

MINUTES

COUNCIL

THURSDAY, 20 JULY 2023

1.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

PRESENT

Councillor Gloria Johnson Chairman
Councillor Paul Fellows Vice-Chairman

Councillor Emma Baker
Councillor Rhys Baker
Councillor Ashley Baxter
Councillor David Bellamy
Councillor Harrish Bisnauthsing
Councillor Pam Byrd
Councillor Richard Cleaver
Councillor Helen Crawford
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 Paul Martin
Councillor Penny Milnes
Councillor Virginia Moran
Councillor Charmaine Morgan
Councillor Habibur Rahman
Councillor Rhea Rayside
Councillor Nick Robins
Councillor Penny Robins
Councillor Max Sawyer
Councillor Ian Selby
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 Ray Wootten

OFFICERS

Karen Bradford, Chief Executive
Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer)
Nicola McCoy-Brown, Director of Growth and Culture (Deputy Monitoring Officer)
Craig Spence, Acting Director of Housing
Graham Watts, Assistant Director of Governance (Monitoring Officer)

Gary Andrew, IT Services Manager
Jodie Archer, Head of Housing Services
Chris Prime, Communications Manager
James Welbourn, Democratic Services Manager
Molly-Mae Taylor, Communications Officer

17. Public Open Forum

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

18. Apologies for absence

Apologies for absence were received from:

Councillor Pam Bosworth
Councillor Steve Cunnington
Councillor Nikki Manterfield
Councillor Chris Noon
Councillor Susan Sandall
Councillor Rob Shorrocks
Councillor Sue Woolley

19. Disclosure of Interests

No interests were disclosed.

20. Minutes of the meeting held on 18 May 2023

The minutes of the annual meeting held on 18 May 2023 were proposed, seconded and agreed as a correct record.

21. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements.

The Chairman announced that her charities for 2023/2024 would be Military vs Cancer, and Place2Bee for men. It was also announced that there would be a Macmillan Coffee Morning prior to Full Council on 28 September 2023.

The Leader of the Council reported the following:

- There was a Cabinet Members drop-in session for members of the public at the Community Room at Essex Road, Stamford on 26 July from 1-2pm
- Talks were ongoing for a devolution deal for Lincolnshire
- Residents were encouraged to nominate community heroes in a range of categories as part of the South Kesteven Community Awards, including Inspirational Young Person, Business and the Community, Lifetime Community Champion and the Urban Space Award

22. Amendments to the Constitution - referred item

Members considered a report that had been referred from previous meetings of Full Council, presenting recommendations from Constitution Committee meetings held in October and December 2022.

Whilst the Constitution Committee no longer existed, its recommendations still required consideration.

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

DECISION:

That the Council:

1. Approves the inclusion of the following wording as part of Paragraph 5 (Public Speaking) of the Planning Procedure Rules as set out in Part 4 (Rules of Procedure) of the Constitution:

“The relevant Ward Councillor is defined as Councillors representing those wards in which a planning application falls or adjacent wards.”

2. Approves the inclusion of the following paragraph in the Planning Scheme of Delegation set out in Part 3 (Responsibility for Functions) of the Constitution:

“(2) Any application at the discretion of the Chairman and Vice-Chairman of the Planning Committee in accordance with the Local Code of Good Practice.”

23. Amendments to the Constitution

Members considered proposed amendments to the Council's Constitution, recommended by the Governance and Audit Committee meeting held on 14 June 2023.

The amendments related to supplementary questions from members of the public at committee meetings and the speaking rights for non-members of committees were highlighted.

Having been proposed and seconded and upon being put to the vote, the following amendments to the Constitution were **AGREED**.

DECISION:

That Full Council approves:

1. The inclusion of an additional paragraph to the Officer Scheme of Delegation under Paragraph 26(f) of Part 3(c) (Responsibility for Functions) in respect of lettings of land and property to read:

“To arrange lettings (in excess of seven years) of land and property not immediately required for other purposes at rent/license fees fixed by the Section 151 Officer, providing that the total cost of the lease in its entirety does not exceed £100,000”.

2. The amendment of paragraph 14.14 of Contract Procedure Rules under Part 4 (Rules of Procedure) in respect of the common seal of the Council to reflect that this should only be used for those contracts where the total cost exceeds a value of £500,000.
3. The amendment of Council Procedure Rules and Overview and Scrutiny Committee Procedure Rules to reflect that members of the public be entitled to ask a supplementary question without notice when having registered to speak.
4. The amendment of Procedure Rules for all meetings of the Council to entitle any Member of the Council to speak at meetings without requiring the discretion of the person presiding the meeting.

24. Cabinet and Overview & Scrutiny Protocol

Members considered the formal adoption of the Cabinet and Overview & Scrutiny Protocol as part of the Council's Constitution, as recommended by the Governance and Audit Committee held on 14 June 2023.

Having been proposed and seconded and upon being put to the vote, the following amendments to the Constitution were **AGREED**.

DECISION:

That Full Council approves the adoption of the Cabinet and Overview & Scrutiny Protocol as part of the Council's Constitution under Part 5 (Codes of Protocols).

25. Appointment to Outside Body

Members considered the appointment of one Councillor to the PATROL Adjudication Joint Committee.

Following the Annual Meeting of Full Council held on 18 May 2023, officers had been made aware that South Kesteven District Council was required to appoint one elected representative to the Joint Committee.

Having been proposed and seconded and upon being put to the vote, the following appointment to the PATROL Adjudication Joint Committee was **AGREED**.

DECISION:

That Full Council approves Councillor Charmaine Morgan as their representative on the PATROL Joint Adjudication Committee.

26. UK Shared Prosperity Fund and Rural England Prosperity Fund Programme Board - Terms of Reference

Members considered a report proposing amendments to the Terms of Reference of South Kesteven District Council's UK Shared Prosperity Fund (UKSPF) and Rural Prosperity Fund Programme Board.

In 2022/2023, the Council was invited to oversee and distribute over £3.5 million of funding to the District, within the parameters of the UKSPF set by the government, with the support of officers.

The existing membership of the Board contained a mixture of Cabinet Members, Scrutiny Chairmen and Group Leaders.

The results of the May 2023 elections impacted on the size of the Board due to the increased amount of Group Leaders on the Council compared to the previous electoral cycle.

An amendment to the printed recommendation 2, that had previously been moved and seconded, was proposed and duly seconded. The amendment read:

"Any applications for funding from the South Kesteven Prosperity Fund with a value of £5,000 and under not requiring consideration by the Board, unless, by exception, the Chairman of the Board agrees that an application should be considered by the Board prior to a decision being taken."

Members raised the following points during debate on the amendment:

- In all the meetings of the UKSPF Board so far, all applications received by the Council had been considered; the value of some smaller applications was around £250.
- In order to not delay applications, a financial threshold for consideration by the Board of £10,000 had been proposed in the report. Lowering the threshold to £5,000 would lead to a higher number of applications being considered by the Board.
- There were several applications that required consideration as soon as possible.
- Officers were considered more than capable of deciding on applications of up to £10,000 in value.

Having previously been moved and seconded, and following a vote, it was **AGREED** to amend recommendation 2. This became the substantive motion. The substantive motion was moved, seconded, and following a final vote it was **AGREED**.

DECISION:

That Full Council approves amendments to the Terms of Reference for the UK Shared Prosperity Fund and Rural England Prosperity Fund Programme Board to reflect the following:

1. Membership of the Board to consist of:

- **Cabinet Member responsible for Economic Development**
- **Representative from each Political Group (to be appointed by each Political Group Leader)**
- **An additional representative from the South Kesteven Coalition Group (to be appointed by the Leader of the South Kesteven Coalition Group)**
- **Chairman of the Finance and Economic Overview and Scrutiny Committee**
- **Chairman of the Rural and Communities Overview and Scrutiny Committee**

2. Any applications for funding from the South Kesteven Prosperity Fund with a value of £5,000 and under not requiring consideration by the Board, unless, by exception, the Chairman of the Board agrees that an application should be considered by the Board prior to a decision being taken.

27. Migration Funding Awards

Members considered a report seeking approval for a grant from the Home Office for the Afghan relocation funding award, in addition to a grant from the Department of Levelling Up, Housing and Communities (DLUHC) to aid the sourcing of sustainable accommodation for Ukrainian families.

The grant funding totalled £1,595,982.

There were a number of families and individuals who had no certainty on where they would be living in the future; accepting this money could alleviate some of these concerns. There were currently 21 families (or 151 individuals) who were residing at the Urban Hotel in Grantham.

Having been proposed and seconded and upon being put to the vote, the following motions were **AGREED**.

DECISION:

That Full Council:

- 1. Approves receipt of the first tranche and subsequent future tranches of Afghan relocations and funding award grant. The first grant award for the period April 2022 to January 2023 is for £1,372,502.**
- 2. Approves receipt of the Homelessness Prevention award in relation to sourcing Ukraine families sustainable accommodation of £223,480.**
- 3. 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 Home Office in relation to all tranches of funding related to Afghan relocations.**
- 4. 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 of Levelling up Housing and Communities for the Homelessness Prevention award in relation to sourcing Ukraine families sustainable accommodation.**
- 5. Delegates to the Council's Deputy Chief Executive (Section 151 Officer) in consultation with the Cabinet Member for Housing and Planning to allocate this and all future tranches of Afghan relocation funding between the necessary partners.**
- 6. Delegates to the Council's Deputy Chief Executive (Section 151 Officer) in consultation with the Cabinet Member for Housing and Planning to allocate the Homelessness Prevention award in relation to sourcing Ukraine families sustainable accommodation between the necessary partners.**

28. Local Authority Housing Fund (LAHF) Round 2

Members considered a report seeking approval for a grant of £953,600 from the Local Authority Housing Fund (LAHF) Round 2 which had been made available from DLUHC to purchase 8 new homes for Ukrainian and Afghan families.

A report on Round 1 of the funding had been considered by Full Council at its meeting on 1 March 2023. Round 2 of the funding enabled the purchase of 8 more housing units. The housing would revert to Council stock on the expiration of visas in approximately 3-5 years' time.

A review of the housing register would take place in the near future, as there were some residents that had been on this for a number of years; however the point was raised that the register was not a waiting list, and it did not always follow that those that had been on the register the longest period of time needed to be housed first.

Having been proposed and seconded and upon being put to the vote, the following motions were **AGREED**.

DECISION:

That Full Council:

- 1. Approves receipt of the Local Authority Housing Fund (LAHF) grant of £953,600 to provide accommodation to Ukraine and Afghan families and agrees approval of the memorandum of understanding with the Department for Levelling Up, Housing and Communities (DLUHC).**
- 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. Delegates authority to the Council's Deputy Chief Executive (Section 151 Officer) in consultation with the Cabinet member for Housing and Planning to acquire properties utilising the allocated LAHF grant funding and in accordance with the grant agreement arrangements.**
- 4. Delegates authority to the Council's Deputy Chief Executive (Section 151 Officer) in consultation with the Assistant Director of Planning to use available Section 106 funds held by the Council to be used to supplement the LAHF grant funding.**

29. Pay Policy Statement (2023/24) Amendment

Members considered a report detailing an amendment to the Pay Policy Statement regarding the definition of Chief Officers at South Kesteven District Council. The amendment would include Assistant Directors as being within the definition of Chief Officers.

This amendment had been recommended by the Employment Committee meeting held on 29 June 2023.

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

DECISION:

That Full Council approves an amendment of the Pay Policy Statement 2023/2024 for clause 3.3 and 5.1 to include 'Assistant Directors' in the definition of Chief Officers.

30. Members' Open Questions

Question 1 – Councillor Charmaine Morgan to the Cabinet Member for Environment and Waste (this role was a jobshare, and the question was answered by Councillor Rhys Baker)

Councillor Charmaine Morgan asked the Cabinet Member how householders would be expected to accommodate planned new recycling bins for paper and card if they had limited, or no additional space at their property.

The Cabinet Member acknowledged that there were issues for some residents in accommodating new bins, with a particular issue for houses of multiple occupancy (HMOs). A team was in place to deal with the concerns of residents. Alongside this, the Council could learn from those Districts in Lincolnshire who had already distributed additional bins as to what their issues had been. It was stressed that whilst the Cabinet Member was in support of the policy of separating paper and card recycling, overall the initiative was led by Lincolnshire County Council.

Every household in the District would receive a letter, outlining guidance on waste disposal, with the aim of raising recycling rates, and reducing the contamination of recycle.

Question 2 – Councillor Max Sawyer to the Deputy Leader of the Council

Councillor Max Sawyer asked the Deputy Leader of the Council for the procedure that was followed in allowing the Council to pay for the previous Leader of the Council to attend a Future Leader's course held in the USA.

The Deputy Leader had discovered prior to the May 2023 election, via the publicly available register of expenditure an entry for £5,500 attributed to member training. Around the same time, a freedom of information request was received by the Council on this subject.

The previous Leader advised the Chief Executive that he wished to attend some leadership training, which partly took place in the UK, and partly in the USA. He was advised that he should seek support from Cabinet members due to the cost, and it was reported that this support had been secured, along with a bursary to support the cost of the training. The course was passed for payment.

The previous Cabinet had been approached by the now Deputy Leader and asked why they had approved payment for the course; it became clear that those members were not aware they had approved payment, and in some cases made it clear that it was not their role to approve payment.

The Monitoring Officer investigated this freedom of information request and confirmed that Cabinet approval was not required for this training request. The Monitoring Officer reported that one of the difficulties with the complaint was that there was no record of the discussions that had taken place for this training request,

as it occurred during a meeting of informal Cabinet, under 'any other business'. There was no formal agenda or minutes in existence for this meeting.

The Deputy Leader highlighted that there were lessons to be learned from this episode, namely that all Councillors should be aware of the proper procedure for approving expenditure.

Question 3 - Councillor Robert Leadenham to the Leader of the Council

Councillor Robert Leadenham asked the Leader of the Council for clarity on his YouTube video highlighting the subject of litter on the verges of the A1 road.

The Leader, in response, stated that in making his video on the subject of littering he had made no judgment on whether there was an issue or not, he was highlighting what he had seen himself whilst looking at a nine mile stretch of the road.

Officers of the Council collected and emptied bins on this road every day, and on the Leader's visit, every layby was immaculately clean. However, it was possible there was an issue with littering on the A1 within South Kesteven, and the Environment Overview and Scrutiny Committee would consider the issue in due course.

Question 4 - Councillor Paul Wood to the Chairman of the Housing Overview and Scrutiny Committee

Councillor Paul Wood asked the Chairman of the Housing Overview and Scrutiny Committee whether the time it took to put unoccupied properties, or 'voids' back into use was unacceptable.

The Chairman of the Housing Overview and Scrutiny Committee outlined that as agreed at the above Committee, a workshop was in the process of being organised for all members of the Council and the Acting Director of Housing to look into this issue and give their views on how to tackle wait times.

Question 5 - Councillor Rosemary Trollope-Bellew to the Leader of the Council

Councillor Rosemary Trollope-Bellew asked the Leader whether he supported Lincolnshire County Council's stance of demolishing the Deepings Leisure Centre if a buyer could not be found, and whether financial assistance from South Kesteven District Council would be forthcoming.

The Leader made clear that he had not stated that South Kesteven District Council would not give financial assistance to the Deepings Leisure Centre in the future, and that consideration would be given to any requests for such support as required.

Question 6 - Councillor Mark Whittington to the Cabinet Member for Corporate Governance and Licensing

Councillor Mark Whittington was concerned around the progress of the internal auditors for this year, and asked whether the Cabinet Member could engage with internal auditors in order to progress key audits.

The Cabinet Member stated that the Governance and Audit Committee set their own programme; however, he had discussed the issues with internal audit with the Leader. The Cabinet Member would keep abreast of these issues and speak to the Governance and Audit Chairman regarding progress.

Question 7 - Councillor Ian Selby to the Leader of the Council

Councillor Ian Selby asked the Leader whether he was able to attend the 'grand weigh-in' for the Grantham Childrens' Fund, taking place at Harrowby United FC.

The Leader would make every effort to attend.

Question 8 - Councillor Zoe Lane to Cabinet Member for Environment and Waste (this role was a jobshare, and the question was answered by Councillor Patsy Ellis)

Councillor Zoe Lane asked the Cabinet Member whether the public had been consulted regarding the roll out of purple lidded bins for the collection of paper and card, and what their reaction had been to the news.

The Cabinet Member informed members that the rollout of the bins had been inherited from the previous administration, and that she would investigate what consultation with the public had taken place. The Cabinet Member reiterated that the scheme was being administered by Lincolnshire County Council and that there was no cost to South Kesteven District Council.

31. Notices of Motion

(a) Notice of Motion by Councillor Ben Green

Councillor Ben Green proposed the following motion:

Implementing Rushcliffe Borough Council's Battery Collection Policy in South Kesteven

Objective: *The objective of this motion is to propose the adoption of Rushcliffe Borough Council's battery collection policy, which involves collection of batteries in a bag left with any domestic waste bin collected by that council, by South Kesteven District Council. By implementing this policy over the next year, we aim to prevent costly refuse vehicle fires, promote responsible battery disposal, and increase recycling rates in our region.*

It is proposed the Council:

- a. Adopt Rushcliffe Borough Council's battery collection policy as a pilot programme in South Kesteven over the next year.*
- b. Provide residents with battery collection bags and clear instructions on how to use them for recycling purposes, emphasising the importance of not overfilling the bags.*
- c. Conduct public awareness campaigns and educational initiatives to promote the benefits of battery recycling and encourage active participation from residents.*
- d. Establish a reporting mechanism to monitor the progress and outcomes of the pilot programme, collecting data on the quantity of batteries recycled, costs saved, and any associated reduction in dust cart fires.*
- e. Explore partnerships with recycling facilities or third-party organisations to ensure the proper recycling and disposal of collected batteries.*

By adopting Rushcliffe Borough Council's successful battery collection policy, South Kesteven District Council will take a significant step towards fostering a sustainable and responsible waste management system that protects the environment, reduces costs, and enhances safety.

In introducing the motion, Councillor Green referenced a public information campaign on battery disposal that had been attempted with residents and questioned whether this had been successful.

Battery disposal could be an issue for rural communities, and those for whom travel was difficult. The Council visited residents' homes every week to collect their bins, and therefore there was an opportunity to explore whether batteries could be collected at the same time.

The motion was duly seconded.

The following points were raised during debate:

- Rechargeable batteries could make a better long-term investment rather than using disposable batteries.
- South Kesteven residents, in a straw poll conducted by one Councillor also favoured clothing and food waste recycling.
- The scheme would benefit from being costed before being rolled out. The refuse vehicles currently in use were expensive and could not easily be adapted to take batteries.
- The fire at Ingoldsby Woods had been caused by disposable vapes, rather than batteries. Disposable vapes were not easy to dismantle for disposal. Every year several tonnes of lithium was disposed of by virtue of being contained within vapes.

- Retailers have a legal requirement to collect batteries. Recycling was important for this precious resource, as the chemicals released by lithium-ion batteries in landfill was dangerous.
- Aside from costly lorry fires, there were several fires a week at recycling centres due to the inappropriate disposal of batteries.
- A review of single-use vapes should be considered by the Council, and brought to the attention on central government.

An amendment to the substantive motion was proposed by the Leader of the Council:

*This council **notes**:*

- *The safety issues around the disposal of batteries*
- *The desirability of ensuring that batteries are not placed in mixed recycling bins but recycled separately*
- *The existing legal requirement for retailers of batteries to provide collection points for the disposal of used batteries ([Battery waste: retailer and distributor responsibilities - GOV.UK](#))*
- *The battery collection policy of Rushcliffe Borough Council*
- *That many other councils also have separate battery collection schemes in operation*
- *That any separate collection organised by the council will come at a cost*

*This council **considers** this issue to merit further consideration, and thus **resolves** to:*

- *ask officers to investigate and prepare a report giving costed options taking the points noted above into account;*
- *request the Environment Overview and Scrutiny Committee considers this report and recommends options to be considered by Full Council at the November meeting”*

The amendment was seconded by the Leader of the Opposition.

The following comments were made when debating the amendment:

- The costings for the collection of batteries should not only include the costs to adapt lorries but should also include the cost of repairs to the Council’s housing stock, caused by batteries in small toys.
- The Chairman and Vice-Chairman of the Environment Overview and Scrutiny were happy to take this issue forward to the most appropriate meeting of their Committee.

The proposer and seconder of the original motion accepted the amendment.

Upon being put to the vote the substantive motion was **AGREED**.

DECISION:

This council notes:

- The safety issues around the disposal of batteries
- The desirability of ensuring that batteries are not placed in mixed recycling bins but recycled separately
- The existing legal requirement for retailers of batteries to provide collection points for the disposal of used batteries ([Battery waste: retailer and distributor responsibilities - GOV.UK](#))
- The battery collection policy of Rushcliffe Borough Council
- That many other councils also have separate battery collection schemes in operation
- That any separate collection organised by the council will come at a cost

This council considers this issue to merit further consideration, and thus resolves to:

- ask officers to investigate and prepare a report giving costed options taking the points noted above into account
- request the Environment Overview and Scrutiny Committee considers this report and recommends options to be considered by Full Council at the November meeting”.

32. Close of meeting

The meeting closed at 2:58pm.