

MINUTES COUNCIL

THURSDAY, 25 NOVEMBER
2021
1.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Present

Councillor Breda-Rae Griffin Chairman
Councillor Helen Crawford Vice-Chairman

Councillor Ashley Baxter
Councillor David Bellamy
Councillor Harrish Bisnauthsing
Councillor Mrs Pam Bosworth
Councillor Robert Broughton
Councillor George Chivers
Councillor Louise Clack
Councillor Richard Cleaver
Councillor Kelham Cooke
Councillor Phil Dilks
Councillor Barry Dobson
Councillor Paul Fellows
Councillor Anna Kelly
Councillor Philip Knowles
Councillor Virginia Moran
Councillor Charmaine Morgan
Councillor Robert Reid
Councillor Kaffy Rice-Oxley
Councillor Nick Robins

Councillor Penny Robins
Councillor Ian Selby
Councillor Jacky Smith
Councillor Lee Steptoe
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Jill Thomas
Councillor Rosemary Trollope-Bellew
Councillor Sarah Trotter
Councillor Dean Ward
Councillor Hannah Westropp
Councillor Hilary Westropp
Councillor Amanda Wheeler
Councillor Mark Whittington
Councillor Jane Wood
Councillor Paul Wood
Councillor Sue Woolley
Councillor Linda Wootten
Councillor Ray Wootten

Officers in attendance

Karen Bradford (Chief Executive)
Alan Robinson (Deputy Chief Executive and Monitoring Officer)
Andrew Cotton (Director of Housing and Property)
Nicola McCoy-Brown (Director of Growth and Culture)
Ken Lyon (Assistant Chief Executive)
Richard Wyles (Assistant Director of Finance and Section 151 Officer)
Graham Watts (Head of Democratic Services and Deputy Monitoring Officer)
Karen Whitfield (Head of Leisure)
Shelley Thirkell (Acting Principal Democratic Services Officer)
Sam Selby (Cabinet and Member Development Officer)
Anita Eckersley (Civic and Member Support Officer)
Vicky Gisby (Executive Assistant to the Chief Executive)
Louise Field (Executive Assistant to the Leader of the Council)

41. Councillor Bob Adams

The Chairman asked Council to take a moment of silence for Councillor Bob Adams who had recently passed away.

Councillor Bob Adams had been the Chairman of the Council in 2009-10 and Leader of the Council from March 2015 to 2017 and served as Chairman of the Planning Committee from May 2019 to June 2021.

Members of the Council across all political parties paid their respects to Councillor Adams.

42. Chairman's Welcome

The Chairman of the Council welcomed all present to the meeting.

A particular welcome was made to newly elected Members Councillor Richard Cleaver (Stamford All Saints Ward) and Councillor Kaffy Rice-Oxley (Arnoldfield Ward), who had been elected at the by-elections held on 28 October 2021.

43. Public Open Forum

Question 1

From: Gene Plews

To: Councillor Amanda Wheeler

“During the Black Lives Matters protests held in London, the Bomber Command Statue, the Canada Memorial in Green Park, the Royal Marines Graspan Memorial on the Mall, the memorial to PC Yvonne Fletcher, the Allies Statue of Sir Winston Churchill, and the Franklin D. Roosevelt Statue in New Bond Street were all defaced with coloured paint and graffiti.

Does Councillor Wheeler as a supporter of the BLM movement and member of the Stamford Anti Racism Group agree with these actions, or does she publicly condone them?”

Councillor Amanda Wheeler confirmed that she was a supporter of the Stamford Anti-Racism Group and fully supported the ‘Black Lives Matter’ statement. Councillor Amanda Wheeler highlighted that she did not support the defacing of statues or any form of violent protests. She provided examples of the ‘Black Lives Matter’ campaign; England football team’s powerful anti-racism stance throughout the European Cup Finals in Summer 2021, a former West Indian cricketer speaking publicly on the subject last year and the ongoing allegations of racism surrounding Yorkshire Cricket Club, meaning that further actions were required to tackle racism.

Councillor Amanda Wheeler provided statistics in relation to the 'Black Lives Matter' campaign:

- That black people had a harder time economically and that a young black man would be twice as likely to be unemployed.
- That people with an 'African-sounding' surname sent twice as many job applications before getting an interview.
- That a black female graduate, on average, earned 10% less than a white female graduate.
- That black people were 47% more likely to be on a 'zero-hour' contract with less employment rights.
- That black people had a harder time medically; black women had a 40% higher chance of a miscarriage. A disproportionate number of black people died as a result of COVID-19.
- That black people were more likely to be affected by crime, were nine times more likely to be stopped and searched by police and five times more likely to be murdered.

She highlighted that the 'Black Lives Matter' march that took place in Stamford in July 2020 was an entirely peaceful event and no statues were damaged or vandalised. Following on from the gathering, Stamford Anti-Racism Group was formed with an aim of making Stamford and the surrounding areas a welcome place for everyone irrespective of their nationality, ethnicity, and heritage. It was also noted that the group hosted a Diversity Festival in August 2021, which was supported by South Kesteven District Council community grant and was attended by the Leader of the Council, the Chairman of the Council, District Councillors and Officers.

Question 2

From: Gene Plews

To: Councillor Amanda Wheeler

"The allied statue of our war time leader, Sir Winston Churchill in London had the words sprayed across it in black spray paint: 'was a racist'.

Does Councillor Wheeler as a supporter of the BLM movement, and a member of the Stamford Anti Racism Group agree with these words in sentiment?"

Councillor Amanda Wheeler confirmed that she did not agree with any statues being defaced in any way. She highlighted that her work as a local Councillor would be to focus on issues in relation to racism within the local area and tackle these within her own community.

Supplementary question

From: Gene Plews

To: Councillor Amanda Wheeler

“The Black Lives Matters movement aligns itself in many areas in both policy and direction with the similar run black American and proven violent, "Antifa" movement.

Does Councillor Wheeler as a supporter of both the BLM, movement, and a member of the Stamford Anti-Racism Group either support or publicly condone this link?”

Councillor Amanda Wheeler continued to confirm her support to the Stamford Anti-Racism Group and agreed with the statement ‘Black Lives Matter’. She stated that she was also opposed to fascism, however, she had no link to any American groups who share these views such as ‘Antifa’ or the BLM Global Foundation Network. She highlighted that she was solely focussed on the work around racism within this District.

Supplementary question

From: Gene Plews

To: Councillor Amanda Wheeler

“In light of your firm support on the BLM movement, and it’s violent ‘Antifa’ link, do you think that you are a fit and proper person as a South Kesteven Councillor and Stamford Town Councillor to represent the Armed Forces Community in South Kesteven and Stamford.”

Councillor Amanda Wheeler noted that the ‘Code of Conduct’ would be debated later in the meeting and that she took that Code of Conduct very seriously. She highlighted that her uncle was a retired Lieutenant Colonel who served in the Falkland’s war and that she had attended the Remembrance Day services in Stamford alongside other Councillors. Councillor Amanda Wheeler emphasised that her anti-racist views bore no relation to the support of the armed services.

Question 3

From: Tracey Forman

To: Councillor Kelham Cooke, The Leader of the Council

“I note with interest that SKDC passed a motion in October 2020, recognising that there is no place for racism in the UK today. Given that in a recent meeting of the Governance and Audit Committee the Chair used a racist term and was not challenged by the other councillors in the meeting, how safe do you think staff employed by the council from BAME backgrounds feel at present?”

The Leader of the Council stated that there was no place for racist language in any organisation. He highlighted that he was not personally present at the meeting,

however, those who were present deemed the statement to be not as clear or audible in person as it was on the live broadcast. It was highlighted that the Monitoring Officer began an investigation immediately after the meeting, which had now been completed. Members had several sanctions to decide upon later in the Council meeting. Councillor Ian Stokes had apologised immediately after the meeting and the Conservative Party also suspended him and commenced an investigation of its own.

The Chief Executive and Leader wrote jointly to all staff to make it clear that this behaviour did not represent South Kesteven District Council and would continue to work with members and officers to develop a training programme. The Leader expressed his sympathy for the way this made staff, wider residents, and the public feel. He noted that the leadership's team would be happy to discuss this matter with anyone affected.

The Leader highlighted that the Equality and Diversity training referred to had been organised for one day, which a number of Councillors were unable to attend due to other long-standing engagements. He made the point that several Councillors had attended Equality and Diversity training in other aspects of careers and workplaces. Further training would be offered to staff and Members to ensure that something similar did not occur again.

Question 4

From: Elvis Stooke

To: Councillor Kelham Cooke, The Leader of the Council

"In 1994 Harrowby United Football Club negotiated with SKDC for sole use of a large part of the Harrowby Lane playing field, Grantham. Part of this deal was a proposal from SKDC to purchase the Blessed Hugh Moore site as a replacement recreational area. This was published in an article in the Grantham Journal on 4th November 1994. It was proposed by SKDC to acquire the BHM playing field and improve facilities for residents on the eastern side of Grantham. At that time SKDC Head of Administration, Jon Bishop stated it would cost around £3700 to put the playing field into good order, with ongoing maintenance costs of £4000.

Also, in 1994 when LCC had proposed selling off the Grantham College Sports ground for development it was also stated that the BHM playing field could be offered as a replacement site for recreation. Published Grantham Journal 11th March 1994. SKDC eventually acquired the site in March 1997 from LCC.

I along with other members of the community have worked hard to convince SKDC that the BHM site should remain as a recreational area and it has now been accepted on the ACV register.

However, the BHM site has been neglected for many years and does suffer from poor drainage and water ponding at the access locations. At a recent Parish Council meeting it was suggested that following meetings with SKDC officers that the local

community & parish would have to fund around £10000 to complete the drainage repairs & provide suitable walking access to the BHM site.

In view of the history of the site and offers made when SKDC were trying to acquire the site could you please consider those statements and provide some funds towards these urgent repairs. This would allow access to the site by many more residents and assist with our aim to improve this recreational & green space for all the community to enjoy."

Councillor Robert Reid (Cabinet Member for Housing and Property) reported that he had been made aware of this site in his role as Cabinet Member. The Assets and Estate Manager had been working with the Parish Council to grant a license, to improve access to the site and investigate tree planting. In regard to access, Council Officers had been working with the Parish Council on improvements to provide better access to the site. The Cabinet Member stressed the importance of knowing that the land was owned by the Council, with the cost of maintenance being funded out of the rent that Council tenants paid to which they should receive any benefit. It was noted that all landowners had raised concerns over responsibilities in relation to flooding. Following consultation with Ward Councillors, assurance was given that the Council undertook responsibility and would work with all communities and partners to provide the best benefit for the site. He highlighted various covenant restrictions that were in place from Lincolnshire County Council, but it was noted that the Cabinet Member would work with the community for the best outcome possible.

Speaker 1

From: Mrs Yvette Diaz-Munoz

In support of Cllr Wheeler's motion, "Motion to make training mandatory".

Yvette Diaz-Munoz volunteered as an Events Coordinator for Stamford's Anti-Racism Group and explained that she was part of a British Chilean family having grown up in Kenya. She also taught Spanish and English as a foreign language, so was naturally curious about meeting people from different cultures, countries, and languages. Yvette Diaz-Munoz supported Councillor Wheeler's motion to make equality and diversity training mandatory, not only because of the recent comments made by Councillor Ian Stokes but due to recent events on a national level which highlighted the wider issue of not knowing what was and what was not appropriate. She was also disappointed that the take up from Councillors in respect of equality and diversity training was so low.

She highlighted two positive things that had happened thanks to South Kesteven District Council, noted as follows:

- The passing of the Anti-Racism motion in October 2020, which was passed unanimously.
- The South Kesteven District Council Community finding which part funded the Stamford Diversity Festival in the summer and was a celebration of world music, arts and crafts, food and drink which was opened by the Mayor and

attended by The Leader of the Council, The Chairman of the Council and other SKDC Councillors.

In respect of events and projects, it was always the group's ambition to make the local community as inclusive and welcoming as possible for everyone. The festival helped people celebrate their differences in inclusion ways and attracted people from the LGBTQ+ community and people with disabilities. The event was very successful, with extremely positive feedback having been received from people who had attended.

She explained that she was at Stamford College last week, helping them prepare for their own diversity festival which was also being held to celebrate different heritages through food, music and art, as well as embracing and celebrating LGBTQ+ and the SEN community in the College. This was exciting and, going forward, she also planned to widen the meaning on the term of 'diversity events' held in the future. Yvette Diaz-Munoz offered to liaise with the Council's Member Support Officer to assist in the facilitation of equality and diversity training through local creatives who could bring the sessions to life. The aim, as always, would be to bring communities together and learn more about our differences in ways which were a celebratory and as inclusive as possible.

Speaker 2

From: Shalini Austin

In support of Cllr Wheeler's motion, "Motion to make training mandatory".

Shalini Austin was a South Kesteven District Council resident and she felt it important to address this meeting in support of Councillor Wheeler's motion. She had lived and worked in Stamford for 21 years having set up her first business here in November 2000 shortly after arriving from India. The people of Stamford had been very welcoming and she considered Stamford her home. Shalini Austin was an Air Force child and grew up in a very multi-cultural environment in a country where religion seemed to be normal in her sector of Indian society. Every festival was a celebration, whether it be Hindu, Muslim, Sikh or Christian.

She made the point that integration worked both ways and that as part of settling into a new country she had experienced some strange, stereotypical questions including whether she had married her husband to obtain a British passport. She had personally experienced negative comments about Indian people, with there being very few people of Asian origin in Stamford when she first moved to the area.

Shalini Austin said that no one was born with pre-loaded knowledge and that such knowledge had to be learnt as people experienced life. As an artist she was constantly learning through new skills in her craft and as a human being was constantly learning to deal with new situations and people. She was therefore of the view that equality and diversity training should be mandatory so that there was more understanding leading to people refraining from doing and saying things that were discriminatory. Language and law evolved so it was only right that people knew what was acceptable and what was not. She added that people all lived in the same

society and should be able to live and work equally, living in cultural harmony without losing identity and values, advocating equality and diversity training for everyone.

44. Apologies for absence

Apologies for absence were received from Councillors John Dawson, Jan Hansen, Graham Jeal, Gloria Johnson, Mrs Rosemary Kaberry-Brown, Jane Kingman, Matthew Lee, Nikki Manterfield, Annie Mason, Penny Milnes, Dr Peter Moseley, Susan Sandall, Mrs Judy Smith and Ian Stokes.

45. Disclosure of Interests

Councillor Adam Stokes (The Deputy Leader of the Council) declared an interest in item 8 of the agenda: Breach of the South Kesteven District Council Member Code of Conduct. Councillor Adam Stokes as the son of Councillor Ian Stokes stated that he would leave the meeting room, during consideration of the item.

46. Election of Vice-Chairman of the Council

Councillor Helen Crawford was proposed and seconded for the role of Vice- Chairman of South Kesteven District Council.

Following a vote, it was **AGREED**:

DECISION:

That Councillor Helen Crawford be elected as the Vice-Chairman of South Kesteven District Council.

Councillor Helen Crawford was invested with the Vice-Chairman's medallion and Members of the Council congratulated Councillor Helen Crawford on her election with a round of applause.

47. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements. The Chairman highlighted various engagements she had attended including the Remembrance Day Parade and Service, which she had attended for the first time in Grantham, the Business in the Community Awards and tree planting to commemorate the 40th Anniversary of Queen Elizabeth Park, Grantham.

48. Minutes of the Meeting held on 15 July 2021

Members were reminded that it was agreed at its meeting on 30 September 2021 that the minutes from the meeting held on 15 July 2021, be deferred. This was to allow officers time to provide more accurate wording, regarding a question from a Member.

Reference was made to the wording on page 8 of the agenda pack at paragraph 15, Apologies for Absence. It stated that "a Member asked why Cabinet minutes were no

longer included as an agenda item for Full Council” and the reply given was that this was not a requirement under the Council’s Constitution”. The Member felt that the point he had made by asking the question had been missed, in that by no longer having the Cabinet minutes as an item on the Council agenda, as had previously happened, it limited the questions that could be asked of the Leader and the Cabinet at Council meetings.

The Chief Executive stated that minutes were not verbatim records of meetings and asked for clarity from the Head of Democratic Services on the wording used. The Head of Democratic Services advised that any member could move an amendment to the minutes should they feel that they did not accurately reflect the business conducted at the meeting.

An amendment was proposed that the wording at page 8 paragraph 15, Apologies for Absence should read:

“The Member queried why the minutes of the most recent Cabinet meetings had not been included in the agenda, pointing out that this limited questions to the Leader and members of the Cabinet from Members at meetings of the Council.”

The amendment was seconded.

The Leader referred to the response he gave at the time and reminded Members that questions could be asked during the Members’ open questions session on the agenda and that Members could attend Cabinet meetings and ask questions during various items. It was not for Council to debate or question Cabinet minutes. Having proposed the amendment, the Leader signalled his intention to propose an additional amendment to reflect the reply that he gave in response to the point referred to. Further discussion followed on the amendment proposed.

On being put to the vote the amendment was **LOST**.

Having been proposed, seconded and being put to the vote, the minutes as shown in the agenda pack for the meeting held on 15 July 2021 were **AGREED**.

Councillor Dilks asked that his vote against the minutes was recorded.

DECISION:

That the minutes of the meeting held on 15 July 2021, be approved as a correct record.

49. Minutes of the meeting held on 30 September 2021

The Chief Executive drew Members’ attention to the tabled copy of an amendment requested by Councillor Dr Peter Moseley. The change provided a more detailed response on minute number 36, Members’ Open Questions: Councillor Ian Selby to Councillor Dr Peter Moseley (The Cabinet Member for Commercial and Operations).

Councillor Selby reviewed the changes proposed and was satisfied that it provided an accurate account of the question and answer.

Members considered the minutes, including the revision and they were proposed, seconded and **AGREED** as a correct record.

DECISION:

That the minutes of the meeting held on 30 September 2021 be approved as a correct record, subject to the inclusion of the revision at Minute 36, requested by Councillor Dr Peter Moseley.

50. Breach of the South Kesteven District Council Member Code of Conduct by a District Councillor

(Councillor Adam Stokes left the meeting during the consideration of this item)

The Monitoring Officer presented Members with a report on a breach of the South Kesteven District Council Member Code of Conduct by Councillor Ian Stokes.

The Monitoring Officer had received 21 complaints following Councillor Stokes' use of a racist phrase at a meeting of the Governance and Audit Committee held on 20 October 2021, of which he was the Chairman. The matter had been formally investigated taking into account a range of evidence, including the content of the 21 complaints.

It was noted that since the Monitoring Officer had shared his draft investigation report with Councillor Stokes, he had resigned as Vice-Chairman of the Council, Chairman of the Governance and Audit Committee and all other Committees where he had been appointed by Full Council as a Member. The Monitoring Officer referred to the recommendations in his investigation report which included proposed sanctions in respect of Councillor Stokes' Vice-Chairmanship of the Council, Chairmanship of the Governance and Audit Committee and membership on any other Committees. As Councillor Stokes had resigned from this position himself, these particular recommendations were no longer relevant.

The recommendations contained within the covering report, which took the above resignations into account, were proposed and seconded.

One Member stated that a number of members of the public had asked why Councillor Ian Stokes had not stepped down from his position as a Councillor, given the public nature of the role, and asked for clarity as she understood that there were no powers to suspend or disqualify someone as a Councillor and that the electorate could effectively do this when voting at the next election.

The Monitoring Officer confirmed that there was no sanction which could remove or suspend a Councillor temporarily or permanently from office. The Chief Executive stated that the only time that a Councillor could be removed from office was if they had been convicted of a criminal offence or they were imprisoned.

The recommendations of the report were proposed, seconded and unanimously **AGREED**.

DECISION:

1. **That Council noted the content of the investigation report and supported the following proposed sanctions:**
 - **That Councillor Ian Stokes makes a further public apology.**
 - **That Councillor Ian Stokes attends equality and diversity training.**
 - **That a public censure notice outlining the sanctions applied be put in place on Councillor Ian Stokes' website profile until the end of his current term of office.**

51. Membership of Committees

A report on the Membership of Committees was presented to Members by the Leader of the Council.

The report noted the results of two by-elections (Grantham Arnoldfield Ward and Stamford All Saints Ward), which were held on 28 October 2021. Also noted within the report were changes that had been made to the Council's Political Balance as a consequence of the results of the by-election and other changes in political affiliation by individual Members and recommended changes to the membership of Committees.

The Independent Group Leader proposed that Councillor Paul Fellows would be appointed on to the Licensing Committee in accordance with the Group's new allocation based on the revised political proportionality.

The Leader stated the following changes to Committee memberships in respect of the Conservative Group:

- Councillor Rosemary Kaberry-Brown to be removed from the Licensing Committee.
- Councillor Gloria Johnson and Councillor Susan Sandall to be appointed to the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee.
- Councillor Kaffy Rice-Oxley and Councillor Jill Thomas to be appointed to the Companies Committee.
- Councillor Kaffy Rice-Oxley to be appointed to the Governance and Audit Committee.
- The vacancy on the Rural and Communities Overview and Scrutiny Committee to be deferred until after the by-election for the Isaac Newton Ward.

Members voted on the appointments to Committees as proposed by the Leader of the Council and Leader of the Opposition and **NOTED** that:

1. **Councillor Kathleen Rice-Oxley was elected to the Grantham Arnoldfield Ward following a By-Election on 28 October 2021 and had given notice that she would join the Conservative Group.**
2. **Councillor Richard Cleaver was elected to the Stamford All Saints Ward following a By-Election on 28 October 2021 and had given notice that he would join the Independent Group.**
3. **Councillor Ian Stokes had changed his political affiliation to Independent (non-aligned).**
4. **Councillor John Cottier has changed his political affiliation to Independent (aligned to the Conservative Group).**
5. **The political proportionality of the Council had been revised and changes to the allocation of seats to political groups on the Council's Committees had changed.**

DECISION:

That the changes in the membership of Committees submitted by Political Group Leaders, be approved as follows:

- **That Councillor Rosemary Kaberry-Brown be removed from the Licensing Committee and be replaced by Councillor Paul Fellows.**
- **That Councillor Rosemary Kaberry-Brown be removed from the Alcohol, Entertainment & Late-Night Refreshment Licensing Committee and be replaced by Councillor Paul Fellows.**
- **That Councillors Kaffy Rice-Oxley and Jill Thomas be appointed to the Companies Committee.**
- **That Councillors Gloria Johnson and Susan Sandall be appointed to the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee.**
- **That Councillor Kaffy Rice-Oxley be appointed to the Governance and Audit Committee.**
- **That the appointment of a Member to the Rural and Communities Overview and Scrutiny Committee be deferred until after the by-election for the Isaac Newton Ward.**
- **That a Working Group be established to oversee the Community Governance Review, in respect of a Town Council for Grantham, membership of the Working Group to be all the Grantham Charter Trustees.**

Discussion on the chairmanship of the Governance and Audit Committee then followed in terms of whose responsibility it was to decide upon the Chairmanship. References were made to sections within the Constitution at both ordinary and annual Council meetings.

The Vice-Chairman of the Governance and Audit Committee, Councillor Paul Wood was proposed and seconded and reasons for his appointment specified. Councillor

Mark Whittington was also proposed and seconded and reasons for his appointment were also presented.

A vote was taken on each Councillor nominated following which Councillor Mark Whittington was appointed to the position of Chairman of the Governance and Audit Committee.

DECISION:

That Councillor Mark Whittington be appointed as the Chairman of the Governance and Audit Committee.

52. Member Code of Conduct

The Cabinet Member for Corporate Governance and Licensing presented to Members a report on the Member Code of Conduct. The purpose of the report was to ask Members to consider adopting the Local Government Association Model Code of Conduct.

The Local Government Association introduced a new model Councillor Code of Conduct on 23 December 2020, which had been designed to protect a Councillor's democratic role, encourage good conduct and safeguard the public's interest in local government.

The new model Code had been developed in association with key partners and extensive consultation with the local government sector. A copy of the model Councillor Code of Conduct was attached at Appendix A to the report.

Feedback from the Monitoring Officer Network indicated that a significant number of authorities across the country had adopted the new model Code, either in full or adapting it to fit their particular local needs in line with the principles of the new Code.

In Lincolnshire, West Lindsey District Council adopted the model Code in its entirety. The City of Lincoln Council, East Lindsey District Council, Lincolnshire County Council and North Kesteven District Council undertook reviews of their respective Codes and were either content that their existing Codes were consistent with the principles of the model Code, or made amendments where necessary to ensure that they were. It was understood that Boston Borough Council, East Lindsey District Council and South Holland District Council would be considering whether to adopt the model Code in the New Year.

South Kesteven District Council's current Code of Conduct was based on the previous model Code and when compared to the new version it had key elements missing, such as sections on respect and bullying, harassment and discrimination.

The new model Code, as well as setting out the standards to be expected of anyone in public office, also provided definitions and examples of the behaviour and conduct that should be demonstrated by elected members under each section.

The new model Code also set out greater clarity with regard to the registration and disclosure of interests. Training on the new model Code, subject to its approval, was scheduled for 29 November 2021. The vast majority of Members were signed up for one of the three sessions, further sessions were in the process of being set up for anyone unable to attend.

In considering this report at the Constitution Committee, comments were made regarding the sanctions available to the Council should a breach of the Code of Conduct occur. Unfortunately, no changes had been made to the sanctions available to Monitoring Officers, or the Council as a result of the introduction of the model Code. It was noted that the revised document provided more clarity regarding the standards expected of elected members, as well as reminding all Members the type of behaviour that could not be tolerated and may result in the submission of complaints.

It was highlighted that whilst sanctions were limited from the perspective of the Monitoring Officer and Council, failure to register or declare interests correctly could lead to criminal prosecution.

There was no requirement for Members to 'sign up' to the new model Code of Conduct should the Council approve its adoption. All Members, when signing the declaration of acceptance of office form declared that they would *"take the said office upon myself and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability"*. Adhering to the Code of Conduct agreed by Council would constitute fulfilling the duties of the role.

The Cabinet Member proposed that Council adopted the Local Government Association Model Councillor Code of Conduct as appended to the report. This proposal was seconded.

Members debated the report and its recommendations. Points made included:

- Views expressed by Members at the Constitution Committee when the Code was discussed and that the sanctions contained in the Code were still inadequate.
- Improvement in relation to registering pecuniary interests and ordinary interests.
- Improvements to the sections on bullying and harassment and the use of social media.
- Confirmation that the Code before Members was the Local Government Association Model Code without any amendments.
- Some Members felt that the new Code did not make any meaningful difference and was "toothless" in respect of sanctions that could be applied to breaches of the Code.
- Clarification in respect of probity within the Code and the Principles of Public Life based on the seven Nolan principals which were contained within the previous Code.
- Impartiality to officers, when information before Councillors was felt to be incorrect or inaccurate. Assurance that questions could be asked by Members

to understand where information had come from and that this could be asked of both the Internal and External Auditors.

- When the new Code would be used. If the new Code was adopted today any breaches going forward would be in relation to the new adopted Code, historic breaches would be dealt with using the previous Code.

On being put to the vote the recommendations contained within the report were **AGREED**.

DECISION:

That Council adopts the Local Government Association New Model Councillor Code of Conduct.

53. Grantham Rectory Farm Supplementary Planning Document

Members were presented with a report by the Cabinet Member for Planning and Planning Policy on the Grantham Rectory Farm Supplementary Planning Document (SPD). The Rectory Farm area was a key allocation which formed part of Grantham's North West Quadrant and was situated near the Poplar Farm development.

The SPD document was presented to Cabinet on 9 November 2021 where it was endorsed by the Cabinet with a recommendation that Council adopt the document.

The Council had worked with consultants AECOM and Lincolnshire County Council to create the SPD.

The document ensured that developers delivered a high quality and sustainable development. In August 2019 the Council had declared a Climate Emergency which had cross-party support and the Cabinet Member for Planning and Planning Policy stated that everyone could help shape the Council's ambitious plans to improve the environment for all residents.

The SPD included sustainable transport measures including the creation of new walking routes and cycle networks, the inclusion of tree lined avenues and connectivity to adjacent developments.

In drafting the Grantham Rectory Farm Supplementary Planning Document, a public consultation had been carried out between January 2019 and February 2019, the results of which were appended to the report. Local Ward Members had also been engaged with as part of the consultation including the new Members to the Council.

The Cabinet Member for Planning and Planning Policy proposed that the Grantham Rectory Farm Supplementary Planning Document as appended to the report at Appendix 1 be adopted. This proposal was seconded.

Members discussed the document and made the following comments:

- A significant amount of work had been done within the document in relation to connectivity, improvement of the landscape and building access routes.
- The recent Members briefing session had been very informative.

- The SPD was a good example of officers, developers and members of the public working together to produce a positive document which benefited Grantham.
- There were proposals within the SPD in relation to site access, on Barrowby Road which would help contribute to the decrease in speeding on the road.
- Concern over the continued growth of Grantham considering the consultation which was currently being undertaken by Lincolnshire Clinical Commissioning Group. Proposals included the downgrading of Grantham Hospital even further, including taking away the acute care service which would mean travelling of at least 45 minutes to the nearest A & E department.

It was noted that the Lincolnshire Clinical Commissioning Group's consultation was being carried out over a 12 week period and would end on 23 December 2021.

The Leader of the Council thanked the Cabinet Member for Planning and Planning Policy and all those involved for the work that had gone in to creating the SPD.

On being put to the vote the proposal was **AGREED**.

DECISION:

That the Grantham Rectory Farm Supplementary Planning Document (SPD) be adopted.

A request was made by Councillor Selby and Councillor Morgan that their decision to abstain from the vote be recorded.

54. Draft Design Guide Supplementary Planning Document

Members were presented with the Design Guide Supplementary Planning Document (SPD), for Rutland and South Kesteven by the Cabinet Member for Planning and Planning Policy.

The National Planning Policy Framework (NPPF) made it clear that policies within an authority's Local Plan and any Supplementary Planning Documents (SPDs) should set out clear design expectations.

The Design Guide was an essential tool which allowed South Kesteven District Council to assess or improve the design of a development. The document would also help the Council to reach its aspirations within the Corporate Plan 2021 – 2023 for housing that meets the needs of our residents, by creating healthy and strong communities and also a clean and sustainable environment.

The Design Guide was commissioned jointly by South Kesteven District Council (SKDC) and Rutland County Council (RCC) and was fully funded by a planning delivery grant awarded by the Government on a competitive bidding basis. Being a joint bid by both authorities meant the Design Guide was a joint document. Each authority was responsible for undertaking their own public consultation and both the public and stakeholders had had the opportunity to shape the document through

consultation and various workshops. Once the SPD was adopted it would be a material consideration in determining planning applications.

In seconding the proposal the Chairman of the Planning Committee referred to the work done by both the Cabinet Member for Planning and Planning Policy and also the late Councillor Bob Adams on the Design document.

Debate on the document followed and the following points were made:

- The new Design Guide would be an excellent tool to help to introduce the design and quality of housing that was appropriate for South Kesteven.
- Tribute was made to the work undertaken by the Principal Design Officer on the document.
- Improvement to the layout of sites to include green corridors, site connectivity and general improvements was welcomed by all Members.
- Regret that climate change did not have its own chapter within the document, but the questions referenced under the section on strategic design were really good to put to developers. Unfortunately there was no current legislation that allowed Members to enforce net carbon zero homes.
- The current planning application form was a national form which could not be changed.
- Aesthetics and improvements to developments had already been improved by using the draft guide.
- The Government was not doing more to promote climate change incentives to developers when building houses, which was seen as a failure by some Members.
- That solar thermal technologies were not referenced within the document.
- Members were pleased to see that social and affordable housing should be located within a development with access to services including community facilities and health care rather than being placed on the edge of a development.
- The use of green corridors and the planting of trees would help address air toxicity.
- When would the Design Guide be effective from if approved.
- Definition of what was an affordable home.

The Cabinet Member for Planning and Planning Policy stated that the Design Guide was a Supplementary Planning Document and would therefore be used alongside the Local Plan. If the document was approved at this meeting it would be used with immediate effect on those applications that had not been determined.

The Cabinet Member for Planning and Planning Policy stated that he would circulate a training presentation that had been given to Members of the Planning Committee on affordable housing. The Local Plan would be refreshed in three years' time and any new legislation from the Government would be incorporated into the plan.

On being put to the vote, the proposal was **AGREED**.

DECISION:

That the Design Guidelines for Rutland and South Kesteven Supplementary Planning Document be adopted.

An adjournment took place at this stage of proceedings.

Following the adjournment it was proposed, seconded and unanimously **AGREED** to extend the meeting to 17:00 and that agenda items 14a – 14e be dealt with before agenda item 13.

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

(a) Councillor Ian Selby

Motion on Grantham Hospital

“South Kesteven District Council supports a fully functioned 24/7 Accident and Emergency Department for Grantham Hospital.”

Members were circulated with an amended motion at the meeting:

“It is vital that the residents of the Grantham area have access to Emergency Healthcare which is accessible 24/7. Grantham Hospital is a vital facility for our community and I would like the Chairman to write to the Chief Executive of the United Lincolnshire Hospital Trust, saying that South Kesteven District Council wishes to thank all the staff at this hospital for their continued hard work and service, especially over the last 2 years.

The motion highlighted the concern over the continued reduction in services at Grantham Hospital and the current consultation being undertaken by NHS Lincolnshire Clinical Commission Group, which, it was felt, was not a meaningful consultation but a tick box exercise with a bias against Grantham Hospital.”

In presenting the motion, Councillor Selby made the following points:

- The former consultation undertaken by the East Midlands Ambulance Service (EMAS) had recognised that Grantham was a strategic location and had changed their proposals accordingly.
- The services that Grantham hospital offered affected every single resident, no-one was immune to accidents and the need for urgent treatment as provided by an Accident and Emergency service or an Urgent Treatment Centre.
- A massive housing growth was happening in Grantham and health provision was a material planning consideration.
- Climate change implications when patients had to travel to and from hospitals.
- Tourists were encouraged to come to the district but the lack of local hospital facilities may impact their plans.
- Thanks were given to the work of the ambulance service, paramedics and first responders and the work of the NHS staff and all Key Workers.

- Credit was given to the campaigners and those that had attended the Wednesday vigils to try and help save Grantham's A & E department.

The motion was seconded by the Leader of the Council.

Further discussion ensued on how the services at Grantham Hospital had been reduced over the last five years and the levels of services downgraded. Reference was made to the closure of the hospital in June 2020 and the Judicial Review that had been brought in connection with the closure of the acute care services for a period of time and how the level of services had been downgraded and eroded over the last five years. Elected Members and members of the public were urged to complete the NHS Lincolnshire Clinical Commissioning Groups consultation questionnaire on urgent and emergency care which closed on 23 December 2021.

It was noted that the information that the ULHT had given during the closure period due to Covid was flawed as they had failed to mention that 33,000 residents had signed a petition for the 24/7 restoration of emergency services at Grantham Hospital under the Healthy Conversation consultation.

Further discussion on the motion followed with Members thanking the NHS Staff for all their hard work following the impact of Covid-19 and the campaigners over the last five years in keeping the closure of services at Grantham Hospital in the public domain.

The Chairman referred to the extraordinary meeting of Council that had taken place 1 July 2020 on Grantham Hospital services.

On being put to the vote the motion circulated by Councillor Selby was unanimously **AGREED**.

DECISION

That the Chairman of the Council writes to the Chief Executive of the United Lincolnshire Hospital Trust, saying that South Kesteven District Council wishes to thank all the staff at this hospital for their continued hard work and service, especially over the last two years.

Following determination of this item it was proposed and seconded that Members speaking time for the remainder of the meeting be reduced to three minutes rather than five minutes. On being put to the vote it was **AGREED**.

DECISION

That Members speaking time be reduced to three minutes rather than five for the remainder of the meeting.

(b) Councillor Amanda Wheeler

Motion to make training mandatory from Councillor Wheeler

“In view of recent inappropriate language spoken by a Councillor at a public Committee meeting, South Kesteven District Council needs to ensure that all Councillors are suitably prepared for their roles as public representatives.

At present, training is only mandatory if Members sit on specific committees, such as Licensing and Planning.

There is an extensive programme of additional training offered to Councillors which, disappointingly, often has to be cancelled due to lack of interest. However, if Councillors are to effectively serve their community, then training to support their knowledge and understanding is essential.

As such, SKDC resolves:

- *To ensure that all Councillors attend appropriate training in order for them to carry out their role and the business of the Council effectively*
- *To make training in Equality and Diversity mandatory for all Councillors in order to sit on any Committee of the Council”.*

In submitting her motion Councillor Wheeler referred to the new Councillor Code of Conduct that the Council had just adopted. An important part of the Code was that Members followed the Equality Act 2010 and that Members could not discriminate against any of the nine protected characteristics of:

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil Partnership
- Pregnancy and Maternity

The Equality Act was law and any Councillor who fell short on any of the above matters was breaking the law. Training was very important and helped Councillors to do their jobs well. Councillor Wheeler thanked the Member Services Officer who put the training programme for Members together, who sourced the trainers and arranged the training sessions. She reflected that it must be a frustrating job when Members did not respond or those who confirmed their attendance and failed to attend the training sessions. She asked that Members supported her in resolving to make Equality and Diversity training mandatory to enable Members to do their jobs well and fairly and within the Code of Conduct and the Equality Act 2010.

The motion was seconded.

A Member wished to include the word 'Officers' in the first bullet point of the motion as an amendment, however, it was stated that training for employees came under the remit of the Head of Paid Service and it was therefore inappropriate for Council to include Officers in the motion. The Member withdrew this amendment.

Assurances were given that training for Officers on equality and diversity was built into the Council's corporate training programme.

The Leader of the Council stated that he supported the motion before Members but wished to amend the wording of the first bullet point (shown in bold) to read:
"To ensure there is a clear expectation that all Councillors attend appropriate training in order for them to carry out their role and the business of the Council effectively."

Councillor Wheeler confirmed she was happy to accept the amendment.

A question was asked about the introduction of mandatory training being required before any Member is able to sit on Committees. The Chairman of the Constitution Committee stated that some of the mandatory training for Planning and Licensing Committees was required by law, whereas training for Governance and Audit Committee was required locally through the Council's Constitution.

A further amendment was proposed to amend the wording to the last bullet point to read:

"To promote training in Equality and Diversity for all Councillors and ensure that there is a clear expectation that all Councillors complete this in order to sit on any Committee of the Council."

The amendment was seconded.

Some Members were unhappy with the proposed amendment as it removed the necessity to attend training, replacing the mandatory aspect with an expectation to attend.

A question was asked whether external training on Equality and Diversity undertaken by Members as part of their jobs would be accepted as having completed training. It was stated that all Members would be required to undertake training arranged by South Kesteven District Council, irrespective of any training they may have received from elsewhere.

A vote on the second amendment, which had not been accepted by the original proposer, was taken.

DECISION

That the amended wording to the second bullet point, as set out above be AGREED.

Some Members expressed their disappointment that the word 'mandatory' had been excluded from the motion and this was echoed by the Councillor who had put forward

the original motion. She expected that all Members would attend the training as she believed in education and that training was a good thing.

The substantive motion before Council was voted on.

DECISION

That South Kesteven District Council resolved:

1. To ensure there is a clear expectation that all Councillors attend appropriate training in order for them to carry out their role and the business of the Council effectively.
2. To promote training in Equality and Diversity for all Councillors and ensure that there is a clear expectation that all Councillors complete this in order to sit on any Committee of the Council.

Councillor Kelly was disappointed by the decision made by Council and asked that her vote against the decision be recorded.

As the extended time allowed for the meeting had been reached, it was agreed that those motions not dealt with would be deferred to the next ordinary meeting of Council on 27 January 2022.

(c) Councillor Ashley Baxter

Councillor Baxter's motion was deferred until the next ordinary meeting of full Council, which would be held on 27 January 2022.

(d) Councillor Phil Dilks

Councillor Dilk's motion was deferred until the next ordinary meeting of full Council, which would be held on 27 January 2022.

(e) Councillor Sue Woolley

Councillor Woolley's motion was deferred until the next ordinary meeting of full Council, which would be held on 27 January 2022.

56. Members' Open Questions

Members' Open Questions were not considered due to time constraints.

57. Close of meeting

The Chairman closed the meeting at 17:00.