the length of time that it had taken. In order to speed the process up the report recommended that decisions in respect of action to be taken in response to recommendations included within the Examiner's Report and whether to modify the Plan or Referendum Area prior to submitting it for referendum to be delegated to the Executive Manager

for Development and Growth after consultation with the Portfolio Holder (Grow the Economy) and the relevant local Ward member(s) and also decisions to bring into force the Neighbourhood Development Plan as part of the Development Plan, following a referendum result where more than half of those voting are in favour of the proposal to be delegated to the Portfolio Holder for Grow the Economy as a Non Key Decision.

Members asked questions about the cost to the authority and how many areas had been designated. The Business Manager Spatial and Economic Growth replied that £5,000 could be claimed back and it was not expected that this figure would be exceeded and currently there were nine designated areas.

One Member who had attended at Hough on the Hill Parish Council meeting the previous week reiterated the concerns of the Parish about the length of time it was taking. It had been suggested that the referendum was run alongside the elections in May however; due to the Parliamentary configuration of the District this was not a viable option.

Members were in favour of the changes to the delegation to speed the process up and each of the proposed recommendations were taken in turn. Each one was proposed, seconded and agreed to be recommended to Council.

67. AGENDA ITEMS

Following the Council meeting in March and a comment that had been made by a Member about getting items on agendas the Executive Manager Corporate had submitted a report for information to the Constitution Committee detailing the process for each of the Council's Committees, Policy Development Groups, Cabinet and Council, this included the Scrutiny Committee, the Governance and Audit Committee and Regulatory Committees. All the provisions were set out within the Constitution.

A short discussion followed by Members on how the Constitution would be accessed following the elections. The Executive Manager Corporate informed the Committee that by law each Member had to receive a hard copy of the Constitution, however updates following that would be able to be accessed electronically.

The Chairman thanked those who had attended and wished those Members well who would not be standing again at the elections in May.

68. CLOSE OF MEETING

The meeting closed at 10.49am.