

Council

Annual Meeting



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Thursday, 18 May 2023 at 1.00 pm
Council Chamber - Council Offices, St. Peter's Hill,
Grantham. NG31 6PZ

Members: Councillor Helen Crawford, Chairman of the Council
Councillor Gloria Johnson, Vice-Chairman of the Council

Councillor Emma Baker
Councillor Rhys Baker
Councillor Ashley Baxter
Councillor David Bellamy
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor Pam Byrd
Councillor Richard Cleaver
Councillor Steven Cunnington
Councillor James Denniston
Councillor Phil Dilks
Councillor Richard Dixon-
Warren
Councillor Barry Dobson
Councillor Patsy Ellis
Councillor Paul Fellows
Councillor Phil Gadd
Councillor Ben Green
Councillor Tim Harrison

Councillor Graham Jeal
Councillor Anna Kelly
Councillor Jane Kingman
Councillor Gareth Knight
Councillor Philip Knowles
Councillor Zoe Lane
Councillor Robert Leadenham
Councillor Bridget Ley
Councillor Nikki Manterfield
Councillor Paul Martin
Councillor Penny Milnes
Councillor Virginia Moran
Councillor Charmaine Morgan
Councillor Chris Noon
Councillor Habibur Rahman
Councillor Rhea Rayside
Councillor Nick Robins
Councillor Penny Robins

Councillor Susan Sandall
Councillor Max Sawyer
Councillor Ian Selby
Councillor Rob Shorrock
Councillor Vanessa Smith
Councillor Peter Stephens
Councillor Lee Steptoe
Councillor Ian Stokes
Councillor Paul Stokes
Councillor Elvis Stooke
Councillor Rosemary Trollope-
Bellew
Councillor Sarah Trotter
Councillor Murray Turner
Councillor Mark Whittington
Councillor Jane Wood
Councillor Paul Wood
Councillor Sue Woolley
Councillor Ray Wooten

Agenda

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Karen Bradford, Chief Executive

www.southkesteven.gov.uk

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-I Channel](#)

For those Councillors who wish to attend, prayers will be held at 12:55pm before the commencement of the meeting. Please be seated by 12:50pm.

1. **Apologies for absence**
2. **Election of Chairman**
3. **Election of Vice-Chairman**
4. **Disclosure of Interests**
Members are asked to disclose any interests in matters for consideration at the meeting.
5. **Minutes of the meeting held on 1 March 2023** (Pages 5 - 25)
6. **Communications (including Chairman's Announcements)**
7. **Election of the Leader of the Council**
8. **Announcement on the size and membership of the Cabinet and the allocation of Cabinet Members' remits**
9. **Appointments to Committees and Panels of the Council and the Appointment of Chairmen and Vice-Chairmen** (To Follow)
This report sets out the requirements placed on Full Council for the appointment of Members to its Committees and Panels, and the appointment of their Chairmen and Vice-Chairmen.

All Political Group Leaders are responsible for nominating Members from within their respective Groups to each of the Committees, in accordance with political balance as appropriate. Full Council will appoint the Chairmen and Vice-Chairmen of the Committees.
10. **Programme of meetings of Full Council, Cabinet and Committees for 2023/2024** (Pages 27 - 31)
It is the business of the annual meeting of Full Council to approve a programme of ordinary meetings of Full Council for the year. This report also sets out the dates for meetings of Cabinet, Overview and Scrutiny Committees and other Committees of the Council.
11. **Appointment of Representatives to Outside Bodies** (Pages 33 - 36)
The Council, at its annual meeting, will receive nominations of Councillors to serve on a variety of Outside Bodies.
12. **Making of Caythorpe & Frieston Neighbourhood Plan** (Pages 37 - 46)
This report seeks Members' approval to adopt (make) the Caythorpe and Frieston Neighbourhood Plan (NP) as part of the South Kesteven Development Plan. The report follows the NP's successful referendum which was held on 4 May 2023.

- 13. Making of Rippingale Neighbourhood Plan** (Pages 47 - 56)
This report seeks Members' approval to adopt (make) the Rippingale Neighbourhood Plan (NP) as part of the South Kesteven Development Plan. The report follows the NP's successful referendum which was held on 4 May 2023.
- 14. Governance and Audit Committee Annual Report for Year Ending 31 March 2023** (Pages 57 - 68)
To present the Annual Report of the Governance and Audit Committee for 2022/23 for Council including the indicative work plan and timetable for 2023/24.
- 15. Reports Taken Under Special Urgency in 2022/2023** (Pages 69 - 71)
This report sets out those decisions that have been made in the 2022/2023 municipal year under urgency provisions set out within the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and the Council's Constitution.
- 16. Close of meeting**

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MINUTES

COUNCIL

WEDNESDAY, 1 MARCH 2023

1.00 PM



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

PRESENT

Councillor Helen Crawford Chairman
Councillor Gloria Johnson Vice-Chairman

Councillor Ashley Baxter
Councillor Harrish Bisnauthsing
Councillor Pam Bosworth
Councillor George Chivers
Councillor Louise Clack
Councillor Richard Cleaver
Councillor Kelham Cooke
Councillor John Dawson
Councillor Phil Dilks
Councillor Barry Dobson
Councillor Paul Fellows
Councillor Ben Green
Councillor Breda-Rae Griffin
Councillor Graham Jeal
Councillor Gloria Johnson
Councillor Anna Kelly
Councillor Jane Kingman
Councillor Philip Knowles
Councillor Nikki Manterfield
Councillor Penny Milnes
Councillor Virginia Moran

Councillor Charmaine Morgan
Councillor Julia Reid
Councillor Robert Reid
Councillor Kaffy Rice-Oxley
Councillor Susan Sandall
Councillor Ian Selby
Councillor Lee Steptoe
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Ian Stokes
Councillor Sarah Trotter
Councillor Murray Turner
Councillor Dean Ward
Councillor Hannah Westropp
Councillor Hilary Westropp
Councillor Mark Whittington
Councillor Mary Whittington
Councillor Paul Wood
Councillor Sue Woolley
Councillor Linda Wootten
Councillor Ray Wootten

OFFICERS

Karen Bradford, Chief Executive
Nicola McCoy-Brown, Director of Growth and Culture (Deputy Monitoring Officer)
Richard Wyles, Chief Finance Officer (Section 151 Officer)
Alison Hall-Wright, Assistant Director of Finance (Deputy Section 151 Officer)
Craig Spence, Acting Director of Housing
Graham Watts, Assistant Director of Governance (Monitoring Officer)
Chris Prime, Communications Manager
Debbie Roberts, Head of Corporate Projects, Policy and Performance
James Welbourn, Democratic Services Manager
Patrick Astill, Communications Officer
Louise Field, Executive Assistant to the Leader of the Council

Sam Fitt, Corporate Project Officer
Jamie Moses, IT Support Lead
Amber Wakeling, Corporate Project Officer

81. Public Open Forum

Prior to the commencement of the formal business of the meeting, the Chairman of the Council invited members to observe a minute's silence to remember former District Councillors Giles Halfhead and Gerald Taylor.

It was proposed, seconded and **AGREED** to vary the order of the agenda to allow the item on Community Governance Review to be heard as item 10, prior to the two items on Constitutional Amendments.

No members of the public had registered to speak as part of the Public Open Forum.

82. Apologies for absence

Apologies for absence had been received from:

Councillor David Bellamy
Councillor Bob Broughton
Councillor John Cottier
Councillor Richard Dixon-Warren
Councillor Annie Mason
Councillor Nick Robins
Councillor Penny Robins
Councillor Rosemary Trollope-Bellew
Councillor Jane Wood

Councillor Amanda Wheeler had notified Democratic Services that she would be late arriving due to work commitments.

83. Disclosure of Interests

No interests were disclosed.

84. Minutes of the meeting held on 26 January 2023

The minutes of the meeting held on 26 January 2023 were approved as a correct record.

85. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements.

The Chairman of the Council announced that £1,147 had been raised at the Race Night held in Bourne on 10 February 2023. There would be the opportunity for members to make further donations to the Chairman's charities within the Members' Lounge at South Kesteven House.

86. Budget Proposals for 2023/24 and indicative budgets for 2024/25 and 2025/26

The Chairman of the Council introduced a report containing Budget Proposals for 2023/2024 and indicative budgets for 2024/2025 and 2025/2026. The Council was required to set a balanced budget and agree the level of Council Tax for 2023/2024.

The proposals within the report had first been considered and scrutinised by the Budget Joint Overview and Scrutiny Committee on 9 January 2023, before being debated at Cabinet meetings held on 10 January and 7 February 2023.

Members were informed that recommendations 1-10 were subjected to a recorded vote, under 15.6 of the Council Procedure Rules, contained within Part 4 of the Constitution.

It was moved that Council Procedure Rule 14.4 be suspended to allow the mover of the Budget item to speak for ten minutes when introducing the report, rather than five. After brief discussion and with the permission of the mover, the motion was changed to allow the Leader of the Opposition to also have ten minutes to speak on the item. This was duly seconded, and following a vote and the achievement of a two-thirds majority of those members present, it was **AGREED** to suspend Council Procedure Rule 14.4.

The Deputy Leader of the Council highlighted the following information within the report:

- A £5 Council Tax increase for an average Band D property was proposed, which equated to 9.6p per week. Of the total Council Tax bill for 2023/24 South Kesteven District Council's share would be less than 9%.
- The increase for households in Bands A, B and C would be less than £5, with 70% of properties in the District in this category. This represented 6.4p extra per week for a property in Band A - while those in Bands E, F, G and H would see an average increase of between £5 - £10.
- South Kesteven received around 9% of the total Council Tax bill, helping to provide Council services across the District.
- Consultation on the draft proposals was carried out from January 16th to the 30th 2023. Of the 264 people who responded to the consultation, 28% either agreed or strongly agreed to a £5 increase; 11% neither agreed or disagreed; and 61% disagreed or strongly disagreed. Postcode analysis confirms a significant response from the PE6 area in the Deepings, which represented 45% of all responses.
- The 2023/24 budget proposals had been prepared in the context of significant external events placing a detrimental impact on the Council's financial outlook with inflation, increasing energy prices and employee pay all adding significant cost for the current financial year and beyond.
- Savings included £100,000 from the Street Scene service review and £400,000 in the reduction of running costs by moving the Council offices from St Peter's Hill. There was also a £200,000 increase in income from the chargeable services the Council provided. In addition, higher interest rates meant an expected better return on investments.
- LeisureSK Ltd required financial support of £500,000 plus staffing costs for 2023/24, all of which related to the uplift in utility costs which could not be offset by income generation. Overall, the total financial impact of the increase in utility prices meant the Council faced a bill of almost £1,300,000 - up around £300,000 on the current year.
- Cost of living pressures had the potential to increase demand for the Council's services from those who relied on the support provided by local government.

- Unforeseen and unavoidable pressures had seriously impacted the assumptions that underpinned the Medium-Term Financial Plan and the financial position remained uncertain at a national level, as demonstrated by the Office for Budget Responsibility's economic financial outlook. The proposed short-term solution to these events was to utilise the Budget Stabilisation Reserve for one year only in order to achieve a balanced position for 2023/24. The reserve was created to counter short-term budget pressures arising from financial volatility in the General Fund, either from unforeseen expenditure or reductions in budgeted income projections. The balance at March 31st 2023 was forecasted at £2.904m. £1.534m of this reserve was projected to be utilised in order to achieve a balanced budget for 2023/24.
- The General Fund showed a balanced position for 2023/24 after using reserves, but an unbalanced position for the following years based on current financial forecasts. This issue would be a primary focus for the Council in the coming months.
- The two key elements of the Housing Revenue Account were the rent setting proposals and building in budgets to meet the ongoing compliance requirements of maintaining and investing in the Housing stock.
- The Housing Revenue Account (HRA) budget proposals focused on:
 - Helping to meet the housing needs of tenants
 - Facilitating the delivery of new housing across a range of tenures
 - Enabling those whose independence may be at risk to access housing (including their current home) that met their needs
 - Encouraging, supporting and regulating the private rental sector to provide well managed, safe homes
 - Supporting investment in homes for affordable warmth for tenants
 - Meeting compliance requirements and ensuring resources were allocated
 - The rental income budgets are set in accordance with the Government's rent setting guidance formula which has been approved as 7% for 2023/24.
- Further investment in the service to tenants totalled over £1.3m and was met in part from the proposal to increase rents by 7%. Whilst this followed Government guidance and was still lower than inflation, the increase was necessary to ensure that ongoing expenditure pressures could be met from the income the HRA received via rents.
- Approximately 60% of tenants received some level of welfare support through Universal Credit or Housing Benefit; benefit support had increased by over 10% which would enable the rent increase to be met.
- Broadly discretionary charges had increased in line with inflation and were on a cost recovery basis.
- The General Fund contained several projects that were funded by Government grants including the Future High Street Fund, Heritage Action Zone, Disabled Facilities Grants and the recently allocated share of the UK Shared Prosperity Fund.
- The capital programme contained key investments to support services and included fleet replacement, asset maintenance and investment in Future High Streets and the Heritage Action Zone.
- The HRA capital programme focused on investment in Housing stock; the programme was driven using the knowledge and information received by a recently completed stock condition survey. This included focusing on energy efficiency investment, ensuring ongoing investment in compliance works and scheduled improvements such as replacements of kitchens and bathrooms, replacement roofing and installation of secure and efficient doors and windows. The programme also contained financial commitments to invest in the new-build programme and to put in place funding to deliver schemes at Swinegate, Grantham; Elizabeth Road, Stamford with further schemes currently in development.

- The 2023/24 Treasury Management Strategy which was considered by Governance and Audit Committee on January 30th 2023 was contained within the report, with the committee's recommendation that Council approves this.
- The Council awaited the outcome of a bid to the Department for Business, Energy and Industrial Strategy (BEIS) in respect of funding in order to deliver energy efficiency measures to 333 homes located across the District. The total scheme costs were £7.2m and a grant funding contribution of £3.4m had been applied for. The project was included in the proposed HRA capital programme and, should the external grant application not be successful, the Council would need to fund the entire scheme from internal resources.

The Deputy Leader of the Council proposed the recommendations contained within the report.

The motion was seconded.

The following points were raised during debate:

- The Chief Finance Officer and his team, and members who had helped shape the Budget were thanked for their input and work in creating the report before members.
- One member made reference to the targeting of five main priorities to support the Council's ambitions and investment plans. These priorities, and examples of work given under each priority were:
 - Growth and the Economy - Grantham would see an allocation of over £6 million in funding to improve its High Street. The wider district would be able to seek funding from the £3.9 million available through the UK Shared Prosperity Fund and the £540,460 from the rural areas equivalent.
 - Housing to Meet the Needs of all Residents - Council homes had been built at Kinoulton Court and Earlesfield Lane in Grantham, Meadow Close in Bourne and Trinity Road in Stamford.
 - Clean and Sustainable Environment - £1.2m had been secured to deliver energy efficiency upgrades to targeted homes. Energy efficiency upgrades were being carried out on over 150 Council properties through Green Homes grants. In addition, the move to the Picture House offices resulted in a reduction in the Council's carbon footprint, particularly when coupled with a hybrid working approach from Council staff which led to fewer car journeys into the office.
 - Healthy and Strong Communities - continued improvement of parks and open spaces, along with working closely with partners in the voluntary, private and public sectors.
 - High Performing Council - in 2020 the Council self-referred its housing service to the Social Housing Regulator in response to the findings of an in-depth audit commissioned by the Cabinet Members and the Chief Executive. The Council had implemented new systems and processes to ensure repairs and inspections were managed more effectively, commissioned a comprehensive survey of housing stock, and ensured that the right team was in place.
- Whilst this was a balanced Budget, it did rely on reserves to an extent and this situation could not be repeated in the following years. Revenue over the ensuing two years had been reduced.
- It was disappointing that there had not been the creation of a substantial reserve for Communications.

Note: Councillors Charmaine Morgan and Amanda Wheeler arrived at this stage of proceedings.

- One member outlined that they believed business growth, council home funding and improved governance should have taken preference over some of the projects the Council had explored.

Councillor Phil Dilks proposed an amendment to the Budget Proposals, in the form of additional recommendations as follows:

That the Council:

1. Calls on the Police and Crime Commissioner to continue working with the Chief Constable so that all possible options to avoid these cuts are fully considered to ensure community confidence in policing across Lincolnshire is not seriously damaged.
2. Supports calls by Lincolnshire's Police and Crime Commissioner (PCC) and Chief Constable for a fairer police funding formula to be introduced by the Government without delay and for interim additional funding to be provided by the Home Office to those police forces which are seriously disadvantaged by the current system and in the meantime:
3. Puts aside a one-off sum of up to £100,000 to be used to minimise the impact of cuts to the Police Community Support Officer (PCSO) service upon anti-social behaviour across South Kesteven to be funded from the Local Priority Reserve.

The amendment was seconded.

In debating the amendment, the following points were noted:

- Fairer funding for Lincolnshire Police was being sought, with regard to the lower Budget settlement from Government. PCSOs were a valuable part of the Council family, the Police and Crime Commissioner in particular placed neighbourhood policing at the heart of the policing plan.
- In recent years there had been as many as 140 PCSOs across Lincolnshire; now there were 91, and this number was soon to be cut to 50. PCSOs provided value for money and a uniformed presence in communities, alongside loyal service. Members needed to do all they could to protect communities from crime.
- In relation to recommendation three it was pointed out that the PCC could raise their own precept to fund their services.
- Community safety was an area of priority; historically it was having officers on the street looking after this issue, but now that role has been taken over by CCTV.
- In the recent past Bourne had lost all of its PCSOs; a panel set up to look at the priorities of the service was attended by members of the Council, but it had subsequently been wound up by Lincolnshire Police.
- Debates on issues of this type could be held at Overview and Scrutiny Committees as well as at Council. In this instance, Rural and Communities Overview and Scrutiny Committee would be a relevant forum.
- PCSOs numbers were important particularly with the number of police officers due to increase.

Recommendations 1 and 2 of the amendment did not impact the Budget directly, and therefore did not require a recorded vote. Having already been moved and seconded, it was **AGREED** to add those new recommendations into the substantive motion.

A recorded vote on recommendation 3 of the amendment was required as it related to the Council's budget, the results of which were as follows:

For: Councillors Ashley Baxter, Harrish Bisnauthsing, Pam Bosworth, Louise Clack, Richard Cleaver, John Dawson, Phil Dilks, Paul Fellows, Philip Knowles, Virginia Moran, Charmaine Morgan, Ian Selby, Lee Steptoe, Murray Turner, Amanda Wheeler (15)

Against: Councillors George Chivers, Kelham Cooke, Helen Crawford, Barry Dobson, Breda Griffin, Graham Jeal, Gloria Johnson, Anna Kelly, Jane Kingman, Nikki Manterfield, Penny Milnes, Julia Reid, Robert Reid, Kaffy Rice-Oxley, Susan Sandall, Judy Stevens, Adam Stokes, Ian Stokes, Sarah Trotter, Dean Ward, Hannah Westropp, Hilary Westropp, Mary Whittington, Paul Wood, Sue Woolley, Linda Wootten, Ray Wootten (27)

Abstention: Councillor Ben Green (1)

Note: Councillor Mark Whittington was not present in the Chamber for the recorded vote.

The third recommendation of the amendment was therefore lost.

Note: Councillor Mark Whittington returned to the Chamber.

A further amendment to the Budget Proposals was then proposed by Councillor Virginia Moran:

- The Council to create a reserve of £500,000 for future provision of Leisure Facilities in the Deepings. This to be transferred from the Usable Capital Receipts Reserve.

The amendment was seconded.

In debating the amendment, the following points were noted:

- A fee of £200,000 for the 3g pitch at Linchfield Road in the Deepings had been discussed at previous meetings, including the Council meeting on 24 November 2022. As this money had not been approved, one use for it, and additional monies would be to create a reserve for the future provision of leisure facilities in the Deepings, aiding the efforts of a Community Led Group.
- All of the District's leisure centres could benefit from the installation of solar panels, allowing them to generate their own electricity. It was confirmed that Grantham's Meres Leisure Centre already had this renewable provision.
- The proposed £10 million refurbishment of the Deepings Leisure Centre had not proceeded, leading to the closure of the site. This amendment was an opportunity to provide future leisure facilities in this area, without contravening the Constitution's requirement that a motion did not 'rescind any resolution passed within the preceding six months.' This was not an amendment related specifically to the Deepings Leisure Centre or the Linchfield Road playing fields.

- The Section 151 Officer commented that reserves were there to fund expenditure; in this case, the reserve was proposed to fund revenue expenditure rather than a capital scheme. Therefore, the Usable Capital Receipts Reserve could not be used for this purpose.

Note: The meeting adjourned at 2:36pm and reconvened at 2:53pm.

On restarting the meeting, Councillor Moran confirmed that she was happy, upon taking advice from the Section 151 Officer, to reword the amendment in accordance with the appropriate governance arrangements with regard to reserves. The reworded amendment was as follows:

- The Council to create a reserve of £500,000 for future provision of Leisure Facilities in the Deepings. This to be transferred from the Local Priorities Reserve.

The reworded amendment was seconded.

Debate then resumed on the reworded amendment:

- One of the actions within the Corporate Plan was to invest in leisure facilities.
- Lincolnshire County Council owned the Deepings Leisure Centre, but an agreement with South Kesteven District Council to maintain the building had ended in 2014 and had not been renegotiated.
- The Deepings did not benefit from having the same amenities as the other three major towns within the District.
- With the Deepings Leisure Centre now being closed, focus should be transferred to improving the leisure centres in Grantham, Bourne and Stamford.
- If local sports amenities were lost, a significant number of residents were being deprived.
- The income streams for this project had been divided between Lincolnshire County Council, the Government and South Kesteven District Council.
- Conversations on this amendment could have been held in the months prior, rather than it being tabled on the day of the meeting.

A recorded vote on the amendment was required as it related to the Council's budget, the results of which were as follows:

For: Councillors Ashley Baxter, Louise Clack, Phil Dilks, Virginia Moran, Charmaine Morgan, Ian Selby, Lee Steptoe, Judy Stevens, Amanda Wheeler (9)

Against: Councillors Pam Bosworth, George Chivers, Kelham Cooke, Helen Crawford, John Dawson, Barry Dobson, Ben Green, Breda Griffin, Graham Jeal, Gloria Johnson, Jane Kingman, Nikki Manterfield, Penny Milnes, Julia Reid, Robert Reid, Kaffy Rice-Oxley, Susan Sandall, Adam Stokes, Ian Stokes, Sarah Trotter, Dean Ward, Hannah Westropp, Hilary Westropp, Mark Whittington, Mary Whittington, Paul Wood, Sue Woolley, Linda Wootten, Ray Wootten (29)

Abstentions: Councillors Harrish Bisnauthsing, Richard Cleaver, Paul Fellows, Anna Kelly, Philip Knowles, Murray Turner (6)

The amendment was lost.

Debate then resumed on the substantive motion:

- The measures on the HRA and the moves to bring the Council out of special measures for housing services were welcomed.
- It was a positive move to heavily curtail the printed copies of SK:Today and move this publication to an electronic circulation.
- One member would have liked to have seen further mention of future projects within the report, such as the potential for a new depot, and the works at St. Martin's Park, Stamford.
- There was no mention of any plans to collect food waste, and it would be a requirement of the Council to do so by 2025. In general, the recycling rate for the Council could be improved.
- 90 extra police officers were soon to be available within the District; these officers would be community based and have community acumen.
- On the housing delivery capital programme within the HRA, there were detailed plans for the next three years. It was an ongoing requirement to have a thirty-year rolling budget.
- 93 new council properties were in the forward programme; 25 of these were scheduled to be delivered in the next year. These figures were independent of the additional 21 houses proposed later on in the meeting as part of the Local Authority Housing Fund bid.
- Mention was made of the proposed increase to the majority of leisure centre fees across Bourne, Grantham and Stamford. Broadly junior and concessionary membership rates had increased, but at Bourne and Stamford the adult membership fees had decreased. The cost of floodlighting had decreased.
- One member was concerned about the staffing levels for CCTV and hoped that this subject would be kept under review. However, the Deputy Leader assured Council that the new CCTV station would be appropriately staffed. A further concern was difficulties associated with planning enforcement.

In summing up the motion, the Deputy Leader responded to some of the queries that had been put during debate:

- There would be a new Corporate Plan following the election on 4 May 2023
- Savings had been made in the Budget proposals
- The draft Climate Action Strategy was due to be considered at Environment Overview and Scrutiny Committee on 14 March 2023
- A report on St. Martin's Park was due at Council during the next electoral year

A recorded vote on recommendations 1-10 of the motion was required as it related to the Council's Budget; recommendations 11-21 did not require a recorded vote as they did not directly impact the Budget,

The results of the recorded vote were as follows:

For: Councillors Harrish Bisnauthsing, Pam Bosworth, George Chivers, Kelham Cooke, Helen Crawford, John Dawson, Barry Dobson, Ben Green, Breda Griffin, Graham Jeal, Gloria Johnson, Anna Kelly, Jane Kingman, Philip Knowles, Nikki Manterfield, Penny Milnes, Julia Reid, Robert Reid, Kaffy Rice-Oxley, Susan Sandall, Adam Stokes, Ian Stokes, Sarah Trotter, Dean Ward, Hannah Westropp, Hilary Westropp, Mark Whittington, Mary Whittington, Paul Wood, Sue Woolley, Linda Wootten, Ray Wootten (32)

Against: Councillors Ashley Baxter, Phil Dilks, Virginia Moran, Charmaine Morgan, Lee Steptoe (5)

Abstentions: Councillors Louise Clack, Richard Cleaver, Paul Fellows, Ian Selby, Judy Stevens, Murray Turner, Amanda Wheeler (7)

The remaining recommendations as amended had been moved, seconded, and following the vote they were **AGREED**:

DECISION:

That Full Council:

1. Sets a General Fund budget requirement of £16.800m for 2023/24 detailed at section 4 of the report and shown in detail at Appendix A (inclusive of special expenses).
2. Approves a Council tax base of 49,329.0 for the South Kesteven District.
3. Proposed a Council Tax level of £178.58 for 2023/24 (Band D property including special expense areas) shown at Appendix I of the report.
4. Notes the indicative base estimates for 2024/25 and 2025/26 as detailed at Appendix A of the report.
5. Approves the fees and charges detailed at section 6 of the report and shown at Appendix B.
6. Approves the General Fund Capital programme for 2023/24 to 2025/26 detailed at section 7 of the report and shown at Appendix C.
7. Approves the General Fund Capital Financing statement detailed at Appendix C of the report.
8. Approves the movements in General Fund Revenue and Capital reserves and balances detailed at section 8 of the report and shown at Appendix D
9. Approves the Treasury Management Strategy Statement detailed at Section 11 of the report and provided at Appendix G
10. Approves the updated Capital Strategy as detailed at Appendix H of the report.

Note: Resolutions 1-10 were subjected to a recorded vote – resolutions 11-21 were subjected to a normal vote via a show of hands.

11. Approves Housing Revenue Account (HRA) dwelling rent increases of 7% in accordance with Government guideline rent providing an average rent of £92.90 per week.
12. Approves an increase in HRA garage rents of 5%.
13. Approves an increase in shared ownership rents by 7%.

14. Approves the HRA Revenue Summary for the year 2023/24 and notes the indicative budgets for 2024/25 and 2025/26 shown at Appendix A of the report.
15. Approves the Housing Capital Investment programme for 2023/24 to 2025/26 as detailed at section 7 of the report and as shown at Appendix C.
16. Approves the HRA Capital Financing statement detailed at Appendix C of the report.
17. Approves the Housing Revenue Account Capital Investment Programme budget carry forward of £3.515m from 2022/23 shown at Appendix C of the report.
18. Approves the movements in HRA revenue and Capital reserves and balances detailed at section 9 of the report and shown at Appendix D.
19. Approves a delegation to the Chief Executive, S151 Officer and the Cabinet Member for Housing and Property to accept the Social Housing Decarbonisation Fund from the Department for Business, Energy and Industrial Strategy and to amend the Capital Programme Financing Statement as required.
20. Calls on the Police and Crime Commissioner to continue working with the Chief Constable so that all possible options to avoid the cut in PCSO numbers are fully considered to ensure community confidence in policing across Lincolnshire is not seriously damaged.
21. Supports calls by Lincolnshire's Police and Crime Commissioner (PCC) and Chief Constable for a fairer police funding formula to be introduced by the Government without delay and for interim additional funding to be provided by the Home Office to those police forces which are seriously disadvantaged by the current system.

87. Community Governance Review for Grantham

It was proposed, seconded and **AGREED** to vary the order of the agenda to allow the item on Community Governance Review to be heard as the next item.

Councillor Graham Jeal, the present Mayor of Grantham reported the outcome of an additional consultation exercise undertaken and outlined recommendations from the Community Governance Review Working Group regarding the proposed creation of a Parish Council for Grantham.

A cross-party working group had been established, chaired by the Mayor of Grantham and assisted by Grantham District Councillors, the Assistant Director of Governance and Monitoring Officer, the Electoral Services Manager, the Consultation Officer and members of the Democratic Services team at South Kesteven District Council. Those that had participated in the process were thanked for their input.

The first phase of consultation demonstrated a clear message of support for decision making in Grantham, in the form of a Parish/Town Council. The Council at its meeting on 26 May 2022 reached a decision, in principle, to support the establishment of a Parish/Town Council. A further consultation process was undertaken, targeted at specific areas on the periphery of the existing boundary of the unparished area of Grantham which provided the Working Group with sufficient information to make a recommendation to Full Council on the proposed boundary for a new Parish/Town Council. The Working Group also considered the warding

arrangements and number of Councillors such a body should consist of, equating to 22. Councillor Jeal therefore proposed the recommendations of the report.

The proposition was seconded.

In debating the motion, the following points were raised:

- There was cross-party collaboration all the way through this process; this was particularly important when it came to deciding on the appropriate number of Councillors for the Town Council. Initially the proposal had been 15 Councillors, but 22 was deemed a more appropriate number.
- A Town Council for Grantham would give the town a local voice and identity, as well as bringing it in line with the other three major towns within South Kesteven.
- Most electoral wards within Grantham were similar in size, but St. Vincent's ward was slightly larger and therefore it was felt that it required representation by 4 Councillors rather than the standard 3.
- One member raised doubts about the potential for an extra layer of bureaucracy and more local councillors; however, they hoped that they were wrong, and that Grantham's voice would indeed be strengthened.
- One strength of a Town Council was that it brought local councillors closer to the electorate and would lead to further togetherness on local issues.
- Tributes were paid to the current Mayor of Grantham for his work in chairing the sessions related to the Community Governance Review.

Having been proposed and seconded, upon being put to the vote the motion was **AGREED:**

DECISION:

That Full Council:

1. Notes the responses of the additional consultation process.
2. Formally proposes to establish a Parish Council for Grantham based upon the following principles and commences with the second stage of formal consultation:
 - That the boundary for the new Parish Council for Grantham replicates the existing unparished area of Grantham
 - That the warding arrangements for the new Parish Council for Grantham replicate existing District Council Wards
 - That the size of the new Parish Council for Grantham consists of 22 Councillors, comprising 4 Councillors for St Vincent's Ward and 3 Councillors for all remaining Wards
3. Approves the revised timetable for the Community Governance Review.

88. Pay Policy Statement 2023-2024

Note: Council voted to extend the meeting until 5pm under Council Procedure Rule 14.20 (g) due to the meeting approaching three hours in length.

The Chairman of the Employment Committee introduced the Pay Policy Statement 2023-2024. It was a requirement of the Localism Act 2011 that the Council produced an annual Pay Policy Statement. This statement summarised current policies and arrangements

already in place related to pay. The Pay Policy Statement was presented each year to Full Council as part of the budget setting and approval process.

The Chairman of the Employment Committee placed on record her thanks for all the positive work achieved by HR Officers over the past year. Also mentioned was the widespread change in working pattern following the Covid pandemic; many officers of the Council now worked in a flexible way, a blend of home working and working from the new office accommodation at the Picturehouse, Grantham.

'Homegrown' apprentices were key to the Council.

The Chairman of the Employment Committee proposed the recommendations contained within the report.

The motion was seconded.

The following points were raised during debate:

- The Employment Committee worked towards improving practices whilst retaining talented officers. The pay review and rewards were key factors in this.
- Thanks were reiterated to officers for the clear way in which the report was presented.
- Under current pension arrangements the Council did not get to choose its rate of pension contributions, these were set by the Actuary. The employer contribution rate of 23.9% was divided into a primary and secondary rate; the secondary rate was reduced whereas the primary had increased. Overall, there was an annual saving on pension contributions of £309,000 within the Budget for the next financial year.
- The Local Government Pension Scheme had changed from being a Final Salary Scheme to a career average scheme in 2014. Lifetime allowances within the pension scheme had reduced to their current level of £1.07 million.
- The Chief Executive confirmed that any interim senior managerial appointments in place were not reflected within the report, as this was not a requirement of the Pay Policy Statement.
- It was confirmed that two statutory posts could be held concurrently by an officer if they were suitably qualified; however, the Council had three different senior officers in the statutory roles of Head of Paid Service, Section 151 Officer and Monitoring Officer at this time.

Note: Councillors Graham Jeal, Hannah Westropp and Harrish Bisnauthsing left the Chamber and did not return. Councillor Virginia Moran left the Chamber but returned at a later stage in proceedings.

Having been proposed and seconded, upon being put to the vote the motion was **AGREED:**

DECISION:

That Full Council approves the Pay Policy Statement 2023-2024.

89. Local Authority Housing Fund (LAHF) Update

The Cabinet Member for Housing and Property introduced a report seeking approval to accept the grant from the Local Authority Housing Fund (LAHF) which had been made

available from the Department for Levelling Up, Housing and Communities. The funding would support the delivery of 21 new homes in the District to meet short, medium and long-term housing need.

The scheme was scheduled to run over two financial years, and for South Kesteven District a grant funding agreement of circa £2.1 million for 19 homes, plus a 'bridging' arrangement for two further homes was proposed. This would require the use of match funding from HRA reserves.

The scheme would support Ukrainian and Afghan families with the provision of 'move on' accommodation, a new supply of housing to meet demand. A Memorandum of Understanding had been drafted and required a reply from the Council by 15 March 2023.

Once the properties were no longer utilised by the families the Council would be free to use them for another suitable purpose. The purchase of the properties should aid the Council in minimising 'right to buy' stock losses. The delivery of the houses would involve approaching local developers to purchase new build properties that met the requirements of the funding.

The Cabinet Member for Housing and Property proposed the recommendations contained within the report.

The motion was seconded.

The following points were raised during debate:

- It was pleasing to see money being used to allocate housing within the District. Some Ukrainian and Afghan families were being housed in hotels, some were with host families, and some were finding it hard to find housing at all, particularly in Stamford.
- Thanks were placed on record to officers in the Council's housing team, and the families that were hosting people from Ukraine and Afghanistan.
- The scheme was a good method by which the Council directly control housing stock; 21 houses being added to the Council's stock was a positive move. More needed to be done in general to make houses available for those people who were struggling, regardless of their passport.
- One member suggested that the level of support being granted by the Government was not in line with the actual need. It was already known that there was a shortfall of Council homes, but now the support required for refugees added to this pressure. However, it was raised that the pressure to provide homes for these families would exist with or without the purchase of these houses.
- These houses were not included in targets set for this year and next.
- These homes would be subjected to affordable rent.
- The homes likely to be purchased would already be developed as they were required swiftly. It was likely that they would be purchased in Grantham and Market Deeping, so that communities were able to be in close contact with other families that had established themselves in the UK. The rationale was that Grantham was close to Lincoln, where families had settled, and Market Deeping was close to Peterborough.

Having been proposed and seconded, upon being put to the vote the motion was **AGREED:**

DECISION:

That the Council:

1. Approves receipt of the Local Authority Housing Fund (LAHF) grant of £2,098,750 to provide accommodation to Ukraine and Afghan families and agree approval of the memorandum of understanding with Department for Levelling Up, Housing and

Communities.

2. Delegates to the Acting Director of Housing, in consultation with the Cabinet Member for Housing and Property, the authority to conclude contractual and grant agreement arrangements with the Department for Levelling Up, Housing and Communities.
3. Approve an allocation of £2,383,750 from the Council's Housing Revenue Priorities Reserve to fund the Council's own contribution towards the Local Authority Housing Fund.
4. Includes an allocation of £4,482,500 in the Housing Revenue Account 2023/2024 capital programme to deliver the provision of properties as set out in the Local Authority Housing Fund.

90. Appointment of Deputy Electoral Registration Officers

Note: It was moved that Council Procedure Rule 14.4 be suspended to reduce the speaking time on a motion from five minutes to three. This was duly seconded, and following a vote and the achievement of a two-thirds majority of those members present, it was **AGREED** to suspend Council Procedure Rule 14.4.

The Chief Executive, in her role as Electoral Registration Officer (ERO) introduced a report requesting the appointment of three Deputy Electoral Registration Officers. At present the Constitution did not provide delegated authority for the ERO to appoint their own Deputies; formal approval was required from Full Council.

The recommendations contained within the report were proposed and seconded.

The following points were raised during debate:

- Some of the extra burden for the ERO and proposed Deputy EROs was due to the Voter ID scheme. The effect on voter turnout of voter ID remained to be seen.
- There were no direct financial burdens because of these appointments as there was no supplement available for Deputy EROs. However, some new burdens funding had been received for the new Elections Act regulations.
- It was not clear yet what the demands would be on the Deputies as the election was still two months away; however, they would certainly be on duty until at least 10pm on election day. A wet signature would need to be added to any applications for a temporary voter ID certificate on the day, and this could only be provided by the ERO or a Deputy, at the Council offices in Grantham.
- The Government portal for voter ID applications was open for now. Applications were being received by officers on a daily basis; there was a significant process involved with issuing a voter ID certificate.
- Each polling station and Presiding Officer was being trained on issues related to voter ID; if the ID provided did not resemble the person presenting at the polling station, then they would not be able to vote.
- Thanks were given to the Chief Executive and staff for their work thus far on the local elections.

Having been proposed and seconded, upon being put to the vote the motion was **AGREED:**

DECISION:

That the Council:

1. Approves the appointment of the Chief Finance Officer, the Assistant Director of Governance and the Electoral Services Manager as Deputy Electoral Registration Officers to act in place of the Electoral Registration Officer where they are unable to act personally and for the purposes of the authorisation of Voter Authority Certificates.
2. Delegates authority to the Council's Electoral Registration Officer to appoint Deputies and to revoke or vary such appointments as necessary in the future.

91. Proposed Amendments to the Constitution

The Cabinet Member for Corporate Governance and Licensing introduced a range of proposed amendments to the Constitution.

The report set out several proposed constitutional amendments, some of which were a consequence of the Scrutiny Review Action Plan endorsed by the Governance and Audit Committee and others reflected proposals submitted to the Constitution Committee for consideration.

Those recommendations relating to the Scrutiny Review had already been discussed and considered at a public scrutiny review workshop, the Governance and Audit Committee and the Constitution Committee prior to Full Council.

All the recommendations included in the report were agreed by the Constitution Committee at their meeting held on 14 February 2023, apart from recommendation 2 which achieved a tied vote. It was therefore agreed that this particular recommendation be referred to Full Council without a recommendation by the Committee.

One minor amendment was moved regarding recommendation 7 which was to replace the words 'in consultation' with 'in conjunction' as set out in the table under 'Officers Granted Delegation' at paragraph 3.7 of the report. It was appropriate for the introduction of a new fee or charge to be made in conjunction with the Section 151 Officer as opposed to in consultation with them.

There were ten recommendations within the report, and the first four were proposed, seconded and debated individually. Recommendations 5-10 were proposed and seconded en bloc.

Note: Councillors Ian Stokes and Sue Woolley left the Chamber and did not return.

On recommendation 1, it was noted that the requirement to submit alternative budgets to the Chief Finance Officer 5 working days prior to the Council meeting was a recommendation from the Centre for Governance and Scrutiny.

Having previously been moved and seconded, following a vote it was **AGREED**:

DECISION:

1. That Full Council approves the addition of a new paragraph under the Budget and Policy Framework Procedure Rules in Part 4 (Rules of Procedure) of the Constitution

regarding proposed amendments to the budget or proposed alternative budgets, as set out in paragraph 3.3 of the report.

The following information was raised during the debate on recommendation 2 – the proposal to reduce the number of Overview and Scrutiny Committees from four to three from 4 May 2023:

- The recommendation from the Scrutiny Review sought to reduce the Council's Overview and Scrutiny committees down from four to two, but it was felt that this would be a step too far. Therefore three Overview and Scrutiny Committees was proposed.
- There was no recommendation from the Constitution Committee here as the vote at the meeting was a tie; the Chairman of the Constitution Committee at the time felt that it would be unfair to use his casting vote, and would rather let Full Council make the final decision.
- The responsibilities of the new Finance, Economic and Environment Overview and Scrutiny Committee looked on paper to be wider ranging than those of the Culture and Leisure Overview and Scrutiny Committee, for example. It was pointed out, for information, that the new terms of reference for the Finance, Economic and Environment Overview and Scrutiny Committee included the current terms of reference for the Environment Overview and Scrutiny Committee in full. Some of the headings within the Culture and Leisure Overview and Scrutiny Committee and the Communities and Housing Overview and Scrutiny Committee were quite generic and could be broken down further.
- It would be within the gift of each new committee to determine how often they would wish to meet, and whether they wanted to review their terms of reference.

Note: Council voted to further extend the meeting until 5:30pm under Council Procedure Rule 14.20 (g) due to the initial extension of time being about to expire.

Having earlier been moved by Councillor Ashley Baxter, the following motion to amend recommendation 2 was seconded by Councillor Richard Cleaver:

- A decision on the reduction of four Overview and Scrutiny Committees to three Overview and Scrutiny Committees and adoption of the revised version of 'Article 6 – Overview and Scrutiny Committees' set out in Appendix A, to be deferred subject to a referral to the relevant committee.

Debate on the amendment ensued:

- The reduction in number of Overview and Scrutiny Committees was endorsed at Governance and Audit Committee on 30 January 2023 and subsequently discussed at Constitution Committee on 14 February 2023. Previously, the Council had operated with one Overview and Scrutiny Committee.

Note: Councillor Amanda Wheeler left the Chamber and did not return.

- The newly formed UK Shared Prosperity Fund Board was not included on the list of responsibilities of the new Overview and Scrutiny Committees, but it may be that it would report into the Finance, Economic and Environment Overview and Scrutiny Committee.

- The increasing role of any Environment Overview and Scrutiny Committee in climate change was something all Councillors should be aware of.

Note: Councillor Virginia Moran returned to the Chamber.

- One member disagreed with the notion that Finance and Environment were two subjects that could not be under the remit of the same committee.

Having previously been moved and seconded, upon being put to the vote the amendment was lost.

The substantive recommendation 2 had previously been moved and seconded, and following a vote it was **AGREED**:

DECISION:

2. That Full Council approves the reduction of four Overview and Scrutiny Committees to three Overview Scrutiny Committees and adoption of the revised version of 'Article 6 – Overview and Scrutiny Committees' set out in Appendix A, with effect from 4 May 2023.

The following information was raised during the debate on recommendation 3 – the proposal to abolish Companies Committee with effect from 4 May 2023, with appointments to company Boards falling within the remit of the Governance and Audit Committee:

Note: Councillor Judy Stevens left the Chamber and did not return.

- This proposal was made further to the Scrutiny Review where recommendations were made regarding scrutiny of the Council's companies. It was deemed appropriate that the scrutiny of a Council company should fall under the remit of the relevant Overview and Scrutiny Committee. As appointment to Boards were considered a decision-making function, it was proposed that this particular responsibility sat under the Governance and Audit Committee.
- All but one of the companies previously set up by the Council was no longer in operation. Gravitas Housing had failed to disrupt the market by delivering an adequate number of houses. Environment:SK had been created, and then closed within the last four years when the grounds maintenance service had returned to being an in-house provision.

Having previously been moved and seconded, following a vote it was **AGREED**:

DECISION:

3. That Full Council approves the abolition of the Companies Committee, with oversight of the Council's companies falling within the remit of the relevant Overview and Scrutiny Committee, with appointments to company Boards falling within the remit of the Governance and Audit Committee, with effect from 4 May 2023.

The following information was raised during the debate on recommendation 4 – the abolition of the Constitution Committee from 4 May 2023, with its roles and responsibilities moving to Governance and Audit Committee:

- The review of the Constitution was now complete, so a core aspect of the Committee's work had been undertaken. It was proposed that future amendments to the Council's Constitution could be considered by the Governance and Audit Committee.
- All members of the Constitution Committee, along with the Monitoring Officer and other officers, were thanked for their input into the new iteration of the Constitution from 25 July 2022. The Constitution should be reviewed annually, with any amendments to be heard at Governance and Audit Committee.
- One member expressed their concerns that an overhaul was required to look at issues such as how the Chairmen of Committees were arrived at. Therefore, there was still a role for the Constitution Committee.

Having previously been moved and seconded, following a vote it was **AGREED**:

DECISION:

4. That Full Council approves the abolition of the Constitution Committee with the role and responsibilities being added to the remit of the Governance and Audit Committee, and adoption of the revised version of 'Article 10 – Governance and Audit Committee' set out at Appendix B, with effect from 4 May 2023.

Note: Council voted to further extend the meeting until 5:45pm under Council Procedure Rule 14.20 (g) due to the previous extension of time being about to expire.

The following points were raised during the debate over recommendations 5-10:

- If a Standards Committee was created, then the adoption of Local Government Authority (LGA) guidance on handling breaches of the Code of Conduct should follow suit. The Monitoring Officer, whilst highlighting the proposed articles for the Standards Committee, highlighted that one of the responsibilities of the Committee to consider procedures for dealing with breaches associated with the Code of Conduct, including the procedure to be followed at Hearings. A recent Code of Conduct Hearing Review Panel and subsequent notice of motion submitted by Councillor Dilks had highlighted the important role that a Standards Committee could play as a recognised body in the Council's committee structure in promoting high levels of conduct and greater liaison with the Council's Independent Person.
- An apology to the complainants involved with the Code of Conduct Review Hearing from 12 December 2022 was offered by the subject Councillor.
- Those members of the Code of Conduct Review Panel from 12 December 2022 were in support of the creation of a Standards Committee, as it would be a more effective way of dealing with any potential Code of Conduct breaches.
- There was a risk that prolonged use of vacancies as opposed to allocating Members seats on Committees resulted in a lack of clarity regarding the actual membership of Committees.

Note: Council voted to further extend the meeting until 5:50pm under Council Procedure Rule 14.20 (g) due to the previous extension of time being about to expire.

Having previously been moved and seconded, following a vote it was **AGREED**:

DECISION:

That Full Council approves:

5. The creation of a Standards Committee and adoption of a new Article entitled 'Standards Committee', which sets out its terms of reference, with effect from 4 May 2023.
6. The renumbering of Articles under Part 2 of the Council's Constitution to facilitate recommendations 1 to 4 above, with effect from 4 May 2023.
7. The addition of a delegation under the Officer Scheme of Delegation in Part 3 (Responsibility for Functions) of the Council's Constitution regarding the introduction of new fees and charges, as set out in paragraph 3.7 of the report.
8. The addition of a definition regarding the duration of a short-term lease in respect of an existing delegation within the Officer Scheme of Delegation in Part 3 (Responsibility for Functions) and further clarification in respect of the delegation, as set out paragraphs 3.8 to 3.11 of the report.
9. The addition of an existing delegation within the Officer Scheme of Delegation in Part 3 (Responsibility for Functions) granted by Cabinet on 7 December 2021 with a variation in respect of the disposal of assets, as set out in paragraphs 3.12 to 3.14 of the report.

The addition of a rule in Part 4 (Procedure Rules) in the Council Procedure Rules regarding the appointment of Members to fill vacancies on Committees, as set out in paragraph 3.17 of the report.

92. Proposed Amendments to the Constitution - referred item

Proposed Amendments to the Constitution - referred item was not considered due to time constraints and would be considered at the annual meeting of Full Council on 18 May 2023.

93. Members' Open Questions

There were no questions due to time constraints.

94. Notices of Motion

95. Councillor Amanda Wheeler

Councillor Wheeler's motion was not considered due to time constraints and may be heard at the annual meeting of Full Council on 18 May 2023.

96. Councillor Phil Dilks

Councillor Dilks' motion was not considered due to time constraints and may be heard at the annual meeting of Full Council on 18 May 2023.

97. Close of meeting

In closing the meeting, the Chairman of Council thanked all officers and members for their support during her tenure.

Wider thanks were offered to those in the Chamber that had contributed to the business of Council during 2022-2023. The contribution of those members who would not be returning after 4 May 2023 was recognised.

Meeting closed at 5:50pm.

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Annual Council


18 May 2023

Report of Karen Bradford, Chief Executive

Programme of meetings of Full Council, Cabinet and Committees for 2023/2024

Report Author

James Welbourn, Democratic Services Manager

 James.welbourn@southkesteven.gov.uk

Purpose of Report

It is the business of the annual meeting of Full Council to approve a programme of ordinary meetings of Full Council for the year. This report also sets out the dates for meetings of Cabinet, Overview and Scrutiny Committees and other Committees of the Council.

Recommendations

That Full Council approves the programme of meetings of Full Council, Cabinet and Committees for 2023/2024, as attached as Appendix A to this report.

Decision Information	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no financial implications arising from this report.

Completed by: Richard Wyles, Chief Finance Officer and Section 151 Officer.

Legal and Governance

1.2 In respect of ordinary meetings of the Council, the Constitution stipulates that meetings will take place in accordance with a programme decided at Full Council's annual meeting. Additional meetings can be called and the Chief Executive's emergency powers can be utilised to ensure the business continuity of decisions.

Completed by Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

2.1 A copy of the draft proposed programme of meetings is attached as Appendix A to this report.

2.2 Any changes made to the draft programme following the circulation of this report will be highlighted at the meeting to enable Members to note and mark their diaries accordingly.

In considering the dates for 2023/2024, the Council has consulted with the Democratic Services team at Lincolnshire County Council to ensure, as far as

possible that meeting clashes between the two authorities are unlikely. Therefore, the impact on those members that represent both authorities should be minimal.

3. Other Options Considered

- 3.1 Under the Local Government Act 1972, Full Council must hold an annual meeting. The Council's committees should meet with sufficient frequency in order to determine business in a timely manner and within any statutory timeframes.
- 3.2 The preferred option is to approve the programme as set out in Appendix A.

4. Reasons for the Recommendations

- 4.1 The Council's committees will be meeting with sufficient frequency in order to determine business in a timely manner and within statutory timeframes.
- 4.2 The programme of meetings will be made public on the Council's website.

5. Appendices

- 5.1 Appendix A: Draft programme of meetings 2023/2024

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South Kesteven District Council - Draft Schedule of meetings 2023-2024													
	May	June	July	August	September	October	November	December	January	February	March	April	May
Monday	1		3			2			1			1	
	Bank Holiday								Bank Holiday			Bank Holiday	
Tuesday	2		4	1		3			2			2	
Wednesday	3		5	2		4	1		3			3	1
			Comm/Housing OSC										
Thursday	4	1	6	3		5	2		4	1		4	2
	District and Parish Elections	Planning				Comm/Housing OSC (PM)				Comm/Housing OSC			
Friday	5	2	7	4	1	6	3	1	5	2	1	5	3
									Licensing	Licensing	Licensing	Licensing	Licensing
Monday	8	5	10	7	4	9	6	4	8	5	4	8	6
	Bank Holiday										Council*		Bank Holiday
Tuesday	9	6	11	8	5	10	7	5	9	6	5	9	7
			Cabinet		Culture & Leisure OSC (PM)	Cabinet	Cabinet	Cabinet	Culture & Leisure OSC	Cabinet			
Wednesday	10	7	12	9	6	11	8	6	10	7	6	10	8
			Gov & Audit		Standards (PM)						Standards (PM)		FEEOSC (PM)
Thursday	11	8	13	10	7	12	9	7	11	8	7	11	9
						Planning	Planning	Planning	Planning	Planning			
Friday	12	9	14	11	8	13	10	8	12	9	8	12	10
Monday	15	12	17	14	11	16	13	11	15	12	11	15	13
									Budget Scrutiny				
Tuesday	16	13	18	15	12	17	14	12	16	13	12	16	14
		Culture & Leisure OSC (AM)	FEEOSC		Cabinet						Cabinet	Cabinet	Cabinet
Wednesday	17	14	19	16	13	18	15	13	17	14	13	17	15
		Gov & Audit (PM)			Employment Committee (PM)		Employment Committee		Employment Committee (PM)		Gov & Audit		
Thursday	18	15	20	17	14	19	16	14	18	15	14	18	16
	Annual Council		Council		Planning			Comm/Housing OSC (PM)	Cabinet*		Planning	Planning	Planning
Friday	19	16	21	18	15	20	17	15	19	16	15	19	17
				Licensing		Licensing	Licensing	Licensing					
Monday	22	19	24	21	18	23	20	18	22	19	18	22	20
Tuesday	23	20	25	22	19	24	21	19	23	20	19	23	21
					FEEOSC (PM)					FEEOSC			
Wednesday	24	21	26	23	20	25	22	20	24	21	20	24	22
		Employment Committee							Gov & Audit		Employment Committee (PM)		
Thursday	25	22	27	24	21	26	23	21	25	22	21	25	23
		FEEOSC	Planning	Planning			Council		Council				Annual Council
Friday	26	23	28	25	22	27	24	22	26	23	22	26	24
	Licensing	Licensing	Licensing										
Monday	29	26	31	28	25	30	27	25	29	26	25	29	27
	Bank Holiday			Bank Holiday				Bank Holiday					Bank Holiday
Tuesday	30	27		29	26	31	28	26	30	27	26	30	28
	Cabinet				Gov & Audit (AM)		FEEOSC (PM)	Bank Holiday			Culture & Leisure OSC (PM)		
Wednesday	31	28		30	27		29	27	31	28	27		29
							Gov & Audit (PM)						
Thursday		29		31	28		30	28		29	28		30
		Planning			Council		Culture & Leisure OSC				Comm/Housing OSC (PM)		
Friday		30			29			29			29		31
					Licensing						Bank Holiday		

CIPFA Conference 27-28 Jun 2023

LGA Conference 4-6 July 2023

CIH Conference 27-29 June

Conservative Conference 1-4 October 2023

Labour Conference 8-11 October 2023

SOLACE SUMMIT 17-19 October 2023

DCN Conference - no dates available

Lib-Dem Spring Conference no dates available

KEY

	Cabinet
	Communities and Housing OSC
	Council
	Culture & Leisure OSC
	Employment Cmtte
	Finance, Economic and Environment OSC
	Governance & Audit Cmtte
	Licensing Cmtte
	Planning Cmtte
	Standards Committee
	Bank Holiday
	Lincolnshire School Holidays

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Annual Council

18 May 2023

Report of Karen Bradford, Chief
Executive

Appointment of Representatives to Outside Bodies

Report Author

Graham Watts, Assistant Director of Governance and Monitoring Officer



Graham.watts@southkesteven.gov.uk

Purpose of Report

The Council, at its annual meeting, will receive nominations of Councillors to serve on a variety of Outside Bodies.

Recommendations

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

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All or insert specific ward(s)

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no financial implications arising from this report.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

1.2 There are no legal or governance arrangements arising from this report not already highlighted in the body of the report.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 The Council makes appointments to a range of outside bodies. Most appointments run for four years, coinciding with the elections every four years. Other appointments have different durations, or their terms do not mirror the Council's four-year term of office.
- 2.2 A list of the nominations that the Council is asked to make is included in Table 1 (below), including the end date of the appointment. Please note that any Outside Bodies with a strikethrough no longer require a representative from South Kesteven District Council.
- 2.3 Thomas Truesdale's Hospital previously notified the Council in 2019 that they no longer required an elected representative.

- 2.4 Deeping St. James United Charities notified the Council in March 2023 that they would no longer require an elected representative from May 2023.
- 2.5 Active Lincolnshire (formerly Lincolnshire Sports Partnership) notified the Council in May 2023 that they would no longer require an elected representative.

Table 1

Organisation	No. of reps	Term of Office	End date
Active Lincolnshire	4	4 years	May 2027
Black Sluice Internal Drainage Board	1	3 years	May 2026
Dame Margaret Thorold Educational Foundation <i>(The representative should come from the north of the district, which is the area in which the charity operates)</i>	1	4 years	May 2027
Deeping St James United Charities	4	4 years	May 2023
East Midlands Councils *	1	1 year	May 2024
Elsea Park Community Trust	1	4 years	May 2027
Grantham Almshouse Charity	1	4 years	May 2027
Grantham Canal Partnership	1	4 years	May 2027
Greater Lincolnshire Local Enterprise Partnership	1	4 years	May 2027
Heritage Lincolnshire	1	4 years	May 2027
Joseph Clark's (Grantham) Apprenticing Foundation	2	4 years	May 2027
Lincolnshire County Council Flood and Water Management Scrutiny Committee **	1	4 years	May 2027
Lincolnshire Health Scrutiny Committee **	1 (plus 1 reserve)	4 years	May 2027
Lincolnshire Police and Crime Panel	1 (to reflect political balance)	4 years	May 2027
Lincolnshire Waste Partnership	1	4 years	May 2027
Local Government Association *	1	1 year	May 2024

Organisation	No. of reps	Term of Office	End date
South Lincolnshire Fenlands Partnership	1	4 years	May 2027
South Kesteven Citizen's Advice Bureau	3	4 years	May 2027
Thomas Truesdale's Hospital	4	4 years	May 2027
Upper Witham Internal Drainage Board	3	3 years	March 2026
Welland and Deepings Internal Drainage Board	4	3 years	March 2026

* Prescribed as Leader of the Council

** Political balance only applies to County Council membership, not District Council membership. District Council representative cannot be a member of Cabinet.

3. Other Options Considered

- 3.1 The Council could make appointments to the bodies as set out in the recommendations or decline to make appointments unless there was a legal requirement to do so.
- 3.2 The preferred option is to make the appointments set out in the recommendations.

4. Reasons for the Recommendations

- 4.1 By making the appointments, the Council will be able to ensure that South Kesteven District Council is represented on those bodies.
- 4.2 Those councillors appointed to the outside bodies will be displayed on the Council's website. The outside bodies will be notified of the Council's decision.



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council

18 May 2023

Report of Nicola M^cCoy-Brown -
Director of Growth and Culture

Making of the Caythorpe and Frieston Neighbourhood Plan

Report Author

Jake Horton, Senior Planning Policy Officer

 j.horton@southkesteven.gov.uk

Purpose of Report

This report seeks Members' approval to 'make' (adopt) the Caythorpe and Frieston Neighbourhood Plan (NP) as part of the South Kesteven Development Plan. The report follows the NP's successful referendum which was held on 4 May 2023.

Recommendations

It is recommended Full Council:

- 1. Makes (Approves) the Caythorpe and Frieston Neighbourhood Plan (referendum version) to become part of South Kesteven District Council's 'Statutory Development Plan', and a material consideration for determining planning applications in the Caythorpe and Frieston Neighbourhood Area.**
- 2. Delegates authority to the Assistant Director of Planning to make minor 'nonmaterial' changes to the Caythorpe and Frieston Neighbourhood Plan as necessary, and exercise all of the Council's functions and responsibilities in relation to making the Caythorpe and Frieston Neighbourhood Plan.**

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Growth and our economy
Housing that meets the needs of all residents
Healthy and strong communities
Clean and sustainable environment

Which wards are impacted?

Loveden Heath

1 Implications

Finance and Procurement

- 1.1 The Council receives a grant of £20,000 from the Department of Levelling Up, Housing and Communities for each successful Neighbourhood Plan referendum to help support its neighbourhood planning role in the district. A claim of £20,000 has been submitted for the Caythorpe and Frieston Neighbourhood Plan (NP); the costs associated with this Neighbourhood Plan are covered by the grant.
- 1.2 Once the Neighbourhood Plan has been “made” there are no further financial implications arising due to this report.

Completed by: Alison Hall-Wright, Assistant Director of Finance

Legal and Governance

- 1.3 This work is a duty under the Localism Act 2011 and the Neighbourhood Planning Regulations 2012. All statutory requirements have been fulfilled, with a decision of Full Council necessary in accordance with the Council’s Policy Framework.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Risk and Mitigation

- 1.4 The amended Neighbourhood Plan General Regulations (2012) require a ‘Qualifying body’ either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required. In order to comply with this requirement, South Kesteven District Council undertook a screening exercise in March 2022 on the need or otherwise for a Strategic

Environmental Assessment to be prepared for the Neighbourhood Plan. It was concluded that the Caythorpe and Frieston Neighbourhood Plan is not likely to have any significant effects on the environment and accordingly would not require a Strategic Environmental Assessment. The Neighbourhood Plan proposals have not significantly changed since that time. Section 7.8 of the background papers provides a link to the screening report for the Strategic Environmental Assessment.

Diversity and Inclusion

- 1.5 The Caythorpe and Frieston Neighbourhood Plan has been prepared by the Caythorpe and Frieston Neighbourhood Plan working group (on behalf of Caythorpe and Frieston Parish Council). Neighbourhood Plans must comply with Human Rights legislation. Their compliance is tested as part of the examinations process carried out by an Independent Examiner. This Neighbourhood Plan is also in 'general conformity' with the South Kesteven Local Plan (as required by the Town and Country Planning Act 1990), which has been subject to its own Equalities Impact Assessment so its implementation and delivery will comply with the findings of that assessment to ensure equitability.

Climate Change

- 1.6 The Neighbourhood Plan should have regard for national and strategic planning policy by requiring developments to address climate change and flood risk issues. At the examination, the examiner was satisfied the Neighbourhood Plan had met this condition.
- 1.7 The Caythorpe and Frieston Neighbourhood Plan has within it a community objective (**objective 6**) which aims to reduce the carbon footprint of the parish area by encouraging energy efficient buildings, charging points for electric vehicles, the use of public transport and tree planting while also ensuring that routes for cyclists and pedestrians are protected and enhanced.
- 1.8 The Caythorpe and Frieston Neighbourhood Plan also has within it several policies which aim to encompass the environmental requirements of sustainable development, as referenced within the Examination Report.

2 Background to the Report

- 2.1 Localism Act (2011) introduced Neighbourhood Planning as a new way for communities to help shape future development within their locality. One of the types of Neighbourhood Planning introduced is 'Neighbourhood Development Plans' which are documents created by local people setting out policies for the development and use of land in their particular area.
- 2.2 South Kesteven District Council's Corporate Plan expressly references working hand-in-hand with public sector partners across Lincolnshire to collectively deliver for residents and businesses. The Council takes it's spatial planning role seriously

and is keen to see interaction between place and spaces and the communities that use them and aims to balance the competing demands of the economy, environment and community.

- 2.3 If a Neighbourhood Development Plan has successfully passed all stages of preparation, including an examination and referendum, the relevant Local Planning Authority must adopt (make) it as part of the 'Statutory Development Plan' for the specified area. Once "made", planning applications are assessed against the relevant policies in the Neighbourhood Plan.
- 2.4 Caythorpe and Frieston Parish Council, as the Qualifying Body, received South Kesteven District Council approval on 25 June 2020 to prepare a Neighbourhood Plan (NP). The Caythorpe and Frieston Neighbourhood Plan Working Group (on behalf of Caythorpe and Frieston Parish Council) have been preparing the Caythorpe and Frieston Neighbourhood Development Plan over several years with input from local residents, local businesses interested parties and other stakeholder organisations.

Decision and Reasoning

- 2.5 The Caythorpe and Frieston Neighbourhood Plan was submitted to South Kesteven District Council for examination on 23 June 2022 and comments were invited from the public and stakeholders between 14 September 2022 and 26 October 2022.
- 2.6 After the statutory consultation period ended, South Kesteven District Council (in consultation with Caythorpe and Frieston Parish Council) appointed an Independent Examiner for the Caythorpe and Frieston Neighbourhood Plan. All representations received during the statutory consultation period were forwarded to the Independent Examiner for consideration.
- 2.7 The appointed Independent Examiner, after reading the representations received on the Caythorpe and Frieston Neighbourhood Plan, decided the issues raised in the representations did not require a public hearing and could be examined under written representations.
- 2.8 The examination report was received on 14 February 2023 and concluded that the Caythorpe and Frieston Neighbourhood Plan met the basic conditions and, subject to the modifications proposed in the report, the Neighbourhood Plan should proceed to a referendum within the specified area (in this case, Caythorpe and Frieston Parish).
- 2.9 On 13 March 2023, South Kesteven District Council, in consultation with the Caythorpe and Frieston Neighbourhood Plan working group (on behalf of Caythorpe and Frieston Parish Council) considered and accepted the Examiner's recommendations and issued a decision notice confirming that the amended Caythorpe and Frieston Neighbourhood Plan should proceed to referendum.
- 2.10 The referendum version of the Caythorpe and Frieston Neighbourhood Plan can be found online at:

- 2.11 The referendum was held on 4 May 2023 and the following question was asked:
- “Do you want South Kesteven District Council to use the Neighbourhood Plan for Caythorpe and Frieston to help it decide planning applications in the neighbourhood area?”***
- 2.12 37.93% of those on the Electoral Register for the Caythorpe and Frieston Parish area turned out for the Referendum. Of the 396 votes cast, 344 were cast in favour of ‘yes’ and 49 were cast in favour of ‘no’. 2 ballot papers were also rejected. This resulted in an **86.8% positive vote** for the Caythorpe and Frieston Neighbourhood Plan.
- 2.13 In line with 38A of the Planning and Compulsory Purchase Act (2004), the Local Planning Authority must, make a Neighbourhood Development Plan to which the proposal relates if in each applicable referendum more than half (50%) of those voting have voted in favour of the Neighbourhood Development Plan. The only circumstance where the Local Planning authority should not make this decision is where the making of the Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights within the meaning of the Human Rights Act (1998).
- 2.14 South Kesteven District Council (as the Local Planning Authority), along with the appointed Independent Examiner, are satisfied that the Caythorpe and Frieston Neighbourhood Plan does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention Rights within the meaning of the Human Rights Act (1998). Therefore, the only available option open is to formally ‘make’ the Caythorpe and Frieston Neighbourhood Plan part of the Statutory Development Plan for South Kesteven.
- 2.15 As set out in the amended Neighbourhood Planning General Regulations (2012), the decision statement to ‘make’ a Neighbourhood Development Plan under section 38A (4) of the 2004 planning and compulsory Purchase act must be done within eight weeks of a published successful referendum result. This statement has been appended to this report (**Appendix 1**).
- 2.16 As referenced in Article 4 of South Kesteven District Councils constitution, the ‘making’ of the Caythorpe and Frieston Neighbourhood Plan must be a decision undertaken by Full Council, as it is a ‘Development Plan Document’ making up part of the wider Development Framework for South Kesteven District Council.

3 Key Considerations

- 3.1 As a result of the successful referendum, South Kesteven District Council proceed to ‘make’ (adopt) the Caythorpe and Frieston Neighbourhood Plan as outlined above to become part of the Statutory Development Plan for South Kesteven and to give delegated authority to the Assistant Director for Planning, to make minor ‘non material’ amendments to the Neighbourhood Plan, as necessary.

4 Other Options Considered

- 4.1 The Caythorpe and Frieston Neighbourhood Plan is considered to have been prepared in accordance with EU obligations and Convention Rights within the meaning of the Human Rights Act (1998), by both South Kesteven District Council and the appointed Independent Examiner.

5 Reasons for the Recommendations

- 5.1 The Caythorpe and Frieston Neighbourhood Plan has met each of the specified preparation criteria as set out in legislation, undertaken a statutory examination and had a positive referendum vote of over 50%. Therefore, it is recommended the Caythorpe and Frieston Neighbourhood Plan should be 'made' (adopted) as a South Kesteven Statutory Development Plan document.

6 Consultation

- 6.1 Before formal submission of the Caythorpe and Frieston Neighbourhood Plan to South Kesteven District Council, several draft consultation exercises were undertaken by the Caythorpe and Frieston Neighbourhood Plan Working Group (on behalf of Caythorpe and Frieston Parish Council). Information around these draft consultations can be found within the Caythorpe and Frieston Neighbourhood Plan statement of community consultation, which can be found in Section 7.5 of the background papers.
- 6.2 Upon receiving the submission version of the Caythorpe and Frieston Neighbourhood Plan, South Kesteven District Council undertook a six-week formal consultation.
- The Caythorpe and Frieston Neighbourhood Plan and all supporting documentation were made available to view and access from the Councils website.
 - A general notification of the consultation was issued via email and a letter to those on the Council's consultation database, including nearby parish councils, statutory bodies, interested parties and Loveden Heath Ward Councillors.
 - Hardcopy versions of the Caythorpe and Frieston Neighbourhood Plan were available to view within the Caythorpe and Frieston Parish area.
- 6.3 South Kesteven District Council received 10 comments from various consultees, including both statutory and non-statutory parties. All received comments were passed onto the Independent Examiner as part of the examination process and published on the South Kesteven District Council Caythorpe and Frieston Neighbourhood Plan webpage.

7 Background Papers

- 7.1 *Caythorpe and Frieston Neighbourhood Plan Webpage*, available online at:
<http://www.southkesteven.gov.uk/index.aspx?articleid=15843>
- 7.2 *Caythorpe and Frieston Neighbourhood Plan - Designation Decision Statement* (25 June 2020), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28374&p=0>
- 7.3 *Caythorpe and Frieston Neighbourhood Plan – Neighbourhood Area Map* (March 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28371&p=0>
- 7.4 *Caythorpe and Frieston Neighbourhood Plan 2022-2036*, an Examination Report to South Kesteven District prepared on 14 February 2023, available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=29131>
- 7.5 *Caythorpe and Frieston Neighbourhood Plan – Consultation Statement* (March 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28369&p=0>
- 7.6 *Caythorpe and Frieston Neighbourhood Plan: Submission Publication*, Officer Delegated Decision of 2 September 2022, Published 8 September 2022, available online at:
<https://moderngov.southkesteven.gov.uk/ieDecisionDetails.aspx?ID=1221>
- 7.7 *Caythorpe and Frieston Neighbourhood Plan: Examination Modifications and Referendum Decision*, Officer Delegated Decision of 13 March 2023, Published 14 March 2023, available online at:
<https://moderngov.southkesteven.gov.uk/ieDecisionDetails.aspx?ID=1287>
- 7.8 *Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report* (March 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28368&p=0>

Relevant Legislation

- 7.9 *The Localism Act (2011)*, available online at:
<https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- 7.10 *The Neighbourhood Planning General Regulations (2012)*, available online at:
<https://www.legislation.gov.uk/uksi/2012/637/contents/made>

- 7.11 *The Neighbourhood Planning Referendum Regulations (2012)*, available online at:
<https://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>
- 7.12 *Planning and Compulsory Purchase Act 2004*, available online at:
<https://www.legislation.gov.uk/ukpga/2004/5/contents>
- 7.13 *Caythorpe and Frieston Neighbourhood Plan Referendum Version (May 2023)*
<https://moderngov.southkesteven.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13887>

8 Appendices

- 8.1 Appendix 1 – Caythorpe and Frieston Neighbourhood Plan – Adoption Decision Statement (May 2023)

South Kesteven District Council

Caythorpe and Frieston Neighbourhood Development Plan: Decision Statement

1. Summary

- 1.1 Following a positive referendum result, South Kesteven District Council has made the Caythorpe and Frieston Neighbourhood Development Plan part of the South Kesteven Statutory Development Plan.

2. Background

- 2.1 Caythorpe and Frieston Parish Council as the qualifying body successfully applied for the Caythorpe and Frieston Parish area to be designated as a Neighbourhood Area, under the Neighbourhood Planning General Regulations (2012). The area was designated on the 25 June 2020.
- 2.2 The formal submission version of the Caythorpe and Frieston Neighbourhood Plan was submitted to South Kesteven District Council on the 23 June 2022.
- 2.3 The Caythorpe and Frieston Neighbourhood Plan was formally publicised, and representations invited over a six week period. The consultation period closed on the 26 October 2022.
- 2.4 South Kesteven District Council appointed an Independent Examiner to review whether the Caythorpe and Frieston Neighbourhood Plan met the basic conditions required by legislation and whether the Caythorpe and Frieston Neighbourhood Plan should proceed to referendum.
- 2.5 The Examiner's Report concluded that the Caythorpe and Frieston Neighbourhood Plan meets the Basic Conditions, and that subject to the modifications set out in the report, should proceed to referendum.
- 2.6 A referendum was held on Thursday 4 May 2023 and **89.5%** of those who voted were in favour of the Caythorpe and Frieston Neighbourhood Plan. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the Neighbourhood Plan. The Council are not subject to this duty if the making of the plan would breach or would otherwise be incompatible with any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3. Decision and Reasons

3.1 With the Examiner's recommended modifications, the Caythorpe and Frieston Neighbourhood Plan meets the basic conditions set out in the paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with retained EU obligations and the Convention rights and complies with relevant provision made under Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.

3.2 The referendum held on Thursday 4 May 2023 met the requirements of the Localism Act 2011 and Neighbourhood Planning Referendum Regulations (2012). The referendum was held in the parish area of Caythorpe and Frieston and posed the question: "Do you want South Kesteven District Council to use the Neighbourhood Plan for Caythorpe and Frieston to help it decide planning applications in the neighbourhood area?"

3.3 The count took place on Friday 5 May and greater than 50% of those voted were in favour of the Caythorpe and Frieston Neighbourhood Plan being used to help decide planning applications in the area. The results of the referendum were:

Response	Votes	Percent of total
Yes	344	86.8%
No	49	13.2%
Turnout	37.97%	

3.4 The Examining Inspector has assessed the Neighbourhood Plan (Including its preparation stages) and has concluded that it does not breach, and would not otherwise be incompatible with, any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act (1998). South Kesteven District Council agrees with this decision.

3.5 The Caythorpe and Frieston Neighbourhood Plan was made part of the Statutory Development Plan for South Kesteven on the **18 May at Full Council**.

Signed:

Emma Whittaker

**Assistant Director of Planning
South Kesteven District Council**

Date – 18 May 2023



**SOUTH
KESTEVEN
DISTRICT
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COUNCIL**



Council

18 May 2023

Report of Nicola M^cCoy-Brown -
Director of Growth and Culture

Making of the Rippingale Neighbourhood Plan

Report Author

Jake Horton, Senior Planning Policy Officer



j.horton@southkesteven.gov.uk

Purpose of Report

This report seeks Members' approval to 'make' (adopt) the Rippingale Neighbourhood Plan (NP) as part of the South Kesteven Development Plan. The report follows the NP's successful referendum which was held on 4 May 2023.

Recommendations

It is recommended Full Council:

1. **Makes (Approves) the Rippingale Neighbourhood Plan (referendum version) to become part of South Kesteven District Council's 'Statutory Development Plan', and a material consideration for determining planning applications in the Rippingale Neighbourhood Area.**
2. **Delegates authority to the Assistant Director of Planning to make minor 'nonmaterial' changes to the Rippingale Neighbourhood Plan as necessary, and exercise all of the Council's functions and responsibilities in relation to making the Rippingale Neighbourhood Plan.**

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

Growth and our economy
Housing that meets the needs of all residents
Healthy and strong communities
Clean and sustainable environment

Which wards are impacted?

Aveland

1 Implications

Finance and Procurement

- 1.1 The Council receives a grant of £20,000 from the Department of Levelling Up, Housing and Communities for each successful Neighbourhood Plan referendum to help support its neighbourhood planning role in the district. A claim of £20,000 has been submitted for the Rippingale Neighbourhood Plan (NP); the costs associated with this Neighbourhood Plan are covered by the grant.
- 1.2 Once the Neighbourhood Plan has been “made” there are no further financial implications arising due to this report.

Completed by: Alison Hall-Wright, Assistant Director of Finance

Legal and Governance

- 1.3 This work is a duty under the Localism Act 2011 and the Neighbourhood Planning Regulations 2012. All statutory requirements have been fulfilled, with a decision of Full Council necessary in accordance with the Council’s Policy Framework.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Risk and Mitigation

- 1.4 The amended Neighbourhood Plan General Regulations (2012) also require a ‘Qualifying body’ either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required. In order to comply with this requirement, Rippingale Parish Council (as the Qualifying body) undertook a screening exercise in May 2022 on the need or otherwise for a Strategic

Environmental Assessment to be prepared for the Rippingale Neighbourhood Plan. It was concluded that the Rippingale Neighbourhood Plan is not likely to have any significant effects on the environment and accordingly would not require a Strategic Environmental Assessment. Section 7.8 of the background papers provides a link to the screening report for the Strategic Environmental Assessment. The Strategic Environmental Assessment was made available for comment during the statutory consultation period.

Diversity and Inclusion

- 1.5 The Rippingale Neighbourhood Plan has been prepared by the Rippingale Parish Council Plan (as the qualifying body). Neighbourhood Plans must comply with Human Rights legislation. Their compliance is tested as part of the examinations process carried out by an independent examiner. This Neighbourhood Plan is also in 'general conformity' with the South Kesteven Local Plan (as required by the Town and Country Planning Act 1990), which has been subject to its own Equalities Impact Assessment so its implementation and delivery will comply with the findings of that assessment to ensure equitability.

Climate Change

- 1.6 The Neighbourhood Plan should have regard for national and strategic planning policy by requiring developments to address climate change and flood risk issues. At the examination, the examiner was satisfied the Neighbourhood Plan had met this condition.
- 1.7 The Rippingale Neighbourhood Plan has within it a community objective (**objective 3**) which seeks to ensure that any new development is sustainable by using renewable energy and reducing waste and toxic substances.
- 1.8 The Rippingale Neighbourhood Plan also has within it an additional community objective (**objective 5**) which seeks to preserve and maintain adequate access for all to the countryside and green open spaces, and to contribute to the health and well-being of residents and wildlife.
- 1.9 The Rippingale Neighbourhood Plan also has within it a number of policies which aim to encompass the environmental requirements of sustainable development and meet the above objectives, as referenced within the Independent Examination Report

2 Background to the Report

- 2.1 Localism Act (2011) introduced Neighbourhood Planning as a new way for communities to help shape future development within their locality. One of the types of Neighbourhood Planning introduced is 'Neighbourhood Development Plans' which are documents created by local people setting out policies for the development and use of land in their particular area.

- 2.2 South Kesteven District Council's Corporate Plan expressly references working hand-in-hand with public sector partners across Lincolnshire to collectively deliver for residents and businesses. The Council takes its spatial planning role seriously and is keen to see interaction between place and spaces and the communities that use them and aims to balance the competing demands of the economy, environment, and community.
- 2.3 If a Neighbourhood Development Plan has successfully passed all stages of preparation, including an examination and referendum, the relevant Local Planning Authority must adopt (make) it as part of the 'Statutory Development Plan' for the specified area. Once "made", planning applications are assessed against the relevant policies in the Neighbourhood Plan.
- 2.4 Rippingale Parish Council, as the Qualifying Body, received South Kesteven District Council approval on 23 September 2016 to prepare a Neighbourhood Plan (NP). Rippingale Parish Council have been preparing the Rippingale Neighbourhood Development Plan over several years with input from local residents, local businesses interested parties and other stakeholder organisations.

Decision and Reasoning

- 2.5 The Rippingale Neighbourhood Plan was submitted to South Kesteven District Council for examination on 18 June 2022 and comments were invited from the public and stakeholders between 26 September 2022 and 7 November 2022.
- 2.6 After the statutory consultation period ended, South Kesteven District Council (in consultation with Rippingale Parish Council) appointed an Independent Examiner for the Rippingale Neighbourhood Plan. All representations received during the statutory consultation period were forwarded to the Independent Examiner for consideration.
- 2.7 The appointed Independent Examiner, after reading the representations received on the Rippingale Neighbourhood Plan, decided the issues raised in the representations did not require a public hearing and could be examined under written representations.
- 2.8 The examination report was received on 24 February 2023 and concluded that the Rippingale Neighbourhood Plan met the basic conditions and, subject to the modifications proposed in the report, the Neighbourhood Plan should proceed to a referendum within the specified area (in this case, Rippingale Parish).
- 2.9 On 13 March 2023, South Kesteven District Council, in consultation with the Rippingale Parish Council considered and accepted the Examiner's recommendations and issued a decision notice confirming that the amended Rippingale Neighbourhood Plan should proceed to referendum.
- 2.10 The referendum version of the Rippingale Neighbourhood Plan can be found in online
<https://moderngov.southkesteven.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13887>
- 2.11 The referendum was held on 4 May 2023 and the following question was asked:

“Do you want South Kesteven District Council to use the Neighbourhood Plan for Rippingale to help it decide planning applications in the neighbourhood area?”

- 2.12 39.15% of those on the Electoral Register for the Rippingale Parish area turned out for the Referendum. Of the 278 votes cast, 249 were cast in favour of ‘yes’ and 27 were cast in favour of ‘no’. 2 ballot papers were also rejected. This resulted in an **89.5% positive vote** for the Rippingale Neighbourhood Plan.
- 2.13 In line with 38A of the Planning and Compulsory Purchase Act (2004), the Local Planning Authority must, make a Neighbourhood Development Plan to which the proposal relates if in each applicable referendum more than half (50%) of those voting have voted in favour of the Neighbourhood Development Plan. The only circumstance where the Local Planning authority should not make this decision is where the making of the Neighbourhood Development Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights within the meaning of the Human Rights Act (1998).
- 2.14 South Kesteven District Council (as the Local Planning Authority), along with the appointed Independent Examiner, are satisfied that the Rippingale Neighbourhood Plan does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention Rights within the meaning of the Human Rights Act (1998). Therefore, the only available option open is to formally ‘make’ the Rippingale Neighbourhood Plan part of the Statutory Development Plan for South Kesteven.
- 2.15 As set out in the amended Neighbourhood Planning General Regulations (2012), the decision statement to ‘make’ a Neighbourhood Development Plan under section 38A (4) of the 2004 planning and compulsory Purchase act must be done within eight weeks of a published successful referendum result. This statement has been appended to this report (**Appendix 1**).
- 2.16 As referenced in Article 4 of South Kesteven District Councils constitution, the ‘making’ of the Rippingale Neighbourhood Plan must be a decision undertaken by Full Council, as it is a ‘Development Plan Document’ making up part of the wider Development Framework for South Kesteven District Council.

3 Key Considerations

- 3.1 As a result of the successful referendum, South Kesteven District Council proceed to ‘make’ (adopt) the Rippingale Neighbourhood Plan as outlined above to become part of the Statutory Development Plan for South Kesteven and to give delegated authority to the Assistant Director for Planning, to make minor ‘non material’ amendments to the Neighbourhood Plan, as necessary.

4 Other Options Considered

- 4.1 The Rippingale Neighbourhood Plan is considered to have been prepared in accordance with EU obligations and Convention Rights within the meaning of the Human Rights Act (1998), by both South Kesteven District Council and the appointed Independent Examiner.

5 Reasons for the Recommendations

- 5.1 The Rippingale Neighbourhood Plan has met each of the specified preparation criteria as set out in legislation, undertaken a statutory examination and had a positive referendum vote of over 50%. Therefore, it is recommended the Rippingale Neighbourhood Plan should be 'made' (adopted) as a South Kesteven Statutory Development Plan document.

6 Consultation

- 6.1 Before formal submission of the Rippingale Neighbourhood Plan to South Kesteven District Council, several draft consultation exercises were undertaken by Rippingale Parish Council. Information around these draft consultations can be found within the Rippingale Neighbourhood Plan statement of community consultation, which can be found in Section 7.5 of the background papers.
- 6.2 Upon receiving the submission version of the Rippingale Neighbourhood Plan, South Kesteven District Council undertook a six-week formal consultation.
- The Rippingale Neighbourhood Plan and all supporting documentation were made available to view and access from the Councils website.
 - A general notification of the consultation was issued via email and a letter to those on the Council's consultation database, including nearby parish councils, statutory bodies, interested parties and Aveland Ward Councillors.
 - Hardcopy versions of the Rippingale Neighbourhood Plan were available to view within the Rippingale Parish area.
- 6.3 South Kesteven District Council received 11 comments from various consultees, including both statutory and non-statutory parties. All received comments were passed onto the Independent Examiner as part of the examination process and published on the South Kesteven District Council Rippingale Neighbourhood Plan webpage.

7 Background Papers

- 7.1 *The Rippingale Neighbourhood Plan Webpage*, available online at:
<http://www.southkesteven.gov.uk/index.aspx?articleid=15891>

- 7.2 *The Rippingale Neighbourhood Plan - Designation Decision Statement* (23 September 2016), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=19119>
- 7.3 *The Rippingale Neighbourhood Plan – Neighbourhood Area Map* (March 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28489>
- 7.4 *The Rippingale Neighbourhood Plan 2022-2036*, an Examination Report to South Kesteven District Council prepared on 24 February 2023, available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=29159>
- 7.5 *The Rippingale Neighbourhood Plan – Consultation Statement* (May 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28369&p=0>
- 7.6 *The Rippingale Neighbourhood Plan: Submission Publication*, Officer Delegated Decision of 2 September 2022, Published 8 September 2022, available online at:
<https://moderngov.southkesteven.gov.uk/ieDecisionDetails.aspx?ID=1222>
- 7.7 *Rippingale Neighbourhood Plan: Examination Modifications and Referendum Decision*, Officer Delegated Decision of 13 March 2023, Published 14 March 2023, available online at:
<https://moderngov.southkesteven.gov.uk/ieDecisionDetails.aspx?ID=1288>
- 7.8 *Strategic Environmental Assessment & Habitats Regulations Assessment Screening Report* (May 2022), available online at:
<https://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28490>

Relevant Legislation

- 7.9 *The Localism Act* (2011), available online at:
<https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- 7.10 *The Neighbourhood Planning General Regulations* (2012), available online at:
<https://www.legislation.gov.uk/uksi/2012/637/contents/made>
- 7.11 *The Neighbourhood Planning Referendum Regulations* (2012), available online at:
<https://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>
- 7.12 *Planning and Compulsory Purchase Act* 2004, available online at:
<https://www.legislation.gov.uk/ukpga/2004/5/contents>
- 7.13 *Rippingale Neighbourhood Plan – Referendum Version* (May 2023), available online at:

<https://moderngov.southkesteven.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13887>

8 Appendices

- 8.1 Appendix 1 – The Rippingale Neighbourhood Plan – Adoption Decision Statement (May 2023)

South Kesteven District Council

Rippingale Neighbourhood Development Plan: Decision Statement

1. Summary

- 1.1 Following a positive referendum result, South Kesteven District Council has made the Rippingale Neighbourhood Development Plan part of the South Kesteven Statutory Development Plan.

2. Background

- 2.1 Rippingale Parish Council as the qualifying body successfully applied for the Rippingale Parish area to be designated as a Neighbourhood Area, under the Neighbourhood Planning General Regulations (2012). The area was designated on the 21 March 2016.
- 2.2 The formal submission version of the Rippingale Neighbourhood Plan was submitted to South Kesteven District Council on the 18 June 2022.
- 2.3 The Rippingale Neighbourhood Plan was formally publicised, and representations invited over a six week period. The consultation period closed on the 7 November 2022.
- 2.4 South Kesteven District Council appointed an Independent Examiner to review whether the Rippingale Neighbourhood Plan met the basic conditions required by legislation and whether the Rippingale Neighbourhood Plan should proceed to referendum.
- 2.5 The Examiner's Report concluded that the Rippingale Neighbourhood Plan meets the Basic Conditions, and that subject to the modifications set out in the report, should proceed to Referendum.
- 2.6 A referendum was held on Thursday 4 May 2023 and 89.5% of those who voted were in favour of the Rippingale Neighbourhood Plan. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the Neighbourhood Plan. The Council are not subject to this duty if the making of the plan would breach or would otherwise be incompatible with any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3. Decision and Reasons

3.1 With the Examiner's recommended modifications, the Rippingale Neighbourhood Plan meets the basic conditions set out in the paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with retained EU obligations and the Convention rights and complies with relevant provision made under Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.

3.2 The referendum held on Thursday 4 May 2023 met the requirements of the Localism Act 2011 and Neighbourhood Planning Referendum Regulations (2012). The referendum was held in the parish area of Rippingale and posed the question: "Do you want South Kesteven District Council to use the Neighbourhood Plan for Rippingale to help it decide planning applications in the neighbourhood area?"

3.3 The count took place on Friday 5 May and greater than 50% of those voted were in favour of the Rippingale Neighbourhood Plan being used to help decide planning applications in the area. The results of the referendum were:

Response	Votes	Percent of total
Yes	249	89.5%
No	27	10.5%
Turnout	39.15%	

3.4 The Examining Inspector has assessed the Neighbourhood Plan (Including its preparation stages) and has concluded that it does not breach, and would not otherwise be incompatible with, any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act (1998). South Kesteven District Council agrees with this decision.

3.5 The Rippingale Neighbourhood Plan was made part of the Statutory Development Plan for South Kesteven on the **18 May at Full Council**.

Signed:

Emma Whittaker

**Assistant Director of Planning
South Kesteven District Council**

Date – 18 May 2023



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Council

18 May 2023

Report of the Chairman of the
Governance and Audit Committee
Councillor Paul Wood (2022/23)

Governance and Audit Committee Annual Report 2022/23

Report Author

Tracey Elliott, Governance & Risk Officer

✉ tracey.elliott@southkesteven.gov.uk

Purpose of Report

To present the Annual Report of the Governance and Audit Committee for 2022/23 for Council including the indicative work plan and timetable for 2023/24.

Recommendation

That Council approves the Annual Report of the Governance and Audit Committee for 2022/23 and approves the indicative work plan and timetable for 2023/24 which reflect the terms of reference of the Committee.

Decision Information

Does the report contain any
exempt or confidential
information not for publication?

No

What are the relevant corporate
priorities?

High performing Council

Which wards are impacted?

All

1. Implications

- 1.1 Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.2 There are no specific finance or procurement implications arising from this report. The Strategic Risk Register is regularly reviewed to ensure agreed actions are implemented and new risks and remedial actions are identified as necessary.

Completed by: Alison Hall-Wright, Assistant Director of Finance

Legal and Governance

- 1.3 There are no specific legal and governance implications arising from this report.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

- 2.1 Audit Committees are an important source of assurance about an organisation's arrangements for managing risk, maintaining an effective internal control environment, and reporting on financial and other performance.
- 2.2 CIPFA recommend that audit committees produce an annual report to promote the role and purpose of the committee, account for the committee's performance, evaluate whether the committee is continuing to meet its terms of reference and document how the committee adds value. The Governance and Audit Committee's annual report fulfilling these requirements is set out at Appendix A.
- 2.3 The purpose of this report is to advise Council of key outcomes arising from the work of the Governance and Audit Committee for 2022/23 and to approve the indicative work plan and timetable for 2023/24 as set out within Appendix 2 of Appendix A.
- 2.4 The Committee's work is key to delivering good governance throughout the authority. It provides independent assurance and challenge on the effectiveness of the Council's overall arrangements for corporate governance and internal control, including risk management. It is good practice to publicise the work of the Committee to ensure a greater understanding of governance and audit issues. It is also important for the Committee to demonstrate the impact of its work to Members, partners, stakeholders and the wider community.

3. Key Considerations

- 3.1 Council is asked to approve the Governance and Audit Committee Annual Report for 2022/23 and approve the indicative work plan and timetable for 2023/24.

4. Other Options Considered

- 4.1 No other options are considered other than to approve the report.

5. Reason for the Recommendation

- 5.1 To ensure Council is informed of the work activities of the Governance and Audit Committee.

6. Appendices

- 6.1 Appendix A – Governance and Audit Committee Annual Report 2022/23 including Appendix 1 Governance and Audit Committee Indicative Annual Work Plan and Appendix 2 Governance and Audit Committee Indicative Work Plan and Timetable 2023/24

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Appendix A

Governance and Audit Committee Annual Report 2022/23

1. Introduction from the Chairman of Governance and Audit Committee

I am pleased to present the Annual Report of the Governance and Audit Committee for the 2022/23 Committee year.

Committee gained assurance that the Council's governance, risk, and internal control environment remained robust and fit for purpose.

Committee received various reports reflecting that the current financial climate is causing pressure on specific costs, such as energy costs and inflationary driven services, and were assured that whilst the rising costs are outside the direct control of the Council, a range of responses were developed to manage the Council's exposure to the financial challenges presented.

Committee were also informed that a Cost of Living Response Group had been formed whose focus was to assess the impact on the vulnerable parts of the community to ensure that they received the right level of support and assistance. In addition, those services involved ie Benefits, Housing and Revenues were coordinating support and advice to those requiring it and that an action plan had been developed to support the community including residents and businesses.

The Committee continues to scan the risk horizon for new and emerging threats and opportunities, notably, the Council's response to climate change and cyber security.

Finally, I would like to take this opportunity to thank all those Members and Officers who have contributed to the work of the Governance and Audit Committee over the last 12 months.

Councillor Paul Wood

Chairman of the Governance and Audit Committee

2. Terms of Reference

The Terms of Reference, which the Committee operated to during 2022/23, is detailed at Article 10 of the [Constitution](#).

3. Member and Officer Attendance

The Governance and Audit Committee met seven times during 2022/23. Membership of the Committee during 2022/23 and attendance is detailed at below:

Governance and Audit Committee Member	20 Apr 2022	8 Jun 2022	20 Jul 2022	28 Sep 2022	30 Nov 2022	30 Jan 2023	15 Mar 2023
Cllr Paul Wood (Chairman)	✓	✓	✓	✓	✓	✓	✓
Cllr Kaffy Rice-Oxley (Vice-Chairman)	✓	✓	✓	✓	✓	-	✓
Cllr Ashley Baxter	-	✓	✓	✓	✓	-	-
Cllr Ian Stokes	✓	✓	✓	-	-	-	-

Cllr Gloria Johnson	-	✓	✓	✓	✓	✓	
Cllr Sue Woolley	-	-	-	✓	-	✓	✓
Cllr Richard Dixon-Warren	✓	-	✓	✓	✓	✓	✓
Cllr Mark Whittington	✓	-	-	-	-	✓	-
Cllr Murray Turner	-	-	-	-	-	-	✓

Officers from the Council also attend Governance and Audit Committee as appropriate to present reports. Also in regular attendance are the Monitoring Officer, Chief Finance Officer, Assistant Director of Finance, Governance and Risk Officer, Internal Audit and External Audit.

4. Training and Effectiveness

Governance and Audit Committee receive appropriate and proportionate training. During the year Committee received annual refresher training, local government finance training and treasury management training.

5. Sources of Assurance during 2022/23

In fulfilling its Terms of Reference, the business conducted by the Governance and Audit Committee during 2022/23 is detailed under the following themes:

- Internal Audit
- External Audit
- Finance
- Risk Management
- Governance/Regulatory

A summary of all reports considered, and action taken, is shown under Appendix 1.

The Committee gained assurance in 2022/23 from these themes as follows:

Internal Audit

Governance and Audit Committee received progress reports from the Council's internal auditors, Assurance Lincolnshire, during the year. Assurance Lincolnshire will be providing their opinion on the overall adequacy and effectiveness of the Council's risk management, governance, and internal control arrangements, for the 12 months ended 31 March 2023, at the July 2023 meeting of Governance and Audit Committee.

Six assurance reviews were undertaken during 2022/23 and one consultancy review. The five assurance reviews resulted in Substantial Assurance, and one resulted in a split assurance of Substantial/Limited.

Action plans have been put in place to address internal audit actions, particularly in those areas where management concerns have also been raised and further work is required to strengthen the control framework. Governance and Audit Committee is well established with its terms of reference complying fully with CIPFA guidance.

External Audit

The main responsibility of the External Auditor is to report on the Council's accounts and whether the Council has made proper arrangements for securing economy, efficiency, and effectiveness in its use of resources. Grant Thornton reported on the 2020/21 accounts. In Grant Thornton's Annual Report, they concluded that in their opinion the financial statements:

- *give a true and fair view of the financial position of the group and of the Authority as at 31 March 2021 and of the group's expenditure and income and the Authority's expenditure and income for the year then ended;*
- *have been properly prepared in accordance with the CIPFA/LASAAC code of practice on local authority accounting in the United Kingdom 2020/21; and*
- *have been prepared in accordance with the requirements of the Local Audit and Accountability Act 2014*

Governance and Audit Committee received a report on the appointment of external auditors and noted that KPMG LLP will be the Council's external auditors for 2023/24 to 2027/28.

Finance

In respect of the 2021/22 Statement of Accounts and Annual Governance Statement, the Committee scrutinised the accounts and delegated authority to the Chief Finance Officer to make any final wording changes and accounting adjustments following the conclusion of any outstanding audit queries provided they were not material to the accounts.

Committee delegated approval of the audited Statement of Accounts and the Letter of Representation to the Chairman in consultation with the Chief Finance Officer, following the completion of the audit of the 2021/22 Statement of Accounts.

Committee also received reports on the following:

- Treasury Management – Committee approved the annual report, the mid-year review and recommended to Council the 2023/24 Strategy
- Accounting Policies – Committee approved the policies and noted the proposed dates for the publication of the draft and final audited accounts

Risk Management

The Committee received six monthly updates on the Council's risk management arrangements via review of the Strategic Risk Register. This included oversight and constructive challenge on risks such as internal control and compliance; transformation; supporting communities; financial resilience; culture, capacity, and capability; response to policy and national political change; and robust security measures in relation to data. The Committee also received the Risk Management Annual Report 2021/22.

Governance/Regulatory

The Annual Governance Statement and review of effectiveness for the 2021/22 financial year, concluded that the effectiveness of the system of internal control was fit for purpose overall.

The Committee received reports on the following:

- Contract Procedure Rules – Committee agreed to recommend the updated Rules to the Constitution Committee
- Financial Regulations – Committee agreed to recommend the updated Rules to the Constitution

Committee

- Delivering Good Governance External Review – Committee noted the content of the report and progress made against the implementation plan
- Partnership Governance Policy – Committee agreed the policy
- Counter Fraud Annual Report 2021/22 – Committee reviewed and approved the report
- Prevention of Right to Buy Fraud Procedural Information – Committee noted the procedural information and approved the anti-money laundering declaration documentation
- Health & Safety, Emergency Planning and Business Continuity Annual Report 2021/22 – Committee noted the contents of the report
- Local Ombudsman and Social Care Ombudsman Annual Review Letter – Committee noted the contents of the annual review letter
- Short Scrutiny Improvement Review – Committee noted the review update and endorsed the action plan
- Safeguarding Annual Report 2021/22 – Committee noted the contents of the report
- Section 106 Monitoring update – Committee noted the contents of the report
- Planning Service Review Progress Report – Committee noted the review updated and action plan

6. Conclusion

The Governance and Audit Committee has been able to confirm that there were no areas of significant duplication or omission in the systems of governance in the authority that had come to the Committee's attention during 2022/23 that were not being adequately resolved.

Through Members receiving this report, the role and purpose of the Committee has been promoted and it has demonstrated that the Committee has continued to perform, meet its Terms of Reference and added value. This work will continue in 2023/24 with the Committee's refreshed work programme which is shown at Appendix 2.

Appendix 1

Governance and Audit Committee Summary of Work Plan by Theme 2022/23

Meeting date and reports	Committee action	Internal Audit	External Audit	Finance	Risk Management	Governance/Regulatory
20 April 2022						
Contract Procedure Rules	Recommended the updated Rules to the Constitution Committee					✓
Strategic Risk Register	Noted the contents of the report and approved the Strategic Risk Register				✓	
Financial Regulations	Recommended the updated Regulations to the Constitution Committee			✓		
Delivering Good Governance External Review	Noted the content of the report and progress made against the implementation plan					✓
Partnership Governance Policy	Approved the policy					✓
8 June 2022						
Counter Fraud Annual Report 2021/22	Approved the annual report and workplan					✓
Risk Management Annual Report 2021/22	Approved the annual report				✓	
Treasury Management Annual Report 2021/22	Noted and approved the annual report			✓		
20 July 2022						
External Audit Annual Report 2020/21	Noted and approved the annual report		✓			
Draft Financial Outturn 2021/22	Approved the revenue and capital outturn report and the proposed reserve movements. Noted the budget carry forwards to be included into the 2022/23 budget framework			✓		
Draft Statement of Accounts including Annual Governance Statement 2021/22	Noted the draft Statement of Accounts and delegated the authority to the Chief Finance Officer, Cabinet Member for Finance and Resources and the Chairman of the Committee to accept the External Audit Plan and complete the necessary audit risk assessment in readiness for the audit			✓		
Prevention of Right to Buy Fraud – Procedural Information	Noted the procedural information and approved the anti-money laundering declaration form					✓

Meeting date and reports	Committee action	Internal Audit	External Audit	Finance	Risk Management	Governance/Regulatory
28 September 2022						
External Audit Plan 2021/22	Accepted the plan		✓			
Internal Audit Progress Report	Noted the progress made against the plan	✓				
Health & Safety, Emergency Planning and Business Continuity Annual Report 2021/22	Noted the annual report					✓
Local Government and Social Care Ombudsman – Annual Review Letter 2022	Noted the contents of the annual review letter					✓
Short Scrutiny Improvement Review – Centre for Governance and Scrutiny	Noted the content of the report and action plan					✓
Strategic Risk Register	Noted the contents of the report and approved the Strategic Risk Register				✓	
30 November 2022						
Internal Audit Progress Report	Noted the progress made against the plan	✓				
External Audit Annual Governance Report	Noted the contents of the report		✓			
Treasury Management Mid-Year Review 2022/23	Approved the mid-year review			✓		
Statement of Accounts and Annual Governance Statement 2021/22	<p>Delegated authority to the Chief Finance Officer to make any final wording changes and accounting adjustments following the conclusion of any outstanding audit queries provided these were not material to the accounts.</p> <p>Delegated approval of the audited Statement of Accounts and the Letter of Representation to the Chairman on behalf of the Governance and Audit Committee in consultation with the Chief Finance Officer following the completion of the audit of the 2022/23 Statement of Accounts.</p>			✓		
30 January 2023						
Appointment of External Auditors	Noted that KPMG LLP will be the Council's external auditors for 2023/24 to 2027/28		✓			

Meeting date and reports	Committee action	Internal Audit	External Audit	Finance	Risk Management	Governance/Regulatory
Internal Audit Progress Report	Noted the progress made against the plan	✓				
Treasury Management Strategy 2023/24	Recommended to Council that the 2023-24 Treasury Management Strategy Statement was approved.			✓		
Short Scrutiny Improvement Review	Endorsed the action plan					✓
Safeguarding Annual Report 2021/22	Noted the contents of the annual report					✓
15 March 2023						
Internal Audit Progress Report	Noted the progress made against the plan	✓				
Statement of Accounting Policies 2022/23	Approved the policies and noted the proposed dates for the publication of the draft and final audited accounts			✓		
Strategic Risk Register	Noted the contents of the report and reviewed the updated register				✓	
Planning Service Review Progress Report	Noted the review update and action plan					✓

Appendix 2

Governance and Audit Committee Indicative Work Plan and Timetable 2023/24

	Jun	Jul	Se	No	Jan	Mar	Comments
External Audit							
External Audit Plan		✓					
Annual Governance Report				✓			
Annual Report on Grants and Returns						✓	
Internal Audit							
Progress Report (including follow up)	✓		✓		✓	✓	
Internal Audit Plan 2023/24	✓						
Indicative Internal Audit Plan 2024/25					✓		
Internal Audit Annual Report		✓					
Finance							
Draft Financial Outturn 2022/23		✓					
Statement of Accounts 2022/23		✓		✓			
Treasury Management Annual Report 2022/23	✓						
Treasury Management Mid-Year Review					✓		
Statement of Accounting Policies						✓	
Financial Management Code							As required
Treasury Management Strategy					□		
Financial Regulations							As required
Governance							
Annual Governance Statement		□		□			
Review of Effectiveness and Terms of Reference		□					Biennial
Code of Corporate Governance							As required
Risk Management							
Strategic Risk Register			✓			✓	
Risk Management Annual Report 2022/23			✓				
Risk Management Framework 2023/25			✓				Biennial
Regulatory							
Counter Fraud Annual Report 2022/23		✓					
Counter Fraud Framework 2024/26					✓		Biennial
Health and Safety Annual Report 2022/23			✓				
Safeguarding Annual Report 2022/23					✓		
Ombudsman Annual Report 2022/23			✓				
S106 Process Update		✓					
Contract Procedure Rules							As required
Codes of Conduct							As required



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Annual Council


18 May 2023

Report of: Leader of the Council

Reports Taken Under Special Urgency in 2022/2023

Report Author

James Welbourn, Democratic Services Manager

 James.welbourn@southkesteven.gov.uk

Purpose of Report

This report sets out those decisions that have been made in the 2022/2023 municipal year under urgency provisions set out within the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and the Council's Constitution.

Recommendations

That Full Council note the contents of this report

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

High performing Council

Which wards are impacted?

All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 There are no financial implications arising from this report.

Completed by: Richard Wyles, Chief Finance and Section 151 Officer.

Legal and Governance

1.2 Reports taken under special urgency provisions need to be reported at least once a year to Council under section 19.3 of the Access to Information Rules in Part 4 of the Constitution.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

2.1 Paragraphs 17 and 18 of the Access to Information Rules, contained within Part 4 of the Council's Constitution set out the procedure for making Key Decisions where it has not been possible to give 28 days' advanced notice by publishing the intention to make the decision on the Cabinet's Forward Plan.

2.2 There have been three different types of urgency provision used over the course of 2022/2023:

- General Exception - whereby 28 calendar days' notice of a decision could not be made, but the item was able to be published on the final Cabinet agenda.
- Special Urgency - where neither 28 calendar days' notice could not be given, nor could 5 working day's notice.
- Urgent Private Meeting - where the decision was on the Forward Plan and a Cabinet agenda, but an exempt element of the report was not advertised with 28 days' notice.

2.3 Over the course of 2022/2023, six decisions have been made by Cabinet using urgency provisions:

- 12 July 2022 - Grantham High Street Heritage Action Zone Scheme

- 22 September 2022 - Replacement of Gym Equipment at Bourne Leisure Centre
- 7 February 2023 - Grounds Maintenance, Future Arrangements
- 7 February 2023 - Relocation of Customer Services Centre to St. Catherine's Road, Grantham (recommendation to Council)
- 7 March 2023 - Contract Award in relation to Social Landlord Responsibilities
- 19 April 2023 - Contract Award for New Financial Management System

2.4 All urgency notices and any exemption from call-in notices are contained on the web library at the following address:

<http://moderngov.southkesteven.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13900>

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