

MINUTES

COUNCIL

THURSDAY, 26 NOVEMBER 2020

1.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

PRESENT

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

Councillor Bob Adams
Councillor Ashley Baxter
Councillor David Bellamy
Councillor Harrish Bisnauthsing
Councillor Mrs Pam Bosworth
Councillor George Chivers
Councillor Louise Clack
Councillor Kelham Cooke
Councillor John Cottier
Councillor Helen Crawford
Councillor Phil Dilks
Councillor Barry Dobson
Councillor Mike Exton
Councillor Paul Fellows
Councillor Helen Goral
Councillor Jan Hansen
Councillor Graham Jeal
Councillor Gloria Johnson
Councillor Mrs Rosemary Kaberry-Brown
Councillor Anna Kelly
Councillor Ms Jane Kingman
Councillor Philip Knowles
Councillor Matthew Lee
Councillor Annie Mason
Councillor Penny Milnes

OFFICERS

Chief Executive (Karen Bradford)
Strategic Director Commercial and
Operations (Gary Smith)
Assistant Chief Executive Housing
Delivery (Ken Lyon)
Interim Director of Finance (Richard
Wyles)

Councillor Virginia Moran
Councillor Charmaine Morgan
Councillor Dr Peter Moseley
Councillor Robert Reid
Councillor Nick Robins
Councillor Susan Sandall
Councillor Ian Selby
Councillor Jacky Smith
Councillor Mrs Judy Smith
Councillor Lee Steptoe
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Jill Thomas
Councillor Rosemary Trollope-Bellew
Councillor Sarah Trotter
Councillor Dean Ward
Councillor Hilary Westropp
Councillor Amanda Wheeler
Councillor Mark Whittington
Councillor Jane Wood
Councillor Paul Wood
Councillor Sue Woolley
Councillor Linda Wootten
Councillor Ray Wootten

OFFICERS

Director of Law and Governance (Shahin
Ismail)
Interim Assistant Director Housing (Chris
Stratford)
Acting Principal Democracy Officer
(Shelley Thirkell)
Democratic Officer (Lucy Bonshor)

Leader update on Tier Category

The Leader gave a brief update in relation to Covid-19. Following lockdown, which ended on 2 December 2020, the whole of Lincolnshire including South Kesteven had been placed in the highest Tier 3 category. This was despite South Kesteven's infection rate being below the national average. A letter had been sent to Government making representation about the tier structure, which the Leader had signed together with all other Lincolnshire authorities.

The Leader reminded Members that Covid-19 continued to be a real threat and that it was important that everyone followed the Government's guidance to bring down the infection rate. He praised the community resilience across South Kesteven during the pandemic and stated that South Kesteven District Council continued to work to protect both residents and staff and maintain critical services and support local businesses during this time. The Council would do everything it could to support businesses in tier 3. Business grants were being allocated and Government were being lobbied for vital additional support for businesses. Residents would continue to be updated about restrictions, guidance and help available. A review of the tier would be taken after 16 December 2020 and he urged everyone to continue to follow public health advice in relation to Covid-19.

34. Public Open Forum

No questions or statements were received.

35. Register of attendance and apologies for absence

Apologies for absence were received from Councillors' Broughton, Dawson, Manterfield and Hannah Westropp.

Late attendance was received from Councillor Morgan.

36. Disclosure of Interests

Members were reminded what constituted a Pecuniary Disclosable Interest (DPI) by the Chairman. The following Members' disclosed a DPI in relation to agenda item 12a and/or 12b:

Councillor Kelly as she was a trustee of Bourne United Charities which let properties and she was also the Chairman of Bourne Almshouses which had properties.

Councillor Knowles as he was a trustee of Bourne United Charities.

Councillor Robins as he was a private landlord.

Councillor Stevens as she was a member of Deeping St James United Charities which let properties and also her husband and son were private landlords.

Councillor Trollope-Bellew as her husband was a private landlord.

Councillor Whittington as he was a private landlord for residential properties.

37. Minutes of the meeting held on 1 October 2020

The minutes of the meeting held on 1 October 2020 were proposed, seconded and agreed as a correct record.

(a) Exempt minute, Council 1 October 2020 - Corporate Restructure

38. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements, which had been restricted due to Covid-19.

39. Formation of LeisureSK Ltd

The Deputy Leader of the Council presented the report, which requested additional Directors to be appointed to the board of LeisureSK Ltd. He also asked for an amendment at recommendation one, to include the Chief Executive as a Director of LeisureSK Ltd.

The Council were also being asked to approve a level of management fee not exceeding £500,000, which may be required to be provided to the company for the period January 2021 to December 2021. An upfront element of this fee, £250,000, was to be provided to LeisureSK Ltd as working capital to cover any necessary costs. The Deputy Leader also asked that the word Limited be included after LeisureSK at recommendation three as a further amendment to the recommendations before Council. The five-year business plan for LeisureSK Ltd had been endorsed by the Companies Committee on 21 October 2020.

The proposal was seconded.

Debate then followed on the recommendations before Council and the inclusion of the Chief Executive as a further Director.

Concern was expressed about the proposed appointment of the Chief Executive as a Director. Some Members felt that there was a conflict of interest between the Director role for LeisureSK Ltd and that of the Chief Executive of the Council. Clarity was also asked whether it was the person or post that was the Director position. It was confirmed that it was the person holding that position, if the person no longer worked for the Council, they would resign from the Director position.

The Deputy Leader reiterated his recommendation to include the Chief Executive as a Director and stated that the Chief Executive did have knowledge of the leisure industry and all procedures relating to the running of LeisureSK Ltd would be followed.

A question was asked in relation to the financial aspects outlined in the report and the assumed business rate relief to which the Interim Director of Finance responded.

A point of order was raised in relation to the nature of the debate before Members and it was confirmed that this should not take the form of a question and answer session. It was proposed and seconded to suspend Standing Orders so that Members could speak more than once but on being put to the vote the proposition failed.

Further discussion followed on the set up of the Company and the significant work being undertaken due to the current volatility of the leisure market and Covid-19.

The formation of LeisureSK Ltd was welcomed by Members to improve the current leisure provision within the district, it was however felt that a more political balance was required within the Directorship of the company and it was proposed that the Independent Group Leader be appointed as a Director, which was seconded and debate supporting the appointment followed. During debate a further proposition was made for a non-aligned member to be on the board of Directors and this was seconded.

Clarification of the role of a Director on the Board of LeisureSK Ltd was given and confirmation that the company would be scrutinised by the Companies Committee which was a politically balanced Committee.

The proposition for the Independent Group Leader to be on the board of Directors for LeisureSK Ltd was then taken, voting by exception and the proposition fell.

The functionality of the IT software being used for the meeting was questioned, as some Members had been unable to cast their vote. The Chief Executive indicated that a new system was being looked at and it would be the last Council meeting using the current system.

It was proposed and seconded that a recorded vote be taken. A further proposal was put that all votes for the remainder of the meeting be recorded and this was seconded. A proposal was also put that the decision be taken after the vote had taken place. As the request for recorded votes had been requested by over ten Members of the Council as required by Article 4.13.4 of the Council's Constitution, all decisions for the remainder of the Council meeting would be taken by recorded vote.

(14:51 Councillor Goral left the meeting and did not return).

(14:53 Councillor Chivers left the meeting and did not return).

The proposition to appoint the Independent Group Leader to the Directorship of LeisureSK Ltd was then taken by recorded vote. The proposition failed.

For	Against	Abstain
Councillor Ashley Baxter	Councillor Bob Adams	Councillor Charmaine Morgan
Councillor Harrish Bisnauthsing	Councillor David Bellamy	Councillor Lee Steptoe
Councillor Louise Clack	Councillor Kelham Cooke	2
Councillor Phil Dilks	Councillor John Cottier	
Councillor Paul Fellows	Councillor Helen Crawford	
Councillor Jan Hansen	Councillor Barry Dobson	
Councillor Anna Kelly	Councillor Mike Exton	
Councillor Philip Knowles	Councillor Breda Griffin	
Councillor Penny Milnes	Councillor Graham Jeal	
Councillor Virginia Moran	Councillor Gloria Johnson	
Councillor Ian Selby	Councillor Rosemary Kaberry-Brown	
Councillor Amanda Wheeler	Councillor Jane Kingman	
Councillor Jane Wood	Councillor Matthew Lee	
Councillor Paul Wood	Councillor Annie Mason	
14	Councillor Dr Peter Moseley	
	Councillor Robert Reid	
	Councillor Nick Robins	
	Councillor Susan Sandall	
	Councillor Jacky Smith	
	Councillor Judy Smith	
	Councillor Judy Stevens	
	Councillor Adam Stokes	
	Councillor Ian Stokes	
	Councillor Jill Thomas	
	Councillor Rosemary Trollope- Bellew	
	Councillor Sarah Trotter	
	Councillor Dean Ward	
	Councillor Hilary Westropp	
	Councillor Mark Whittington	
	Councillor Sue Woolley	
	Councillor Linda Wootten	
	Councillor Ray Wootten	
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Debate then followed in respect of the non-aligned Member being a Director on LeisureSK Ltd and further concern expressed about the Chief Executive's independence in the role of a Director and the openness and transparency of the company to which the Chief Executive replied.

Assurance was given by the Vice-Chairman of the Companies Committee that scrutiny of the company would be undertaken in a robust manor.

The proposition for the non-aligned Member to take a role of Director on LeisureSK was then voted on. The proposition was lost.

(15:13 Councillor Clack left the meeting and did not return)

For	Against	Abstain
Councillor Ashley Baxter	Councillor Bob Adams	
Councillor Harrish Bisnauthsing	Councillor David Bellamy	
Councillor Phil Dilks	Councillor Kelham Cooke	
Councillor Paul Fellows	Councillor John Cottier	
Councillor Jan Hansen	Councillor Helen Crawford	
Councillor Anna Kelly	Councillor Barry Dobson	
Councillor Philip Knowles	Councillor Mike Exton	
Councillor Penny Milnes	Councillor Breda Griffin	
Councillor Virginia Moran	Councillor Graham Jeal	
Councillor Charmaine Morgan	Councillor Gloria Johnson	
Councillor Ian Selby	Councillor Rosemary Kaberry-Brown	
Councillor Lee Steptoe	Councillor Jane Kingman	
Councillor Amanda Wheeler	Councillor Annie Mason	
Councillor Jane Wood	Councillor Dr Peter Moseley	
Councillor Paul Wood	Councillor Robert Reid	
15	Councillor Nick Robins	
	Councillor Susan Sandall	
	Councillor Jacky Smith	
	Councillor Judy Smith	
	Councillor Judy Stevens	
	Councillor Adam Stokes	
	Councillor Ian Stokes	
	Councillor Jill Thomas	
	Councillor Rosemary Trollope-Bellew	
	Councillor Dean Ward	
	Councillor Hilary Westropp	
	Councillor Mark Whittington	
	Councillor Sue Woolley	
	Councillor Linda Wootten	
	Councillor Ray Wootten	
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A proposal was made that Councillor Mark Whittington be nominated as a Director on LeisureSK Ltd and this was seconded.

It was noted that currently Councillor Whittington was the Vice-Chairman of the Companies Committee and that a conflict may arise. Further debate followed on the member's suitability following which Councillor Whittington withdrew his nomination to the post of Director.

An amendment was proposed that in addition to the recommendation before Members that an additional member of the Council be proposed who is nominated with appropriate skills and that a report come back to an additional meeting of the Council where interested parties to the post were listed together with their portfolio and skills.

The Monitoring Officer stated why the amendment was not appropriate in the context of the recommendation that was before the Council and was not accepted as an amendment.

The member stated that her amendment simply added a further member as a director on the board of LeisureSK Ltd. The Monitoring Officer clarified what the proposal was before Members. The proposal was seconded.

(15:36 Councillor Exton left the meeting)

A brief debate followed with some support being given to the proposal and the need to have balance on the board of directors by a member who was suitably qualified and was not part of the Cabinet or the Chief Executive. It was reiterated that an independent specialist was to be appointed to the board of LeisureSK Ltd.

On being put to a recorded vote the amendment failed.

For	Against	Abstain
Councillor Ashley Baxter	Councillor Bob Adams	Councillor Philip Knowles
Councillor Harrish Bisnauthsing	Councillor David Bellamy	Councillor Virginia Moran
Councillor Phil Dilks	Councillor Mrs Pam Bosworth	Councillor Ian Selby
Councillor Paul Fellows	Councillor Kelham Cooke	3
Councillor Anna Kelly	Councillor John Cottier	
Councillor Penny Milnes	Councillor Helen Crawford	
Councillor Charmaine Morgan	Councillor Barry Dobson	
Councillor Lee Steptoe	Councillor Breda Griffin	
Councillor Amanda Wheeler	Councillor Graham Jeal	
	Councillor Gloria Johnson	
Councillor Lee Steptoe	Councillor Rosemary Kaberry-Brown	
Councillor Amanda Wheeler	Councillor Jane Kingman	
Councillor Jane Wood	Councillor Annie Mason	
Councillor Paul Wood	Councillor Dr Peter Moseley	
11	Councillor Susan Sandall	
	Councillor Jacky Smith	
	Councillor Judy Smith	
	Councillor Judy Stevens	
	Councillor Adam Stokes	

	Councillor Ian Stokes	
	Councillor Jill Thomas	
	Councillor Rosemary Trollope- Bellew	
	Councillor Sarah Trotter	
	Councillor Dean Ward	
	Councillor Hilary Westropp	
	Councillor Mark Whittington	
	Councillor Sue Woolley	
	Councillor Linda Wootten	
	Councillor Ray Wootten	
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The original proposal as outlined within the Deputy Leader's report with the addition of the Chief Executive as a Director at recommendation one and the inclusion of Limited after LeisureSK at recommendation three which had been seconded was then voted on. A recorded vote was taken.

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

1. That Council appoints the following as Directors of LeisureSK Ltd:
 - a) The Leader of the Council, Councillor Kelham Cooke.
 - b) The Cabinet Member for Finance and Resources, Councillor Adam Stokes.
 - c) The Cabinet Member for Culture and Visitor Economy, Councillor Rosemary Trollope-Bellew.
 - d) The Chief Executive, Karen Bradford.
2. That Council approves the appointment of the Director of Growth and Culture and a Non-Executive Director to the Board of LeisureSK Ltd upon the successful conclusion of the Council's recruitment process in this regard.
3. That delegated authority is provided to the Chief Executive, in consultation with the Directors of LeisureSK Ltd, to appoint a Non-Executive Director to the Board on the successful conclusion of the recruitment process in this regard.
4. That Council approve a budget not exceeding £500,000 for the management fee to be provided to LeisureSK Ltd for the period January 2021 to December 2021, and that delegated authority is provided to the Chief Executive of the Council, in consultation with the Section 151 Officer to agree the final amount, noting that the payment will be subject to a reconciliation to show the impact of Covid-19 on income and expenditure.

5. That Council approve an upfront payment of £250,000 of the annual management fee to provide for working capital for LeisureSK Ltd to enable the company to have sufficient cash flow to cover any necessary expenditure.

For	Against	Abstain
Councillor Bob Adams	Councillor Ashley Baxter	Councillor Anna Kelly
Councillor David Bellamy	Councillor Phil Dilks	1
Councillor Harrish Bisnauthsing	Councillor Virginia Moran	
Councillor Pam Bosworth	Councillor Charmaine Morgan	
Councillor Kelham Cooke	Councillor Lee Steptoe	
Councillor John Cottier	Councillor Amanda Wheeler	
Councillor Helen Crawford	6	
Councillor Barry Dobson		
Councillor Paul Fellows		
Councillor Breda Griffin		
Councillor Graham Jeal		
Councillor Gloria Johnson		
Councillor Rosemary Kaberry-Brown		
Councillor Jane Kingman		
Councillor Philip Knowles		
Councillor Matthew Lee		
Councillor Annie Mason		
Councillor Penny Milnes		
Councillor Dr Peter Moseley		
Councillor Susan Sandall		
Councillor Ian Selby		
Councillor Jacky Smith		
Councillor Judy Smith		
Councillor Judy Stevens		
Councillor Adam Stokes		
Councillor Ian Stokes		
Councillor Jill Thomas		
Councillor Rosemary Trollope- Bellew		
Councillor Sarah Trotter		
Councillor Dean Ward		
Councillor Mark Whittington		
Councillor Jane Wood		
Councillor Paul Wood		
Councillor Sue Woolley		
Councillor Linda Wootten		
Councillor Ray Wootten		
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A Member referred to a letter she had sent to the Leader in relation to Deepings Swimming Club, the use of the Leisure Centre and the inability of the club to fund raise during the Covid-19 pandemic and the effect on the club hiring the pool.

The Leader stated that he would set up a meeting to discuss Deepings Swimming Club with the Member for the following week.

It was proposed, seconded and agreed to extend the meeting by one hour following the adjournment. A recorded vote was taken to extend the meeting. All those Members left in the meeting agreed to extend the meeting by one hour following the adjournment.

(16:03 – 16:18 meeting adjourned)

40. Strategic Land Acquisition in South Kesteven

The Cabinet Member for Commercial and Operations introduced the item, which concerned the acquisition of a parcel of land in South Kesteven. He apologised for the lateness of the papers before Members and the Monitoring Officer explained the reason for the late papers, which had been posted and emailed to all Members.

Members were reminded that if they wished to discuss the detail of the exempt appendix, which contained commercially sensitive information, then the meeting would have to go into closed session and the press and public be excluded.

The parcel of land was situated in an important significant area and was considered strategically important to the Council's growth ambitions. An agile approach had been taken due to the need to act quickly.

Most Members were supportive of the proposals as outlined within the report but some Members felt that they had not had enough time to consider the report due to its late circulation. One of the Ward Members for the area expressed concern that they had not been notified in advance of other Members. As some Members wished to ask questions on the exempt appendix, it was proposed that, the meeting go into exempt session.

A proposal was put forward to rescind the early decision to have recorded votes for each decision due to the length of time they took. However, it was stated that a recorded vote would have to be taken to rescind the original vote. Due to the technical issues some Members were having, it was felt that a recorded vote was the best option.

A record vote was taken for the meeting to go into exempt session, which was **AGREED**.

For	Against	Abstain
Councillor Bob Adams		Councillor Ashley Baxter
Councillor Pam Bosworth		1
Councillor Kelham Cooke		
Councillor John Cottier		
Councillor Helen Crawford		
Councillor Phil Dilks		
Councillor Barry Dobson		
Councillor Paul Fellows		
Councillor Breda Griffin		
Councillor Graham Jeal		
Councillor Gloria Johnson		
Councillor Rosemary Kaberry-Brown		
Councillor Anna Kelly		
Councillor Jane Kingman		
Councillor Philip Knowles		
Councillor Annie Mason		
Councillor Penny Milnes		
Councillor Virginia Moran		
Councillor Charmaine Morgan		
Councillor Dr Peter Moseley		
Councillor Susan Sandall		
Councillor Ian Selby		
Councillor Jacky Smith		
Councillor Judy Smith		
Councillor Lee Steptoe		
Councillor Judy Stevens		
Councillor Adam Stokes		
Councillor Ian Stokes		
Councillor Jill Thomas		
Councillor Rosemary Trollope- Bellew		
Councillor Sarah Trotter		
Councillor Dean Ward		
Councillor Amanda Wheeler		
Councillor Mark Whittington		
Councillor Paul Wood		
Councillor Sue Woolley		
Councillor Linda Wootten		
Councillor Ray Wootten		
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(16:44 Councillor Exton returned to the meeting)

(16:48 Press and Public excluded from the meeting)

(17:27 Press and Public returned to the meeting)

(17:29 Councillor Fellows left the meeting)

On the meeting, returning to open session a recorded vote was taken on the recommendations contained within the report.

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

1. Council approves the necessary budget allocation to purchase the site as stated within Exempt Appendix 1 paragraph 3.1 of the Cabinet Member for Commercial and Operations report and the associated costs following acquisition.
2. Council approves an increase in the regeneration reserve by a minimum of £500k in order to provide sufficient funding to meet the ongoing revenue costs of the site.
3. Council notes that the decision to acquire the site is an executive function for Cabinet and refers the site acquisition to the Cabinet, with the recommendation that Cabinet delegates to the Chief Executive, in consultation with the Leader and S151 Officer, authorisation to negotiate terms, carry out site due diligence and enter into a contract to purchase the parcel of land.

For	Against	Abstain
Councillor Bob Adams		Councillor Anna Kelly
Councillor Ashley Baxter		Councillor Philip Knowles
Councillor Pam Bosworth		Councillor Charmaine Morgan
Councillor Kelham Cooke		Councillor Lee Steptoe
Councillor John Cottier		4
Councillor Helen Crawford		
Councillor Phil Dilks		
Councillor Barry Dobson		
Councillor Mike Exton		
Councillor Breda Griffin		
Councillor Graham Jeal		
Councillor Gloria Johnson		
Councillor Rosemary Kaberry-Brown		
Councillor Jane Kingman		
Councillor Matthew Lee		
Councillor Annie Mason		
Councillor Penny Milnes		
Councillor Virginia Moran		
Councillor Dr Peter Moseley		
Councillor Robert Reid		
Councillor Susan Sandall		
Councillor Ian Selby		

Councillor Jacky Smith		
Councillor Judy Smith		
Councillor Judy Stevens		
Councillor Adam Stokes		
Councillor Ian Stokes		
Councillor Jill Thomas		
Councillor Rosemary Trollope- Bellew		
Councillor Sarah Trotter		
Councillor Dean Ward		
Councillor Amanda Wheeler		
Councillor Mark Whittington		
Councillor Paul Wood		
Councillor Sue Woolley		
Councillor Linda Wootten		
Councillor Ray Wootten		
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(a) Acquisition of Land in South Kesteven

41. Scrutiny Committee Annual Report 2019/20

As the extended time had been reached, the issue was deferred to a meeting to be arranged.

42. Housing Compliance Audit 2020 including Riverside Inquiry and Housing Development Update

As the extended time had been reached, the issue was deferred to a meeting to be arranged.

43. Updates from the Leader of the Council

As the extended time limit had been reached, no updates were given by the Leader.

(a) Meetings of the Cabinet

As the extended time had been reached, this issue was not discussed.

(b) Meetings of Cabinet - Appendix 2

44. Decisions made under urgency provisions

As the extended time limit had been reached, this issue was deferred to a meeting to be arranged.

45. Members' Open Questions

As the extended time limit had been reached, no Members' open questions were taken.

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

(a) Councillor Charmaine Morgan

As the extended time limit had been reached, the motion was deferred to a meeting to be arranged.

(b) Councillor Charmaine Morgan

As the extended time limit had been reached, the motion was deferred to a meeting to be arranged.

47. Close of meeting

The Chief Executive informed Members that a meeting would be arranged as soon as possible to consider those items only, that had been deferred.

The meeting closed at 17:37pm.