

Council



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Thursday, 30 September 2021 at 1.00 pm
Meres Leisure Centre, Trent Road, Grantham, NG31 7XQ

Members: Councillor Breda-Rae Griffin, Chairman of the Council (Chairman)
Councillor Ian Stokes, Vice-Chairman of the Council (Vice-Chairman)

Councillor Bob Adams
Councillor Harrish Bisnauthsing
Councillor Phil Dilks
Councillor Kelham Cooke
Councillor John Dawson
Councillor Jan Hansen
Councillor Mrs Rosemary Kaberry-Brown
Councillor Philip Knowles
Councillor Annie Mason
Councillor Charmaine Morgan
Councillor Nick Robins
Councillor Ian Selby
Councillor Mrs Judy Smith
Councillor Jill Thomas

Councillor Dean Ward
Councillor Amanda Wheeler
Councillor Paul Wood
Councillor Ray Wootten

Councillor Ashley Baxter
Councillor Mrs Pam Bosworth
Councillor George Chivers
Councillor John Cottier
Councillor Barry Dobson
Councillor Graham Jeal
Councillor Anna Kelly

Councillor Matthew Lee
Councillor Penny Milnes
Councillor Dr Peter Moseley
Councillor Penny Robins
Councillor Adam Stokes
Councillor Lee Steptoe
Councillor Rosemary Trollope-Bellew
Councillor Hannah Westropp
Councillor Mark Whittington
Councillor Sue Woolley

Councillor David Bellamy
Councillor Robert Broughton
Councillor Louise Clack
Councillor Helen Crawford
Councillor Paul Fellows
Councillor Gloria Johnson
Councillor Ms Jane Kingman

Councillor Nikki Manterfield
Councillor Virginia Moran
Councillor Robert Reid
Councillor Susan Sandall
Councillor Jacky Smith
Councillor Judy Stevens
Councillor Sarah Trotter

Councillor Hilary Westropp
Councillor Jane Wood
Councillor Linda Wootten

Agenda

1. Public Open Forum

The public open forum will commence at **1.00 p.m.** and the following formal business of the Council will commence at **1.30 p.m.** or whenever the public open forum ends, if earlier.

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☎ 01476 406080

Karen Bradford, Chief Executive

www.southkesteven.gov.uk

- 2. Apologies for absence**
- 3. Disclosure of Interests**
Members are asked to disclose any interests in matters for consideration at the meeting.
- 4. Communications (including Chairman's Announcements)** (Page 5)
- 5. Minutes of the meeting held on 15 July 2021** (Pages 7 - 15)
- 6. Minutes of the extraordinary meeting held on 2 September 2021** (Pages 17 - 22)
- 7. Designation of Monitoring Officer** (Pages 23 - 25)
To consider the designation of the Council's Monitoring Officer.
- 8. Members' Open Questions**
A 45-minute period in which members may ask questions of the Leader, Cabinet Members, the Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees and opposition group leaders excluding the Chairman and Vice-Chairman of the Planning Committee, Licensing and Alcohol, Entertainment and Late Night Refreshment Licensing Committees and Governance and Audit Committee.
- 9. Membership of Committees**
To appoint Conservative Group Councillors to fill a vacant seat on the following Committees:
- Constitution Committee
 - Planning Committee
 - Rural Overview and Scrutiny Committee
- 10. Review of the Council's Constitution** (Pages 27 - 33)
To consider a proposed process for undertaking and implementing a comprehensive review of the Council's Constitution.
- 11. Notices of Motion given under Article 4.9 of the Council's Constitution:**
- a) Councillor Graham Jeal**
"That the Council approves the commencement of a Community Governance Review in relation to the establishment of a Town Council for Grantham".
- b) Councillor Charmaine Morgan**
"This Council believes that healthy high streets are essential for community cohesion, civic pride, employment, shopping, services and leisure. But many shops and businesses were struggling even before the Covid pandemic: high street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics and more than half of all UK consumers were shopping online before the pandemic.
- This Council notes that retail is among the sectors most affected by the coronavirus pandemic and retail workers have been on the frontline of the crisis throughout. The almost complete shutdown of non-essential shops between March and June 2020 has hit businesses hard, and the need for social distancing has changed the way many businesses operate, reducing

footfall. The pandemic has accelerated what, in many cases, has been a longer trend of lower footfall and changing shopping habits. As the Portas Review a decade ago acknowledged, the form and function of many high streets needs to radically change if they are to adapt and survive. This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on “bricks and mortar” businesses compared to online ones, and the Business Rate system needs radical overhaul.

This Council resolves to:

- Write to the Government to urge them to undertake an urgent review of business rates in order to support high street businesses recover from the pandemic and level the playing field between online and high street businesses, to make it fair and sustainable for all.
- Sign up to the Co-operative Party’s Unlock the High Street Campaign and explore what local action can be taken to revive our high streets now whilst business rates are reviewed.
- Sign South Kesteven District Council up to the Co-operative Party’s campaign to devolve the Towns Fund, Levelling Up Fund, UK Shared Prosperity Fund and other national funding pots, to give local communities, councils and regions the ultimate say in how it is spend in their area.
- Explore the creation of Community Improvement Districts to reconnect communities with the levers that drive economic development in town centres and create an equal partnership of business and community organisations to galvanise action at a local level.
- Make any data held by the council on ownership of high street properties public and in an accessible format, so that community groups seeking to buy empty shops through a community share offer have the information they need to do so.
- Make full use of S215 planning enforcement powers where empty units are attracting antisocial behaviour or creating an eyesore on the high street.
- Proactively contact landlords of vacant premises (and work with Chambers of Commerce, Landlord Associations and BID managers) to explore meanwhile use options and/or encourage alternative rental models (e.g. turnover rather than market rent) to enable new cooperatives, SMEs, social enterprises and community businesses to open their doors on the high street.”

c) Councillor Ashley Baxter

“Public Consultation regarding Planning Service Review and Action Plan

The Council has paid over £40,000 to a private consultancy (Cratus) to undertake a review of the SKDC Planning Service. The review has been presented to the Governance and Audit Committee and Planning Committees and contains 29 recommendations. It is said to recognise the importance of planning as a critical component in supporting economic growth and unlocking future prosperity of local communities.

The Planning Service Review has received a mixed and luke-warm response from Councillors. If implemented via constitutional and other procedural amendments, it will have a massive impact on the way in which planning applications are dealt with by the Council including a significant change in the level of involvement and influence that Councillors can have.

Recommendation

The Council instructs the relevant Cabinet Member co-ordinate a public consultation or residents and stakeholders before any further decision on Cratus is taken to Constitution Committee, Cabinet or Council.”

d) Councillor Phil Dilks

“The Deepings Leisure Centre

This Council welcomes the recent frank admission by the Leader that decades of failure have led to The Deepings currently having an unusable Leisure Centre.

Council resolves to launch an urgent independent inquiry to investigate all aspects of what led to the current situation including:

- Why proper maintenance was not carried out year-on-year
- Why the Deepings Leisure Centre lease was never signed
- Why County Council funding of £124,000 a year to support Deeping Leisure Centre was withdrawn in 2014 unlike similar funding for the North Kesteven Council facility at North Hykeham which was continued to be paid by LCC
- Why no site for the long-promised replacement Deepings Leisure Centre has been agreed
- To establish whether funding for a new-build Deepings Leisure Centre was ever available”

List of Chairman's Engagements

16 July 2021 – 29 September 2021

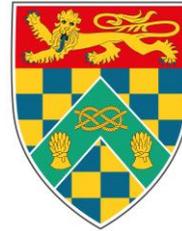
**The following events were undertaken and
complied with the appropriate social distancing restrictions.**

Date	Ref	Organisation and Event	Location
Where applicable social distancing took place. Due to COVID-19, invitations to the Flag Raisings were restricted.			
Friday 23.07.21	BG0038	HM Lord-Lieutenant for Lincolnshire Summer Reception	Doddington Hall, Lincoln, LN6 4RU.
Thursday 29.07.21	BG0043	Mayor of Grantham's Coffee Morning	Mayor's Parlour. Grantham.
Saturday 31.07.21	BG0042	Grantham Carnival	Wyndham Park, Grantham.
Sunday 01.08.21		Grantham Carnival and NHS Reception	Wyndham Park, Grantham.
Thursday 26.08.21	BG0060	Mayor of Grantham's Coffee Morning	Mayor's Parlour, Grantham.
Monday 30.08.21	BG0052	Stamford Diversity Festival	Stamford Recreation Ground, Stamford.
Friday 03.09.21	BG0022	Fly the Red Ensign for the Merchant Navy Flag Raising	Civic Entrance, Council Offices, Grantham.
Saturday 04.09.21	BG0044	Rushden Town Council – Proms in the Park	Walled Garden, Hall Park, Rushden.
Thursday 09.09.21	BG0023	Emergency Services Flag Raising	Civic Entrance, Council Offices, Grantham.
Sunday 12.09.21	BG0051	Service of Commemoration to celebrate the 500 th Anniversary of the birth of William Cecil	St Martin's Church, Stamford.
Wednesday 15.09.21	BG0050	Battle of Britain Flag Raising	Civic Entrance, Council Offices, Grantham.
Friday 17.09.21	BG0041	HM Lord Lieutenant of Lincolnshire Reception and Dinner	Hemswell Court, Gainsborough.
Sunday 19.09.21	BG0045	Battle of Britain Service and Freedom Parade	Stamford Town Hall, Stamford.
Tuesday 21.09.21	BG0054	Official Opening of the Heritage Orchard	Wyndham Park, Grantham.
Sunday 26.09.21	BG0058	Centenary of 2nd Grantham (St. Wulfram's) Scout Group	St Wulfram's Church, Grantham.

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MINUTES

**FULL COUNCIL
THURSDAY, 15 JULY 2021
1.00 PM**



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

**THE MERES LEISURE CENTRE, TRENT
ROAD, GRANTHAM, NG31 7XQ**

PRESENT

Councillor Breda-Rae Griffin (Chairman)
Councillor Ian Stokes (Vice-Chairman)

Councillor Bob Adams	Councillor Nick Robins
Councillor Ashley Baxter	Councillor Penny Robins
Councillor Harrish Bisnauthsing	Councillor Susan Sandall
Councillor Mrs Pam Bosworth	Councillor Ian Selby
Councillor Robert Broughton	Councillor Adam Stokes
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Councillor Nikki Manterfield	Councillor Amanda Wheeler
Councillor Annie Mason	Councillor Mark Whittington
Councillor Penny Milnes	Councillor Jane Wood
Councillor Virginia Moran	Councillor Paul Wood
Councillor Charmaine Morgan	Councillor Linda Wootten
Councillor Dr Peter Moseley	Councillor Ray Wootten
Councillor Robert Reid	

OFFICERS

Karen Bradford (Chief Executive)
Alan Robinson (Deputy Chief Executive)
Gary Smith (Strategic Director, Commercial and Operations)
Nicola McCoy-Brown (Director for Growth and Culture)
Andrew Cotton (Director for Housing and Property)
Richard Wyles (Interim Director of Finance (s151 Officer))
Ken Lyon (Assistant Chief Executive)
Graham Watts (Head of Democratic Services (Deputy Monitoring Officer))
Shelley Thirkell (Acting Principal Democratic Officer)
Anita Eckersley (Civic and Member Services Officer)

Sam Selby (Cabinet and Member Development Assistant)
Louise Field (Executive Assistant to the Leader of the Council)
Alice Atkins (Local Government Association Graduate Trainee)

14. Public Open Forum

No questions or statements were received.

15. Apologies for absence

Apologies for absence were received from Councillors David Bellamy, George Chivers, John Dawson, Mike Exton, Paul Fellows, Helen Goral, Gloria Johnson Rosemary Kaberry-Brown, Anna Kelly, Jane Kingman and Sue Woolley.

A member queried why the minutes of the most recent Cabinet Meeting had not been included in the agenda. It was confirmed that this practice was not a requirement set out within the Council's Constitution and had therefore not been included since December 2020. Members noted that all minutes were available to view on the SKDC Website.

16. Disclosure of Interests

There were none.

17. Minutes of the Annual Meeting held 20 May 2021

The minutes of the meeting held 20 May 2021 were proposed, seconded and **AGREED** as a correct record.

18. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements.

The Chairman welcomed the newly appointed Director for Growth and Culture, Nicola McCoy-Brown, and Head of Democratic Services, Graham Watts, to their first meetings of Council.

19. Removal of allocation and use of named substitutes

Members received a report from the Cabinet Member for Corporate Governance on the removal of the allocation and use of named substitutes to enable political groups greater flexibility in being represented on the Council's Committees. The recommendations contained within the report were proposed and seconded.

The following amendment was proposed:

“That Council approves the proposal to allow substitutes for Committees on a cross-party basis for a trial period of 12 months. The approval of the substitution to be at the discretion of the Group Leader or the group requiring substitution.”

The amendment was seconded and a recent example was cited of a Planning Committee meeting where only five Members had been present. It was expressed that the amendment would allow for greater representation and should not be a politically charged issue.

The Head of Democratic Services and Deputy Monitoring Officer advised that there was no provision that could be applied legally to allow for the system of ad-hoc cross-party substitutions proposed by the amendment. He added that any decisions taken by committees whose membership was established in such a way could be open to legal challenge. The amendment was withdrawn.

An amendment was proposed which called for the issue of cross-party substitutions to be referred to the Constitution Committee for further consideration. The amendment was seconded and following a vote, the amendment was lost.

Having been proposed and seconded, the recommendation contained within the report was voted upon.

DECISION:

That the proposal to remove the allocation and use of named substitutes for Committees, and the rescindment of named substitutes made at the meeting of Council on 20 May 2021, be approved.

20. Members' Open Questions

Question 1 – Councillor Charmaine Morgan to The Leader of the Council

Councillor Morgan noted the upcoming relaxation of Covid-19 restrictions on 19 July 2021, as set out by the Government and asked how Council leadership would be protecting staff and service users following this.

The Leader of the Council advised that although some staff had returned to working in the offices, Council guidance would remain that staff should work from home where possible. Covid-19 safety measures, such as social distancing, mask wearing and sanitising of surfaces, would remain in place.

The Leader confirmed that a protocol would be sent out and would also be available online, outlining how the Council would be operating. At the present time, in the context of rising Covid-19 cases across the Country, it was of great importance to conduct business as safely as possible.

Question 2 – Councillor Ashley Baxter to The Deputy Leader of the Council

Councillor Baxter noted that The Deputy Leader of the Council had recently sent a communication to residents of The Deepings explaining that the funds and land had been agreed for a new leisure centre. Clarification was sought regarding the authorisation of those funds and if the use of the land had been agreed by both the County Council and the Deepings Forum.

The Deputy Leader of the Council confirmed that discussions regarding the leisure centre were ongoing and that there was no further information at present.

Question 3 – Councillor Phil Dilks to The Deputy Leader of the Council

Councillor Dilks enquired as to when the new leisure centre in The Deepings would be opening.

The Deputy Leader of the Council advised that work regarding the leisure centre was ongoing and that an update would be brought to the Council later in the year.

Question 4 – Councillor Amanda Wheeler to The Cabinet Member for Planning and Planning Policy

Councillor Wheeler asked a question about the development on Stamford quarry site. Councillor Wheeler queried residents of Rutland would be accessing the area, however, SKDC would not benefit from their Council Tax payments.

The Cabinet Member for Planning and Planning Policy stated that he would be happy to meet with Councillor Wheeler and discuss any concerns outside of the meeting.

Question 5 – Councillor Penny Milnes to The Leader of the Council

Councillor Milnes referred to a letter all Members had received from the Shadow Secretary of State for Communities and Local Government. A concern was raised relating to the proposal to remove the rights of local residents to reject individual planning applications in their area.

The Leader agreed that the proposals needed to be considered but advised that they would ensure more engagement in local democracy, rather than less.

Question 6 – Councillor Penny Robins to The Cabinet Member for Commercial and Operations

Councillor Robins enquired as to why the number of gardens had reduced, yet annual costs had risen by 130%. Would The Cabinet Member for Commercial and Operations explain the rise in costs?

The Cabinet Member for Commercial and Operations advised that the Housing Revenue Account covered the gardens for Council properties. The pricing had been

based on the market rate; the work was labour-intensive. He stated that differentials would be presented at the next Rural Overview and Scrutiny Committee and that every explanation would be provided in time.

Question 7 – Councillor Paul Wood to The Cabinet Member for Commercial and Operations

Councillor Wood asked if there were any plans to upgrade the Council's street lighting, as most of the streetlights were not LED. Councillor Wood referred to the fact that Lincolnshire County Council had upgraded many of their streetlights and asserted that it was essential that the Council follow suit as LED lighting provided better value in the long term.

The Cabinet Member for Commercial and Operations expressed his delight that a contract had been authorised for LED streetlighting upgrades to commence across the District. This would involve a rolling programme taking place over seven years and would provide greater reduction in energy use. It also confirmed that the Council would be phasing out sodium lights that were still part of existing maintenance contracts.

Question 8 – Councillor Harrish Bisnauthsing to The Deputy Leader of the Council

Councillor Bisnauthsing noted that it been over two years since information had been sent across Stamford regarding the opening of a new leisure centre. It was requested that The Deputy Leader of the Council set out a schedule for when the new leisure centre.

The Deputy Leader of the Council stated that due to ongoing discussions, a schedule was not able to be provided.

Question 9 – Councillor Ian Selby to the Leader of the Council

Councillor Selby noted that the 2020 The UEFA European Championship had given much pleasure to people living across the District. In response to this he asked whether the the Leader would offer his congratulations to the England Football Team and also condemn the racist abuse which some of the team had experienced. It was suggested that this could be done via a letter sent to the England Manager, Gareth Southgate.

The Leader confirmed that he would send a letter to Gareth Southgate, England Manager, to both congratulate the England Team as well as condemn the racism which some of the team had endured.

Question 10 – Councillor Ray Wootten to The Cabinet Member for People and Safer Communities

Councillor Wootten requested an update be provided on the SK Community Awards.

The Cabinet Member for People and Safer Communities noted that the SK Community Awards had first launched on the first of June and that the closing date was on Sunday 18 June 2021. During that time, 108 nominations had been received from across the District. The winners were to be announced later in the year.

Question 11 – Councillor Mark Whittington to The Cabinet Member for Commercial and Operations

Councillor Whittington enquired as to whether there would be an update on issue of fly tipping across the District.

The Cabinet Member for Commercial and Operations noted that fly tipping incidences had decreased and hoped that would remain the case. The Cabinet Member for Commercial and Operations noted that he was encouraged that this matter had been widely discussed during Lincolnshire Waste Partnership meetings.

Question 12 – Councillor Lee Steptoe to The Cabinet Member for Housing and Property

Councillor Steptoe thanked the recently appointed Director for Housing and Property, stating that he had been constructive and honest about concerns around housing issues in the Grantham Earlesfield Ward.

Councillor Steptoe raised a concern that over 1,500 people were currently on the waiting list to be provided with a Council House. He referred to the introduction of a Choice Based Letting Scheme, which had recently been agreed by Cabinet. It was requested that The Cabinet Member for Housing and Property explain the concept of the Choice Based Letting System to The Council.

The Cabinet Member for Housing and Property responded by explaining the Choice Based Lettings Scheme, stating that the purpose of introducing such a scheme was to improve how newly available social housing properties in the District were allocated. The Cabinet Member for Housing Property noted that a move to this scheme would not alleviate housing pressures but would allow for greater choice and better suitability for service users.

Question 13 – Councillor Helen Crawford to The Council

Councillor Crawford, with the Chairman's permission, expressed disappointment that only five Members of The Council out of a possible 56 had attended a recent training session on Modern Slavery. Councillor Crawford stated that it was important that everyone attend these training sessions, especially when on such crucial issues.

21. Notices of Motion given under Article 4.9 of the Council's Constitution:

22. Councillor Annie Mason, Cabinet Member for People and Safer Communities

It was proposed and seconded that the Council put the Mental Wellbeing of residents, staff, and elected members at the forefront of its agenda by signing the Mental Health Challenge for Local Authorities, as set out in the Notice of Motion.

The Cabinet Member for People and Safer Communities provided a background to the reasons of her motion, citing poor mental health across the District and the importance of addressing this.

Councillors who had undertaken roles within the Mental Health Working Party shared their personal experiences of witnessing poor mental health and stressed the importance of the work they had been involved in.

One Member wished to draw attention to the causes of poor mental wellbeing, referring to issues such as poverty, poor housing, and lack of access to paid work. One Member commented that mental wellbeing began with how Councillors conducted themselves in the chamber, on social media and in meetings.

On being put to the vote, it was **AGREED:**

That the Council believed:

- As a local authority, it had a crucial role to play in improving the mental wellbeing for everyone in the community.
- Mental wellbeing should be a priority across all the Authority's areas of responsibility, including, housing, community safety, engagement, planning and leisure.
- All elected members in the community and in casework roles, could play a positive role in championing mental wellbeing on an individual and strategic basis.

That the Council resolved to:

- Sign up to the Mental Health Challenge for Local Authorities.
- Appoint an elected member as the Council's 'Mental Health Champion'.
- Identify a member of staff within the Council to act as 'Lead Officer' for mental health and wellbeing.
- Form a working party made up of cross-party members and officers to meet every 8 weeks, and that all members and officers, would take a lead role and ownership of activity.

That the Council would also:

- Support positive mental wellbeing in the community, including neighbourhoods and workplaces.
- Support positive mental wellbeing within its own workforce and elected members.
- Consider mental wellbeing in decision making and policy.
- Work with local partners including Lincolnshire County Council and the Voluntary Sector.
- Engage with Lincolnshire County Council strategy and activity and the Joint Health & Wellbeing Board for Lincolnshire.

The Council noted that:

- The Joint Health and Wellbeing Board for Lincolnshire played an active role in the health and wellbeing of the District and it was vital that as the Council moved forward that any activities, projects or interventions promoted locally were mindful of the Lincolnshire Health and Wellbeing Strategy and Joint Strategic Needs Assessment and complemented the work of the Council's County partners.
- Mental Health issues for Adults and Children are within the remit of Health partners.
- The Authority's role within the challenge would specifically focus on mental wellbeing and wellness.

23. Councillor Louise Clack

It was proposed and seconded that the Council resolved to ban outright the giving of live animals as prizes, in any form, on South Kesteven District land and wrote to the UK Government, urging an outright ban on the giving of live animals as prizes on both public and private land, as set out in the Notice of Motion.

The proposer of the motion provided a background to the reasons for her motion, stressing that although the Authority did not have the power to change central legislation, it had the power to ban the practice within the District and send a message that animal welfare was an issue of concern for South Kesteven District Council.

The giving away of goldfish as prizes was debated, reference was made to the point that goldfish were bred by specialist suppliers, under a strict code, with fines enforced should these rules be breached. One Member argued that showmen were honourable people and had the blessing of the RSPCA with regards to animal welfare. Other Members argued that current legislation was outdated, and any form of animal welfare abuse should be legislated against.

On being put to a free vote, it was **AGREED:**

That the Council:

- Was concerned about the number of cases reported to the RSPCA each year, regarding animals given as prizes via fairgrounds, social media and other channels in the UK – and noted the issue predominantly concerns goldfish.
- Was concerned for the welfare of those animals that are being given as prizes.
- Recognised that many cases of animals being given as prizes may go unreported each year.
- Supported a move to ban the giving of live animals as prizes, in any form, on South Kesteven District Council owned land.

The Council resolved to:

- Ban outright the giving of live animals as prizes, in any form, on South Kesteven District land.
- Write to the UK Government, urging an outright ban on the giving of live animals as prizes on both public and private land – Councillor Louise Clack to action this.

24. Close of meeting

The Chairman closed the meeting at 15:29.

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MINUTES

Council

(Extraordinary Meeting)



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 2 September 2021,
1:00pm

Meres Leisure Centre, Trent Road,
Grantham NG31 7ZQ

PRESENT

Councillor Breda-Rae Griffin (Chairman)
Councillor Ian Stokes (Vice Chairman)

Councillor Ashley Baxter	Councillor Virginia Moran
Councillor Harrish Bisnauthsing	Councillor Charmaine Morgan
Councillor Mrs Pam Bosworth	Councillor Robert Reid
Councillor Robert Broughton	Councillor Nick Robins
Councillor George Chivers	Councillor Penny Robins
Councillor Louise Clack	Councillor Susan Sandall
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Councillor Barry Dobson	Councillor Jill Thomas
Councillor Graham Jeal	Councillor Rosemary Trollope-Bellew
Councillor Gloria Johnson	Councillor Hilary Westropp
Councillor Mrs Rosemary Kaberry-Brown	Councillor Amanda Wheeler
Councillor Anna Kelly	Councillor Mark Whittington
Councillor Philip Knowles	Councillor Jane Wood
Councillor Matthew Lee	Councillor Paul Wood
Councillor Annie Mason	Councillor Linda Wootten
Councillor Penny Milnes	Councillor Ray Wootten

OFFICERS IN ATTENDANCE

Karen Bradford (Chief Executive)
Alan Robinson (Deputy Chief Executive)
Nicola McCoy-Brown (Director for Growth and Culture)
Andrew Cotton (Director for Housing and Property)
Richard Wyles (Interim Director of Finance (s151 Officer))
Ken Lyon (Assistant Chief Executive)
Karen Whitfield (Head of Leisure)
Anita Eckersley (Civic and Member Services Officer)
Sam Selby (Cabinet and Member Development Officer)
Vicky Gisby (Executive Assistant to the Chief Executive)
Louise Field (Executive Assistant to the Leader of the Council)
Alice Atkins (Local Government Association Graduate)

Prior to the commencement of the meeting a Member queried why the Chairman had not used her discretion to allow public speaking.

The Deputy Chief Executive confirmed that there was no provision within the Council's Constitution for public speakers at an Extraordinary Meeting of Full Council. It was noted that public speakers had been permitted to speak at the Extraordinary Cabinet meeting and that elected Councillors were able to speak on behalf of their constituents.

25. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Bob Adams, David Bellamy, John Cottier, Paul Fellows, Helen Goral, Jan Hansen, Ms Jane Kingman, Nikki Manterfield, Dr Peter Moseley, Ian Selby, Lee Steptoe, Sarah Trotter, Dean Ward, Hannah Westropp and Sue Woolley.

26. Disclosure of Interests

No interests were disclosed.

Councillor Ashley Baxter requested that it was recorded that he had family members who regularly attended Deepings Leisure Centre.

27. Deepings Leisure Centre

Members received a report from the Cabinet Member for Leisure on the proposed cessation of the management and operation of the Deepings Leisure Centre.

On 29 July 2021, in consideration of the health and safety risk to the public and staff, the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Leisure, took the decision to temporarily close the Deepings Leisure Centre, using the emergency powers available under Article 16 of the Constitution.

A report on the future of the Leisure Centre had been considered and discussed at a previous Extraordinary Meeting of the Cabinet, held on 17 August 2021, but any decision making had been deferred to an extraordinary meeting of full Council.

The Leader stated that the Deepings Leisure Centre was of great importance to the residents of the Deepings and the Council. Any decision regarding the Leisure Centre would be weighted by finances and the Council remained committed to its ambition of developing a new leisure centre in the Deepings. It was noted that Members had been given an opportunity to tour the leisure centre and that the Council had continued to engage with its advisors to assess the situation comprehensively.

The Leader of the Council made an alternative proposal to those recommended in the report, which he conveyed to Members verbally. The proposals were seconded and Members entered in to debate:

- A Member commented on the use of the word 'endorsed' in the second paragraph of the Report. It was noted that Cabinet had considered the report,

which recommended that South Kesteven District Council ceased the management and operation of the Deepings Leisure Centre, but they had not endorsed the recommendations.

The Deputy Chief Executive agreed that this was not an accurate representation of what had occurred at the Cabinet Meeting and noted that the word 'endorsed' would be removed from the report.

- A query was raised as to why Members had not been provided with the minutes from the previous Cabinet Meeting.

It was confirmed that the minutes from the previous Cabinet Meeting had been published online and that access to a live stream of the meeting was also available on the Council's YouTube channel.

- Queries were raised regarding a previous election pledge to build a new leisure centre in the Deepings.
- Action should be taken immediately to provide a leisure centre for Deeping's residents.
- Speeches were read out on behalf of a number of members of the public. Comments were expressed about how the community had come together to oppose the permanent closure of the Leisure Centre. Reference was also made to the accountability the Council had to its residents.
- Discussion took place on the current situation and how the Council should be developing a comprehensive plan of support for leisure provision in the Deepings.
- Reference was made to the Council's procurement process. Some Members expressed their concerns that they could not support an amendment which would allocate additional sums to the building of a new leisure centre without the proper procurement process being undertaken.
- Members discussed the immediate repair of the Centre's roof, pool and boilers. Members also discussed the possibility of reopening the centre following these repairs and addressing other remedial works in stages.

The Leader advised that the Leisure Centre would not re-open until the risks to members of the public and staff had been addressed. No specific deadline for the reopening of the Centre could be given at that time. It was noted that at present, the appropriate lease was not in place, which meant that funds could not yet be allocated to any repairs.

The following amendment was proposed and seconded:

- 1) The Council will commission an independent inquiry into the reasons why:
 - a) The original promises of a new leisure centres across the District had not been fulfilled.

- b) The lease arrangements at the Deepings School had never been formally agreed with the relevant third parties including, Lincolnshire County Council and the Anthem Trust.
- c) The Council had failed to maintain its leisure centres for the last decade or more.

The amendment was subsequently withdrawn.

Members continued to debate the substantive motion, as follows:

- Members debated whether the Centre should be repaired, with some Members raising concerns about its age and condition. Some Members argued that the Centre should be demolished and replaced with a new leisure centre.
- A query was raised as to why the required repairs would not enhance the nature of the building.

The s151 Officer stated that the auditors had concluded that any repairs would not enhance the nature of the Centre, so the Council would not be able to make use of Capital funds and any costs would need to come from the Revenue budget. Members were advised that in any situation where the Council borrowed money, pressure would be put on expenditure levels and consideration would need to be given to resulting yearly additional revenue costs.

- Objections were raised in respect of the commissioning of further reports, with some Members citing that this was an attempt to avoid taking immediate action.
- Concerns were raised regarding the identification of Litchfield Road as a possible site for a new leisure centre. It was stated that a more appropriate site should be considered.

The following motion was proposed and seconded.

- 1) That the Council provide a one-off budget of up to £1.2 million to undertake the essential works required to remedy the health and safety issues at the Leisure Centre. Which would include the roof and heating system, to be brought up to a standard which would enable the centre to safely re-open at the earliest opportunity and before Easter 2022.

A request was then made that a recorded vote be taken. As the request was supported by ten or more Members of the Council, in accordance with Article 4.13.4 of the Council's Constitution, a recorded vote was taken.

For: Councillors Ashley Baxter, Harrish Bisnauthsing, Louise Clack, Phil Dilks, Anna Kelly, Philip Knowles, Matthew Lee, Penny Milnes, Virginia Moran, Charmaine Morgan, Amanda Wheeler, Jane Wood and Paul Wood. (13)

Against: Councillors Pam Bosworth, Bob Broughton, George Chivers, Kelham Cooke, Helen Crawford, John Dawson, Barry Dobson, Breda-Rae Griffin, Gloria Johnson, Rosemary Kaberry-Brown, Annie Mason, Robert Reid, Nick Robins, Penny Robins, Susan Sandall, Jacky Smith, Judy Smith, Judy Stevens, Adam Stokes, Ian Stokes, Jill Thomas, Rosemary Trollope-Bellew, Hilary Westropp, Mark Whittington, Linda Wootten and Ray Wootten. (26)

Abstain: None (0)

The amendment was lost.

(Councillor Jane Wood and Councillor Paul Wood left the meeting at 16:00).

A proposal was made to include an additional recommendation to the substantive motion, which was as follows:

- 6) That reports to Overview and Scrutiny Committees should include costed proposals and business plans for the potential site(s) for a new leisure centre in the Deepings including the sites which have not yet been made public.**

The proposal was seconded.

A request was then made that a recorded vote be taken on the amendment. As the request was supported by ten or more Members of the Council, in accordance with Article 4.13.4 of the Council's Constitution, a recorded vote was taken.

For: Councillors Pam Bosworth, Bob Broughton, George Chivers, Kelham Cooke, Helen Crawford, John Dawson, Barry Dobson, Breda-Rae Griffin, Graham Jeal, Gloria Johnson, Matthew Lee, Annie Mason, Penny Milnes, Robert Reid, Nick Robins, Penny Robins, Susan Sandall, Jacky Smith, Judy Smith, Judy Stevens, Adam Stokes, Ian Stokes, Jill Thomas, Rosemary Trollope-Bellew, Hilary Westropp, Mark Whittington, Linda Wootten and Ray Wootten. (27)

Against: None (0)

Abstain: Councillors Ashley Baxter, Harrish Bisnauthsing, Louise Clack, Phil Dilks, Anna Kelly, Philip Knowles, Virginia Moran, Charmaine Morgan and Amanda Wheeler. (9)

The proposals were **AGREED**.

DECISIONS:

That the Council

- 1) That the Deepings Leisure Centre remain closed due to the known health and safety risks.**

- 2) Provides a one-off budget, of up to £100K, to commission a full structural survey and bring forward refurbishment options for Deepings Leisure Centre in order to assess the level of work necessary to remedy the health and safety issues, and further extend the operational life of the current Leisure Centre.**
- 3) Provides delegated authority to the Director of Housing and Property and the Head of Leisure to undertake negotiations with Lincolnshire County Council and The Anthem Trust in order to secure a viable operational lease of the Deepings Leisure Centre.**
- 4) That the Culture and Visitor Economy Overview and Scrutiny Committee, and the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee consider a further report on the options for the refurbishment of the Deepings Leisure Centre, together with the associated costs and recommend to Cabinet the optimum way forward.**
- 5) That a report be provided to Cabinet which should include the recommendations from the joint meeting of the Culture and Visitor Economy and Finance, Economic Development and Corporate Services Overview and Scrutiny Committees, together with an update on the discussions to secure a leasehold interest in Deepings Leisure Centre, before making a recommendation to Council.**
- 6) That reports to Overview and Scrutiny Committees should include costed outline proposals and business plans for the potential site(s) for a new leisure centre in the Deepings including the sites which have not yet been made public.**

28. Close of meeting

The Chairman closed the meeting at 16:26



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council

30 September 2021

Report of: Councillor Linda Wootten

Cabinet Member for Corporate
Governance

Designation of Monitoring Officer

This report provides the Council with the opportunity to consider the designation of the Council's Monitoring Officer.

Report Author

Graham Watts, Head of Democratic Services and Deputy Monitoring Officer



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Corporate Priority:	Decision type:	Wards:
High Performing Council	Administrative	All Wards

Reviewed by:	Graham Watts, Deputy Monitoring Officer	8 September 2021
Approved by:	Karen Bradford, Chief Executive	13 September 2021
Signed off by:	Councillor Linda Wootten, Cabinet Member for Corporate Governance	13 September 2021

Recommendation (s) to the decision maker (s)

1. That Council designates Alan Robinson, Deputy Chief Executive, as South Kesteven District Council's Monitoring Officer from 30 September 2021.

1 The Background to the Report

- 1.1 Section 5 (1) of the Local Government and Housing Act 1989 requires the Council to designate an officer as the Council's Monitoring Officer. The Monitoring Officer may not be the Council's Chief Finance (Section 151) Officer nor the Head of Paid Service (Chief Executive).
- 1.2 The Monitoring Officer has statutory duties and responsibilities relating to the Council's constitution and its arrangements for effective governance. These duties include:
- Maintenance of the Constitution
 - To ensure the lawfulness of decision making
 - Responsibility for matters relating to Councillor Conduct
 - The registration of Members' interests
- 1.3 The Council's former Monitoring Officer, the Assistant Director of Law and Governance, left the employment of South Kesteven District Council on 31 August 2021.
- 1.4 The terms of reference for the Employment Committee provides for the Employment Committee to make a recommendation to the Council on the selection of a Monitoring Officer. Full Council will consider the Committee's recommendation and the designation to the role of Monitoring Officer on 30 September 2021.
- 1.5 The above duties and responsibilities have been carried out by the Deputy Monitoring Officer in the interim, with this being the earliest opportunity for the Employment Committee, and subsequently Full Council, to recommend and designate one of the Council's officers as Monitoring Officer.
- 1.6 The Employment Committee at its meeting on 22 September 2021 recommended that Alan Robinson, Deputy Chief Executive, be recommended for designation as the Council's Monitoring Officer.

Consultation and Feedback Received, Including Overview and Scrutiny

- 1.7 The Employment Committee is required to consider making a recommendation to Council on the designation of the Council's Monitoring Officer. The Employment Committee met on 22 September 2021.

2 Available Options Considered

- 2.1 Option 1 – That Alan Robinson, Deputy Chief Executive, be recommended for designation as the Council's Monitoring Officer.
- Option 2 – That another officer of the Council be recommended for designation as the Council's Monitoring Officer.
- Option 3 – That Legal Services Lincolnshire be commissioned to provide this service for South Kesteven District Council.

3 Preferred Option

- 3.1 Option 1. Alan Robinson currently holds the position of Deputy Chief Executive and is part of the Council's Corporate Management Team. He was previously the Monitoring Officer at West Lindsey District Council and successfully carried out this role for eight years prior to commencing employment with South Kesteven District Council, therefore demonstrating

he has the required knowledge and experience to undertake the role for South Kesteven District Council.

4 Reasons for the Recommendation (s)

- 4.1 To ensure that the Council is compliant with the requirements of the Local Government and Housing Act 1989 to designate an officer as the Council's Monitoring Officer.

5 Next Steps – Communication and Implementation of the Decision

- 5.1 The recommendation will be implemented with immediate effect.

6 Financial Implications

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

Financial Implications reviewed by: Richard Wyles, Section 151 Officer

7 Legal and Governance Implications

- 7.1 Legal and governance implications are set out in the body of the report.

Legal Implications reviewed by: Graham Watts, Deputy Monitoring Officer

8 Equality and Safeguarding Implications

- 8.1 There are no equality or safeguarding implications arising from this report.

9 Risk and Mitigation

- 9.1 The functions of the Monitoring Officer are currently discharged by a Deputy Monitoring Officer. The Council is required to appoint a Monitoring Officer to fulfil this function.

10 Community Safety Implications

- 10.1 Not applicable.

11 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

Not applicable.

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council

30 September 2021

Report of: Councillor Linda Wootten

Cabinet Member for Corporate Governance

Review of the Council's Constitution

This report sets out the proposed process to be followed for undertaking and implementing a comprehensive review of the Council's Constitution.

Report Author

Graham Watts, Head of Democratic Services and Deputy Monitoring Officer



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Corporate Priority:	Decision type:	Wards:
Administrative	Administrative	All Wards

Reviewed by:	Graham Watts, Deputy Monitoring Officer	3 September 2021
Approved by:	Alan Robinson, Deputy Chief Executive	3 September 2021
Signed off by:	Councillor Linda Wootten, Cabinet Member for Corporate Governance	3 September 2021

Recommendation (s) to the decision maker (s)

That Council:

1. Approves, in principle, the revised format of the Council's Constitution based on seven main sections as set out in paragraph 1.4 of the report.
2. Approves the proposed process to be followed for undertaking and implementing a comprehensive review of the Council's Constitution, commencing with a review of the proposed Responsibility for Functions section, to include Financial Procedure Rules and Contract Procedure Rules.

- 3. Approves the proposed engagement with elected members and senior officers as part of the review, and respective proposed timescales as set out in paragraph 1.10 of the report.**

1 The Background to the Report

- 1.1 The Local Government Act 2000 placed a duty upon Local Authorities operating executive arrangements to maintain a document and ensure that it is available for inspection by members of the public. This should set out how an Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people.
- 1.2 A model Constitution was available for Councils to adopt or use as the basis for their own document which could be amended to reflect aspects or characteristics unique to a particular Local Authority.
- 1.3 Since the initial adoption of South Kesteven District Council's Constitution, a number of subsequent amendments have been made to the document. Unfortunately, over time, there are now a number of inconsistencies, contradictions and areas open for interpretation that need addressing to greatly improve the document and provide a better platform for decision-making and accountability.
- 1.4 An initial review of the Constitution was recently undertaken, further to which a revised format has been proposed which reverts back to that recommended as part of the original model Constitution. This provides a better structure for the document and reduces the number of articles and sections currently included in the Council's Constitution, splitting the document into the following sections:
 - 1) Summary and Explanation
 - 2) Articles of the Constitution
 - 3) Responsibility for Functions
 - 4) Rules of Procedure
 - 5) Codes and Protocols
 - 6) Members' Allowances Scheme
 - 7) Management Structure
- 1.5 Council is asked to agree, in principle, to this revised format as a basis for the comprehensive review of the Constitution.
- 1.6 One of the sections most open to interpretation is that of the Council's scheme of delegation, particularly in relation to its executive decision-making arrangements and which decisions can be taken by Cabinet, individual Cabinet Members or via delegated authority to officers.
- 1.7 It is therefore proposed that the section 'Responsibility for Functions' be the first area of the Constitution subject to comprehensive review.
- 1.8 The basis of reviewing this element of the Constitution will be to establish how the document is currently interpreted from the perspective of Cabinet, individual Cabinet Members, the Council's Corporate Management Team and wider Senior Management Team, together with all elected members of the Council.
- 1.9 The Council's Financial Procedure Rules and Contract Procedure Rules form part of the Constitution and should link with the scheme of delegation, due to the financial thresholds associated with different levels of decision-making that sit within them. To ensure consistency between the new scheme of delegation in relation to executive decision-

making, it is proposed that the Financial Procedure Rules and Contract Procedure Rules be reviewed at the same time as the 'Responsibility for Functions' section of the Constitution.

- 1.10 The review will consist of a range of informal meetings or workshops as part of developing a new 'Responsibility for Functions' section of the Constitution and Financial Procedure Rules and Contract Procedure Rules which will be clear, concise, transparent and easy to follow for anyone reading them. A proposed timetable for this aspect of the review is set out below:

Meeting	Purpose	Timescale
Individual meetings with Corporate Management Team and Senior Management Team	To review the current scheme of delegation	October
Meeting with the Section 151 Officer and Head of Finance	To review the current Financial Procedure Rules/Contract Procedure Rules	October
Meeting with Corporate Management Team	To review the current scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	October
Individual meetings with the Leader and Cabinet Members	To review the scheme of delegation relevant to respective Cabinet Portfolios	October
Individual meetings with Opposition Group Leaders	To review the current scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	October
Informal workshop with Cabinet	To review the outcomes of previous meetings and consider draft versions of revised scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	October/November
Informal workshop with Overview and Scrutiny Committee Chairmen and Vice-Chairmen	To consider draft versions of revised scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	October/November

Informal workshop with Opposition Group Leaders	To consider draft versions of revised scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	October/November
Constitution Committee	To review progress	November
Informal workshop for all Members	To consider draft versions of revised scheme of delegation and Financial Procedure Rules/Contract Procedure Rules	November/December
Constitution Committee	To review the outcomes of the workshop and agree to the submission of proposals to Council	December/January
Council	To consider, in principle, the adoption of a revised Responsibility for Functions section of the Constitution and Financial Procedure Rules and Contract Procedure Rules	27 January 2022
Constitution Committee	To reflect upon the review to date, consider the way in which remaining parts of the Constitution should be reviewed and agree a timetable	February 2022
Council (Annual General Meeting)	To adopt the Council's new Constitution	26 May 2022

- 1.11 These informal meetings or workshops will be an extremely important part of the review, ensuring that all members of the Council are able to contribute to the development of a new 'Responsibility for Functions' section of the Constitution, which will ultimately set out how the Council makes its decisions, together with a revised set of Financial Procedure Rules and Contract Procedure Rules.
- 1.12 Once these aspects of the Constitution have been approved by Council, in principle, the remainder of the document can subsequently be reviewed. In many instances this will be an administrative process in terms of transferring and realigning parts of the existing Constitution into the revised format of the new Constitution, but taking the opportunity to undertake an element of housekeeping in terms of updating out of date information or addressing some contradictions throughout the document.
- 1.13 It is envisaged that a similar process of engagement with members will be followed for the review of these subsequent sections of the Constitution to ensure that all Members are

able to provide an input into the development of a new and improved version of the Council's Constitution which is easy to understand and follow for anyone reading it.

- 1.14 One element of the Constitutional review that will be considered separately by the Constitution Committee and, subsequently, Full Council are proposed changes to the Constitution as part of the Planning Review. Due to the specific nature of the recommendations included as part of the review which require Constitutional amendments, and the respective timetable for implementation, it has been agreed that this will sit outside the scope of the comprehensive review of the Constitution.
- 1.15 It is anticipated that the changes considered as part of the Planning Review will be discussed initially by the Constitution Committee in October, with recommendations to Council being made by the Committee in November. The final version of the Constitution scheduled to be put before Council as a new version of the document at its Annual General Meeting on 26 May 2022 will incorporate any Constitutional amendments agreed by Council in relation to the Planning Review.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 Through informal discussions with elected members and officers, there is a clear need to review the Council's Constitution as the current document is unclear, difficult to follow and interpret and includes a number of contradictions which need addressing.
- 2.2 The Constitution Committee met on 19 July 2021 and 13 September 2021 and formally recommended the proposal set out in this report to Council.

3 Available Options Considered

- 3.1 Option 1 - To undertake a comprehensive review of the Constitution but undertake this in sections.
- Option 2 - To undertake a comprehensive review of the Constitution in its entirety as a whole document.
- Option 3 - To retain the current version of the Constitution.

4 Preferred Option

- 4.1 Option 1 - To undertake a comprehensive review of the Constitution but undertake this in sections, commencing with the 'Responsibility for Functions' section and Financial Procedure Rules/Contract Procedure Rules.

5 Reasons for the Recommendation (s)

- 5.1 The proposed format for the review ensures that necessary engagement with the Council's Corporate Management Team, wider Senior Management Team and Members can take place in order that they can contribute to the meaningful development of a revised Constitution for the Authority.

6 Next Steps – Communication and Implementation of the Decision

- 6.1 The proposed next steps and engagement plan for the review of the Constitution are set out in the body of the report.

7 Financial Implications

7.1 There are no financial implications arising from this report.

Financial Implications reviewed by: Richard Wyles, Section 151 Officer

8 Legal and Governance Implications

8.1 Legal and governance implications are set out in the body of the report.

Legal Implications reviewed by: Graham Watts, Deputy Monitoring Officer

9 Equality and Safeguarding Implications

9.1 There are no equality or safeguarding implications arising from this report.

10 Risk and Mitigation

10.1 The Council's Constitution is the principal document setting out how the Authority operates, how decisions are made and the procedures which are followed. It is essential, therefore, that the document is easy to follow, understand and interpret which this review seeks to achieve.

11 Community Safety Implications

11.1 Not applicable.

12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

Not applicable.

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