

MINUTES

COUNCIL

THURSDAY, 27 JANUARY 2022

1.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

PRESENT

Councillor Breda-Rae Griffin (Chairman)

Councillor Helen Crawford (Vice-Chairman)

Councillor David Bellamy

Councillor Harrish Bisnauthsing

Councillor Mrs 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 Jan Hansen

Councillor Graham Jeal

Councillor Gloria Johnson

Councillor Anna Kelly

Councillor Ms Jane Kingman

Councillor Philip Knowles

Councillor Matthew Lee

Councillor Annie Mason

Councillor Penny Milnes

Councillor Robert Reid

Councillor Kaffy Rice-Oxley

Councillor Nick Robins

Councillor Penny Robins

Councillor Susan Sandall

Councillor Ian Selby

Councillor Jacky Smith

Councillor Lee Steptoe

Councillor Judy Stevens

Councillor Adam Stokes

Councillor Jill Thomas

Councillor Rosemary Trollope-Bellew

Councillor Sarah Trotter

Councillor Dean Ward

Councillor Hilary Westropp

Councillor Amanda Wheeler

Councillor Mark Whittington

Councillor Jane Wood

Councillor Paul Wood

Councillor Sue Woolley

Councillor Linda Wootten

Councillor Ray Wootten

OFFICERS

Karen Bradford (Chief Executive)

Alan Robinson (Deputy Chief Executive and Monitoring Officer)

Andrew Cotton (Director of Housing and Property)

Gary Smith (Director of Commercial and Operations)

Ken Lyon (Assistant Chief Executive)

Emma Whittaker (Assistant Director of Planning)

Richard Wyles (Assistant Director of Finance and Section 151 Officer)

Claire Moses (Head of Revenues and Benefits)

Graham Watts (Head of Democratic Services and Deputy Monitoring Officer)

Debbie Roberts (Interim Organisational Development and Change Manager)
Lucy Bonshor (Democratic Services Officer)
Sarah Downs (Democratic Services Officer)
Amy Pryde (Democratic Services Officer)
Sam Selby (Cabinet and Member Development Officer)
Anita Eckersley (Civic and Member Services Officer)
Vicky Gisby (Executive Assistant to the Chief Executive)
Louise Field (Executive Assistant to the Leader of the Council)
Patrick Astill (Communications)
Chris Prime (Communications)

62. Public Open Forum

Question 1

From: Susannah Holloway

To: Councillor Helen Crawford, Chairman of the Planning Committee

“The Mallard Pass Solar Farm proposal has just passed through the pre-application NSIP consultation process. The scope application is due to be received by the Planning Inspectorate imminently, with 30 days to approve it. After that Mallard Pass will collaborate with local Councils to develop the Draft Statement of Community Consultation. Speaking on behalf of the Mallard Pass Action Group, will the Council take on board input and suggestions from the Group, particularly as Mallard Pass’ first consultation was wholly inadequate in its communications, reach, accessibility and detail?”

The Chairman of the Planning Committee understood the concerns that local residents had regarding this proposal. The proposed solar panel farm would be treated as a National Strategic Infrastructure Project and this meant that the planning application process was different from other smaller schemes where planning permission was sought from the Council.

The developer had advised that the Development Consent Application would be submitted to the Planning Inspectorate in Winter 2022. Whilst there had been some early engagement by the developer, this would not be the only public engagement carried out. The developer had advised that a scoping opinion would be shortly submitted to the Planning Inspectorate which specifically related to the Environmental Impact Assessment that would need to be prepared in support of any subsequent planning application. The purpose of a scoping opinion was to set the content or scope of the Environmental Statement. South Kesteven District Council would be one of many stakeholders that would be consulted on the scoping opinion before the Planning Inspectorate made a decision.

In relation to further public consultations, the developer would prepare a Statement of Community Consultation which would set out how they proposed to engage with local

communities and stakeholders. The District Council would be consulted on the content and appropriateness of this document and the Authority would be very interested in hearing feedback from the Mallard Pass Action Group about the developer's first consultation exercise.

As a supplementary question, Susannah Holloway asked whether the District Council had determined how it would collaborate with Lincolnshire County Council and Rutland County Council in respect of the Statement of Community Consultation, given that this was a cross-county matter.

The Council's Assistant Director of Planning confirmed that early engagement with the developer and respective Local Authorities had been undertaken and the District Council would continue to ensure dialogue across the board in this respect. She acknowledged the significance of this project and highlighted how important it was for all interested parties to fully engage in the process. No final decisions had yet been taken but the Council did have a very open dialogue and was working closely with colleagues.

Question 2

From: Susannah Holloway

To: Councillor Breda-Rae Griffin, Chairman of the Council, or Councillor Kelham Cooke, Leader of the Council

“At the point South Kesteven District Council have to present their final recommendations to the Planning Inspectorate about the Mallard Pass Solar Farm proposal, given the sheer scale and NSIP nature of this (2175 acres as we know today), will those recommendations be put to both the Planning Committee and a Full Council vote, and would both be held in public?”

The Chairman asked the Leader of the Council to respond to this question in order that she could retain impartiality.

The Leader of the Council recognised the significance of this project and that it would be of interest to a significant number of local residents and Councillors. It was important to note that, given the significant size of the proposal, the respective application would not be determined by the District Council. A decision had not been made about who would decide the contents of the final response to the proposed development and at present he was unable to confirm whether this would be presented to the Planning Committee or Full Council. Councillor Cooke was keen to ensure that people had an opportunity to set out their views in the strongest possible way prior to the Council considering the matter as a consultee, whether that be through the Planning Committee, Cabinet or Full Council.

Question 3

From: Keith Busfield

To: Councillor Helen Crawford, Chairman of the Planning Committee

“I note Councillor Cleaver’s proposed amendment to Councillor Woolley’s forthcoming proposal tabled for discussion today, namely: ‘Furthermore, the Council acknowledges the fears of residents who are concerned by the possibility of suffering material losses (such as reduction in the value of their property) as the result of any such developments.’ One South Kesteven District Councillor stated in an email to myself ‘...even if property prices do fall, it’s not the end of world; I am sure there are plenty of people who would be pleased to be able to afford to buy a house in village A or village B’ (I have redacted the names of villages). This comment was with regard to Mallard Pass and greatly concerned me and my partner. In the light of the NSIP nature of the Mallard Pass Solar Farm proposal and the industrialisation of greenfield agricultural land, can the Council explain and assure me what they will do to protect the interests of residents given any negative impact on house prices in the area.”

The Chairman of the Planning Committee highlighted that whether or not a proposed development affected property value did not constitute a material planning consideration. This meant it was not something that either the Council or the Planning Inspector would be able to consider when making a decision on any planning application.

Whilst she understood the concerns of residents, the Council, as the Local Planning Authority, did not know the full details of the proposal adding that it would be premature to make any assumptions around potential impact on how development may affect house prices. She gave an assurance to residents, and Councillors, that the Council was liaising with the developer to ensure that the public engagement was robust and that residents’ voices would be heard.

Question 4

From: Keith Busfield

To: Councillor Kelham Cooke, Leader of the Council

“Alicia Kearns MP for Rutland and Melton has actively declared her hand opposing Mallard Pass Solar Farm, already raising a question in parliament, posting on social media. On Friday last week the planning consultancy working with Mallard Pass speaking on BBC Radio Lincolnshire stated that they are considering scaling back on the extent of the project. What will South Kesteven District Council do to ensure any downsizing of the proposal is balanced between Lincolnshire and Rutland residents, and residents’ voices from Lincolnshire are equally heard and represented?”

The Leader of the Council responded by saying that, whilst it was not possible to predetermine the exact location of the solar panels and associated infrastructure, the Council was committed to ensuring that the concerns of the residents were heard. He reiterated that the Council would seek to ensure that the developer fully engaged with the local community so that their voices were heard and that officers would engage with the developer during the pre-application process, critically appraising the development throughout the process.

He was of the view that the District Council had a good relationship with Lincolnshire County Council and Rutland County Council and continued to have good discussions on a number of issues and that these would include the Mallard Pass development as the process evolved.

The Leader emphasised that local Ward Councillors affected by the development were taking a keen interest and would continue to do so, ensuring that residents' voices were heard. He outlined the importance of Councillors not prejudicing their views but felt it necessary to place on record his view that the proposal was currently too large and in the wrong location, having visited the site personally.

The Monitoring Officer, in response to a question raised, referred to the expression of views and opinions in relation to this matter by Members of the Council. He advised that Members of the Planning Committee, or those Members who could potentially act as substitutes when formally considering this matter at Committee, may wish to ensure that they were not pre-determined as a result of what they said and that they should act with an element of caution in this respect.

As a supplementary question, Keith Busfield made the point that Members may wish to be better informed as to the particular area potentially affected by the proposal. He therefore took the opportunity to invite any Member of the Council to meet with him to walk existing pathways and bridleways and review the area in person themselves.

The Leader thanked Mr Busfield and was sure that any interested Members would take him up on his offer. He also made the point that it would be an individual decision of any Member with regard to their pre-determination of the application or proposal.

63. Apologies for absence

Apologies for absence were received from Councillors Ashley Baxter, Bob Broughton, Rosemary Kaberry-Brown, Nikki Manterfield, Virginia Moran, Charmaine Morgan, Judy Smith, Ian Stokes and Hannah Westropp.

64. Disclosure of Interests

No interests were disclosed.

65. Minutes of the meeting held on 25 November 2021

The minutes of the meeting held on 25 November 2021 were proposed, seconded and agreed as a correct record.

DECISION:

That the minutes of the meeting held on 25 November 2021 be approved as a correct record.

66. Minutes of the extraordinary meeting held on 14 December 2021

The minutes of the extraordinary meeting held on 14 December 2021 were proposed, seconded and agreed as a correct record.

DECISION:

That the minutes of the extraordinary meeting held on 14 December 2021 be approved as a correct record.

67. Communications (including Chairman's Announcements)

The Chairman of the Council took this opportunity to wish Members a Happy New Year and presented the engagements she had undertaken since the last meeting of Full Council, as set out in the agenda.

The Leader of the Council reported that Councillor Mark Whittington had been appointed onto the Cabinet with responsibility for Waste Services. Further announcements in relation to Cabinet Member responsibilities would be made in due course. Councillor Whittington's appointment had a consequential impact on the Governance and Audit Committee, Constitution Committee and Finance, Economic Development and Corporate Services Overview and Scrutiny Committee, particularly in relation to Chairmanships and Vice-Chairmanships.

The Leader outlined that he would support the appointment of Councillor Paul Wood, Leader of the Opposition, as the next Chairman of the Governance and Audit Committee, together with Councillor Kaffy Rice-Oxley as Vice-Chairman, with Members outlining their support of the proposed cross-party approach.

The Council noted these announcements.

68. Localised Council Tax Support Scheme 2022/23

The Cabinet Member for Finance and Waste Services presented the report and proposed the Localised Council Tax Support Scheme for the 2022/23 financial year.

The options in relation to the Council's Localised Council Tax Support Scheme had been considered by the Finance, Economic Development and Corporate Services

Overview and Scrutiny Committee on 3 December 2021 and Cabinet on 7 December 2021, with both meetings supporting the recommendations set out in the report.

Further to public consultation on the proposed scheme, 8,236 surveys had been sent out of which 308 were returned which equated to 3.74%. 81.82% of those who had responded supported the current scheme with 87.99% supporting the continuation of the Discretionary Payment Fund.

Consultation with major preceptors had also been undertaken, with the Lincolnshire Police and Crime Commissioner and Lincolnshire County Council being supportive of the current scheme remaining in place with the existing criteria for 2022/23.

The proposed continuation of the Special Constabulary Discount Scheme had been supported by Lincolnshire County Council, with South Kesteven District Council and South Holland District Council being the only authorities to propose inclusion of the discount as part of their respective Schemes.

The proposal was seconded.

In answer to a question regarding the financial impact of the Special Constabulary Discount Scheme, it was explained that the criteria for the discount was still being clarified by the Police and Crime Commissioner. As soon as the criteria had been set the Council's website would be updated and engagement work would take place to reach out to those eligible. As the discount would comprise of an application process it was difficult at this stage to confirm how much it would effectively cost the Authority.

In discussing the proposal the inclusion of the Special Constabulary Discount Scheme was welcomed by Members, who were also supportive of the 100% exemption for care leavers which would continue to be available for those aged 18 to 25.

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

DECISION:

That the Localised Council Tax Support Scheme 2022/23, based on the same overarching criteria as the current year's scheme, be approved.

Councillor Ian Selby requested that his abstention from voting be recorded in the minutes.

69. Review of the Council's Constitution

The Cabinet Member for Corporate Governance presented the report, providing Full Council with an update on the comprehensive review of the Council's Constitution, and proposed approval of a new 'Part 3 – Responsibility for Functions' section of the Constitution.

This new document ensured that the Council's scheme of delegation was up to date, fit for purpose and in a format which was much easier to understand, interpret and follow.

Approval of this new Responsibility for Functions section was the first part of the comprehensive review of the Constitution but represented the most complex aspect of the review. The timetable in paragraph 4.1 of the report set out an ambitious, but deliverable, action plan to ensure that the whole Constitution was completely reviewed and ready for adoption at the Council's Annual General Meeting on 26 May 2022.

The Cabinet Member took this opportunity to place on record her thanks to the Constitution Committee and all Members of the Council who had participated or contributed at engagement events during the development of the Responsibility for Functions document. She also thanked the Head of Democratic Services for his leadership and the support he had provided in facilitating this constitutional review.

An amendment to the document was highlighted in relation to the Employment Committee and its role of making appointments to the positions designated as Statutory Officers. The recommendations contained within the report, subject to this addition, were therefore proposed.

The proposal was seconded.

The Chairman of the Constitution Committee added his thanks to Members of the Constitution Committee and those Members who had taken the opportunity to engage and suggest additions or amendments to the document, all of which had been taken into account. He encouraged further attendance at subsequent workshop sessions that would be scheduled as part of the later stages of the review.

Members welcomed the cross-party working and support associated with this piece of work. The revised document and wider constitutional review were welcomed given the importance of the Constitution to the Authority.

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

DECISION:

That Full Council:

- 1. Notes the engagement activity undertaken with Members and Officers in the development of the new 'Part 3 – Responsibility for Functions' section of the new Constitution.**
- 2. Approves the new 'Part 3 – Responsibility for Functions' section of the Constitution.**

3. Approves the process for the next stage of the comprehensive review of the Constitution.

70. Community Governance Review for Grantham Town

The Chairman of the Community Governance Review Working Group presented the report, proposing approval of the Terms of Reference for a Community Governance Review of the unparished area of Grantham Town.

The request to commence this review was agreed by Full Council at its meeting on 30 September 2021 and the Terms of Reference document included specific information such as the scope of the review, references to necessary legislation and guidance, a proposed timetable and the subsequent consultation process that must be followed. The development of the Terms of Reference document was the start of the process and its approval officially commenced the Community Governance Review.

As the review developed there could be aspects that materialised which were not necessarily included in the scope of the Terms of Reference document. It was therefore proposed that delegated authority be granted to the Chairman of the Working Group in consultation with Political Group Leaders and the Cabinet Member for Governance and Licensing, to make any amendments to the Terms of Reference document should they be necessary.

Should Council ultimately decide to establish a Parish or Town Council for Grantham at the conclusion of the necessary consultation process, the timetable for the review allowed for this process to be undertaken in line with the scheduled election cycle for Parish, Town and District Council elections in 2023. It was vital, therefore, that the Working Group was able to meet as frequently as required and had sufficient ability to act quickly in order to deliver the review. It was therefore proposed that delegated authority be granted to the Community Governance Review Working Group in respect of the content and format of the consultation documentation and process associated with the Community Governance Review.

The Chairman of the Working Group emphasised that this represented the start of the process and that he would not prejudge what the public wanted in respect of local governance for Grantham, thereby reserving the right to vote either for or against the commencement of a Parish or Town Council until the relevant time.

The proposal was seconded.

Clarification was sought as to the number of people who needed to outline their wish as part of the consultation exercise to establish a Parish or Town Council in order for this to take effect. The Head of Democratic Services explained that there was not a specific amount of responses in favour or against the establishment of a Parish or Town Council that had to be received. The Authority was obliged to undertake a review which included a public consultation exercise, the results of which would need

to be taken fully into account before reaching a final decision on whether or not a Parish or Town Council should be created for the area under review.

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

DECISION:

That Full Council:

- 1. Approves the Terms of Reference for the Community Governance Review of the unparished area of Grantham Town.**
- 2. Delegates authority to the Chairman of the Community Governance Review Working Group, in consultation with Political Group Leaders and the Cabinet Member for Corporate Governance and Licensing, to make any necessary amendments to the Terms of Reference document.**
- 3. Delegates decision-making authority to the Community Governance Review Working Group in respect of the content and format of the consultation documentation and process associated with the Community Governance Review.**

71. Demolition costs for buildings off Barnack Road, Stamford

The Leader of the Council presented the report and proposed approval for the budget required to demolish the Council owned site off Barnack Road, Stamford for the St Martins Park development.

The Council had purchased land at Barnack Road, Stamford in March 2019 which adjoined land owned by Burghley Land Limited, a wholly owned subsidiary of the Burghley House Preservation Trust. It was purchased as being strategically important to the Council's growth ambitions in Stamford, the development of which was included in the Corporate Plan 2020-2023.

A condition of the sale was that the former factory buildings be demolished and any remediation works be undertaken on the site prior to the completion of the agreements with the prospective purchasers. Such works were a key requisite to progressing to the sale of the site, disposal of the asset and the capital receipts.

Full details of the pre-construction stage of the development were included in the report, together with confirmation of the outcome of the robust tendering process in relation to demolition works. The cost benefit analysis undertaken on this scheme demonstrated that the benefits strongly outweighed the total fee set out in the quotation of the successful contractor.

The proposal also included a reserve movement of £500k from the Local Priorities Reserve to the Regeneration Reserve in order to ensure there was sufficient funding in the Regeneration Reserve to finance the demolition works.

The Leader put on record his thanks to Officers and the ongoing relationship with Burghley Estates.

The proposal was seconded.

The following comments were noted as part of debating the proposal:

- A question was raised as to why the Council's declaration of a climate change emergency section of the report had been identified as not being applicable.
- The costs were necessary to prepare the area for development. Given the partnership approach to the project a question was raised as to why Burghley Estates were only contributing £250k towards the demolition costs as part of the Collaboration Agreement as set out in paragraph 2.11 of the report.
- Appendix 1 set out in detail the Collaborate Objective Gateway Report from GF Tomlinson Ltd, the successful subcontractor, including all of the net build costs, prelims and design fees to complete the demolition works which totalled £1.303m. Confirmation was sought as to whether the same procurement processes had been followed for the works identified over and above the quote total of £760k as set out in paragraph 2.7 of the report.
- Clarity around archaeological considerations was sought in terms of potential costs and timescales.
- It was necessary to understand whether the Council would gain any profit as a result of the development. Members needed to be confident that it would be a worthwhile endeavour.
- This represented a significant project for the Council and works needed to commence as soon as possible.

In terms of archaeology, protection of such matters had been part of the country's planning system since the 1990's and so full consideration had been given to this aspect of developing the area. The Council was not expecting anything to materialise in respect of its site with regard to archaeological artifacts but would undertake the necessary analysis and works as required by the Local Planning Authority.

The District Council and Burghley Estates had each agreed to clear their own respective sites before completing the respective sales, with Burghley Estates covering their own costs. The £250k was part of a Collaboration Agreement.

With regard to the Council's declaration of a climate change emergency, any development would have an impact on the climate. The developer had committed to use clean aggregates, re-use spoils from the site and reuse any materials as much as possible in order to keep the environmental impact to a minimum.

It was confirmed that all costs and award of contracts had gone through the relevant procurement processes.

The business case associated with the development did identify a surplus, meaning that there would be a profit return for the District Council.

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

DECISION:

That Full Council:

- 1. Approves the budget of £1.303m in order to provide funding for the demolition of the buildings at St Martins Park, Stamford.**
- 2. Approves the demolition of the buildings and delegates authority to the Chief Executive, in consultation with the Leader of the Council and Section 151 Officer to enter into a contract with GF Tomlinson to undertake the works within the allocated budget.**
- 3. Notes that at a future meeting of Full Council, further approval will be required for the remediation costs for the land and the disposal of the asset for a capital receipt.**
- 4. Approves the reserve movement of £500k from the Local Priorities Reserve to the Regeneration Reserve in order to ensure there is sufficient funding in the Regeneration Reserve to finance the demolition works of £1.303m.**

72. Members' Open Questions

Question 1: Councillor Helen Crawford to Councillor Robert Reid (Cabinet Member for Housing and Property)

Councillor Helen Crawford asked for an update on the Council's national rough sleeping count.

The Cabinet Member for Housing and Property reported that a single-night snapshot was undertaken between midnight and 2am on 18 and 19 November 2021, which did not include those people in hostels or other supportive accommodation. He took the opportunity to thank Members and the Team for volunteering to undertake this assessment to ensure that the Council's return to the Government was as accurate as possible. One rough sleeper had been found as part of the count who was able to engage with the Change4Lincs initiative.

He paid tribute to the outreach workers who supported the Change4Lincs programme, acknowledging the complexities surrounding the circumstances which could sometimes lead to homelessness.

Question 2: Councillor Kelham Cooke (Leader of the Council) to Councillor Paul Wood (Leader of the Opposition)

Councillor Kelham Cooke was pleased to see Councillor Wood remain as Leader of the Opposition following a failed leadership challenge and asked whether he agreed

that since 2019 they had enjoyed a very good working relationship as both Leader of the Council and Leader of the Opposition, respectively, with good scrutiny and appropriate challenge.

The Leader of the Opposition expressed that he always looked forward to his meetings with the Leader of the Council and felt it was essential that they maintained a good relationship in order that they could work together for the benefit of the Council and its residents.

Question 3: Councillor Paul Wood (Leader of the Opposition) to Councillor Robert Reid (Cabinet Member for Housing and Property)

Councillor Wood asked for an update and assurance in respect of housing compliance, particularly in respect of electricity and gas.

The Cabinet Member for Housing and Property took this opportunity to report that the new housing management system was nearing the procurement process and should be rolled out during 2022/23, being fully operational in 2024.

In terms of compliance, all of the Council's areas were now between 98% and 100% except for electricity, which was currently in the 70% region. The Cabinet Member, however, was confident that full compliance would be achieved by March 2022.

The Council continued to impress the Housing Regulator and the Cabinet Member did not anticipate being under their supervision for much longer. He emphasised, however, that the Council could not become complacent and had to maintain its current momentum.

Several Members had raised their concerns regarding the Council's gas contract which expired in June 2022 and a replacement was in the process of being pursued.

The Council's performance in relation to void properties continued to improve and the tenant liaison initiative and Members' Working Group were working well, making for a much better avenue for being able to listen to concerns and receive feedback.

Question 4: Councillor Gloria Johnson to Councillor Rosemary Trollope-Bellew (Cabinet Member for Culture and Visitor Economy)

Councillor Gloria Johnson asked for an update on the Box Office at Stamford.

The Cabinet Member for Culture and Visitor Economy highlighted that an Arts Review had been carried out and that there had been some consequential confusion regarding Box Office facilities. There were no plans to close Box Office facilities and the Council was in the process of reviewing Box Office opening times with a commitment that an in-person service would be available, acknowledging that people should be able to access facilities as appropriate to their specific needs or requirements.

Question 5: Councillor Penny Robins to Councillor Judy Stevens (Chairman of the Culture and Visitor Economy Overview and Scrutiny Committee)

Councillor Penny Robins asked for an update on the Deepings Literacy Festival.

The Chairman of the Culture and Visitor Economy Overview and Scrutiny Committee reported that plans were progressing very well with a brochure scheduled to be launched very soon. A number of examples of artists participating in the event were provided, some of which had or would be featured as television programmes on the BBC and ITV. Momentum was really starting to take place and she was delighted to be working towards launching the festival.

Question 6: Councillor Ian Selby to Councillor Kelham Cooke (Leader of the Council)

Councillor Ian Selby referred to the SK Charity Cup football competition held in previous years which raised over £1,000 for local charities and had been cancelled in 2020 and 2021 due to Covid-19. A tournament was being arranged for the coming year and he asked the Leader of the Council whether he would be interested in attending the tournament and arrange for some publicity to be provided in SKToday.

The Leader of the Council confirmed that he would be delighted to attend and would make the necessary arrangements to ensure that some publicity was placed in SKToday.

Question 7: Councillor Philip Knowles to Councillor Kelham Cooke (Leader of the Council)

Councillor Philip Knowles, in view of the Government's relaxation of the rules relating to the Covid-19 pandemic, asked whether the Council was any closer in holding meetings of Full Council in the Council Chamber at SK House in Grantham.

The Leader of the Council reminded Members that the Council Chamber comprised of a room which did not have windows that opened and did not have an appropriate air management system. A new system would be installed within the next six to eight weeks and whilst this would not be in time for the next meeting of Full Council in March, it was envisaged that the Annual General Meeting in May would be held in the Council Chamber.

Even though restrictions were being reduced, Covid-19 was still prevalent and the Council had a duty of care to its Members, Officers and any members of the public in attendance at its meetings.

Question 8: Councillor Richard Cleaver to Councillor Nick Robins (Cabinet Member for Planning and Planning Policy)

Councillor Richard Cleaver was disappointed with the lack of clarity as to how the Council would determine its response to the Mallard Pass proposal. He therefore

asked when the decision as to which body would determine the Council's response would be taken.

The Cabinet Member for Planning and Planning Policy outlined that there were pros and cons in relation to the determination of the Council's response being made by Cabinet, Full Council or the Planning Committee. He would be taking legal advice on the matter to ensure that the Council could put forward its best and most effective response to the consultation process in respect of the proposal.

Question 9: Councillor Phil Dilks to Councillor Kelham Cooke (Leader of the Council)

Councillor Phil Dilks, in relation to local government reorganisation and devolution, asked the Leader of the Council how he voted on the issue last time it was considered by the Council and whether he could assure the people of South Kesteven that he and his Cabinet were opposed, and would remain opposed, to the notion of a Greater Lincolnshire Unitary Authority with or without an elected Mayor or Governor.

The Leader of the Council confirmed that he had voted against a proposed Combined Authority in 2016/17. The Government's White Paper on devolution and reorganisation would be published imminently and Leaders across Lincolnshire continued to meet on a regular basis.

The Leader stated that he was not in favour of a single authority for Lincolnshire, or Greater Lincolnshire, as it was a huge geographical area. He made the point, however, that South Kesteven District Council needed to be actively involved in discussions and part of any process that may or may not develop at the relevant time. He was waiting to see what was included within the Government's White Paper, however, in his view local government reorganisation was on the horizon and it was necessary to be open and honest about the prospect.

Question 10: Councillor Pam Bosworth to Councillor Nick Robins (Cabinet Member for Planning and Planning Policy)

Councillor Pam Bosworth asked for an update on the latest situation regarding an authorised traveller site at Carlton Scroop, adjacent to the A607.

The Cabinet Member for Planning and Planning Policy confirmed that complaints had been received on 14 January 2022 in relation to a site south of the A607. Officers had visited the site which had been cleared, with gravel laid and fencing erected. Five caravans were located on the site and had been issued with a Temporary Stop Notice with the 28-day notice period expiring on 7 February 2022, which allowed additional time for the Council to consider its next steps. A planning application, reference S22/0091, was currently pending and if considered valid the Local Planning Authority would consider the application on its merits, before considering any enforcement action.

Confirmation of an unauthorised connection to the power grid had been received which had been reported to the Police and who had requested a joint site visit, maintaining a multi-agency approach which also included the County Council.

The meeting temporarily adjourned at this stage of proceedings.

73. Notices of Motion given under Article 4.9 of the Council's Constitution (deferred from the meeting of Council held on 15 November 2021):

(a) Councillor Phil Dilks

Councillor Phil Dilks proposed the following motion:

“Whilst welcoming the cross-party work to date towards reducing carbon emissions as a result of the Council’s activities, this motion seeks to confirm and strengthen Climate Change mitigation considerations when determining major planning applications across South Kesteven.

This Council resolves:

- 1. “Climate Change” is to be considered as a material consideration in all current and future major planning applications (i.e. applications to create ten or more residential units and/or any development on a site of 0.5 hectares or larger).*
- 2. A specific “Climate Change” paragraph is included in all future reports for such applications coming to the council’s Planning Committee for determination.*
- 3. Information is provided in the reports to committee detailing whether developments are proposed to be carbon neutral or offering reductions in carbon emissions.”*

In presenting the motion, Councillor Dilks highlighted a conflict between a commitment in relation to the Council’s declaration of a climate change emergency and demands as Local Planning Authority to approve hundreds of new homes and made the following additional points:

- 40% of all carbon emissions came from family homes.
- 2,700 new homes were approved for development by the Council’s Planning Committee last year.
- The Council created approximately four to seven tonnes of carbon each year.
- Approval of 2,700 new homes equated to 10,800 tonnes of carbon which was almost double the activities of South Kesteven District Council in the past year.
- When determining applications material planning considerations had to be taken into account, however, very little focus was given to the potential impact on the climate.
- Applicants should be asked to consider the impact of their proposed developments and what measures they were including as part of the

application. It was acknowledged, however, that the application form for permitted development was a prescribed national form.

- The Council's Leader had previously stated that "climate change is the pressing issue of our time". It was therefore necessary to put climate change at the centre of the Council's agenda.

In seconding the proposal, Councillor Amanda Wheeler thought that the Council was already supposed to be putting such matters at the heart of its decision-making in terms of being carbon neutral and future proofing. She referred to Norwich City Council which had approved a brand new development comprising of 100 carbon efficient and affordable homes and questioned why such schemes could not be delivered in South Kesteven.

The following points were made during debate of the motion:

- Climate change was a significant issue for the Council and was at the forefront of its agenda, having declared a climate change emergency with aspirations of reducing its carbon footprint and being carbon neutral by 2050, with a clean and sustainable environment featuring as a priority in the Corporate Plan.
- A design guide was in place to meet the principles and minimise the impact of climate change which helped push developers towards carbon neutral schemes.
- The Local Plan already contained specific allocations for renewable energy, with specific reference to solar farms.
- Development of the next version of the Local Plan would be the relevant time to adapt the Council's approach to climate change from a planning perspective as there was currently no lawful basis open to the Council as the Local Planning Authority to give consideration to such matters when determining applications.
- There was no policy basis with which to determine the impact of development on climate change and the Local Planning Authority could not require that information from applicants.
- The Council should put pressure on the Government to introduce stronger regulations in relation to this matter.

Councillor Penny Milnes proposed an amendment to the motion and added a fourth paragraph which read:

"That South Kesteven District Council resolves to push the Government to change the building regulation requirements in favour of increased climate change benefits and each building to be at the forefront of providing clean energy and reduce reliance on solar farms".

The amendment was seconded.

It was suggested that this matter could be considered by the Council's Climate Change Working Group, which could determine to send a letter to the Secretary of State or relevant Minister on behalf of the Council.

Councillor Dilks, as proposer of the original motion, accepted the amendment as part of his motion.

Discussion and debate on the substantive motion ensued and the following points were noted:

- There were other examples similar to Norwich across the country where carbon neutral or environmentally sustainable developments were being delivered. Financing was one key element, as was a strategy of taking all of the risk associated with investing in and delivering such schemes.
- The motion did not call for all developments to become carbon neutral and sought to introduce small steps towards recognising and addressing the climate challenge.
- The impact on the Council's declaration of a climate change emergency featured on all reports to the Council's public meetings apart from the Planning Committee and there was nothing to prevent this being introduced.

Councillor Dilks, as proposer of the original motion, withdraw the first paragraph from his motion.

Councillor Kelham Cooke proposed an amendment to refer this motion to the Climate Change Working Group for consideration.

Councillor Dilks accepted the amendment which became the substantive motion.

In discussing and debating the substantive motion, the following points were noted:

- The Cabinet Member for Planning and Planning Policy committed to work with Councillor Dilks and the Assistant Director of Planning to consider and address this issue further.
- Consideration of the matter by the Climate Change Working Group was the most appropriate way to move this issue forward.
- A meeting of the Climate Change Working Group would be scheduled as soon as possible with this item to be included on the agenda for the next meeting of Full Council for determination.

On being put to the vote, the substantive motion was **AGREED**.

DECISION:

That Full Council refers consideration of this motion to the Climate Change Working Group.

(b) Councillor Ashley Baxter

This motion was withdrawn and would be referred to the next meeting of Full Council.

(c) Councillor Sue Woolley

At this stage of proceedings it was proposed, seconded and, upon being put to the vote, **AGREED** that the meeting be extended for a further 30 minutes.

Councillor Sue Woolley proposed the following motion:

“This Council is determined to reduce its carbon footprint at every opportunity and will also support efforts made by others to do the same. However, the drive for renewable energy can have unintended consequences particularly when agricultural land is taken out of food production to site such schemes.

Any large scale application for solar must be balanced against the need to produce more of our own food within our country and South Kesteven’s land is some of the most fertile in the UK. There is no point importing food with the carbon footprint it creates when we can grow it here sustainably. South Kesteven is at the heart of UK food production and we should not throw that away lightly.

I would therefore ask this Council to agree with me that our communities need to be made aware of all the information regarding renewable energy and any consultation exercises should be advertised as widely as possible.

I would also ask the Council to take into account the loss of valuable food producing land when making any decisions regarding renewable energy.”

Councillor Woolley explained that she was not against renewable energy, but emphasised that it should be sited, generated and stored appropriately. Additionally, she was concerned that the manufacture and transportation of renewable energy itself generated carbon and had raised significant questions with regard to its lifespan and ultimate disposal.

With regard to food production, she could not understand the need to import food when it could be grown locally and sustainably.

A number of engagement exercises had already taken place or would take place in the future and it was important that the public and the Council engaged and participated in the various consultation processes.

The Council’s Monitoring Officer stated that although the motion was generic in relation to renewable energy and did not relate to specific sites or applications, whether pending or prospective, Members of the Planning Committee or any substitutes who may be required to act on the Committee when determining relevant applications, were recommended to be cautious in relation to the pre-determination of any such applications. They would need to be satisfied that they had an open mind in their deliberations.

Councillor Woolley, as a point of information, confirmed that the motion was not referring to a specific application.

The motion was seconded.

In discussion and debating the motion the following points were noted:

- The key objective of tackling climate change was set out in the Council's Corporate Plan.
- The Council had declared a climate change emergency and was committed to reducing its carbon footprint and to contributing to local and national targets.
- The Council had a strong track record of approving solar farms, with Gonerby Moor being a recent example.
- It was right to highlight the importance of balance.
- The concerns raised regarding agricultural land would be fully explored by the Cabinet Member for Planning and Planning Policy.
- Discussions had already commenced in relation to necessary engagement and consultation.
- The Local Plan already contained reference to agricultural land, referenced as grades 1, 2 or 3. Grade 3b was classified as moderate agricultural land. The motion should therefore make reference to what was already included in the Local Plan.
- It was important that reference was made to a reduced reliance on fossil fuels.
- There was no statutory right to compensation. The Council should therefore seek to look after the interests of its residents and ask the Government to consider introducing such a right.

Councillor Richard Cleaver proposed the following amendment:

Deletion of second sentence and insert:

“This Council reaffirms the policies relating to Renewable Energy as set out in Appendix 3 of the SK Local Plan 2011 – 2036 noting particularly the requirements set out in Solar Energy Criterion 9 relating to the use of agricultural land.”

Deletion of third, fourth and fifth sentences and insert:

“The Council affirms that these requirements must be balanced against the need to produce more of our own electricity using renewables and reduce the use of imported fossil fuels for electricity generation.”

Deletion of sixth sentence and insert:

“The Council acknowledges the importance of impartial, balanced, honest, and evidence-based debate regarding renewable energy developments and will seek to ensure that communities are made aware of all the information regarding renewable energy. The Council will also seek to ensure that any consultations or community engagement exercises regarding proposed developments are advertised as widely as possible.”

Deletion of seventh sentence and insert:

“Furthermore, the Council acknowledges the fears of residents who are concerned by the possibility of suffering financially (for example through a reduction in the value of their property) as the result of any such developments and notes that there is currently no statutory right to compensation where such losses can be proven to have occurred. The Council therefore resolves to write to the Secretary of State to ask that the relevant legislation be amended to provide such a statutory right.”

The amendment was seconded.

Discussion ensued on the amendment and the following points were noted:

- The potential loss of agricultural land was concerning, with land allocated as grade 3b and below deemed to be open for speculative applications.
- A map should be produced which indicated the location of land classified as grade 3b in South Kesteven together with identifying connections to the national grid, which should outline the location of areas vulnerable to such applications.
- The impact on the value of a property as a consequence of development was not a material planning consideration and it would be premature to reach any assessment of the impact on neighbouring properties in respect of prospective applications.
- The Council was liaising with developers to ensure that views were considered and heard before final proposals were submitted to the Local Planning Authority.

On being put to the vote, the amendment was lost.

On being put to the vote, the original motion was **AGREED**.

Councillors Helen Crawford, Phil Dilks, Penny Milnes, Penny Robins and Judy Stevens requested that their votes to abstain due to being Members of the Planning Committee be recorded in the minutes.

Councillors David Bellamy, Sarah Trotter and Harrish Bisnauthsing, also Members of the Planning Committee, had left the meeting prior to consideration of this item.

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

(a) Councillor Richard Cleaver

At this stage of proceedings it was proposed, seconded and, upon being put to the vote, **AGREED** that the meeting be extended for a further 15 minutes.

Councillor Richard Cleaver proposed the following motion:

“This Council notes:

- *That its current Local Plan states, in relation to the Stamford North Housing Allocation that:*

‘The following development principles accompany this allocation:

a. A high-level masterplan, supported by a detailed development brief, appropriate full transport assessment and phasing plan, is required for the entire site (to include for the land extending into Quarry Farm, Rutland with an additional capacity of 650 dwellings).’

- *That Rutland County Council (RCC) has rejected its draft local plan through which it was cooperating with SKDC in the development of such a masterplan in the form of a joint RCC/SKDC Supplementary Planning Document (SPD). Both the RCC local plan and the SPD would have had policies within them that covered the Quarry Farm site and would have mirrored the requirements of SKDC.*
- *That RCC’s rejection of its draft local plan means that any planning application received relating to the Quarry Farm site between now and the adoption of a new local plan need take no heed of SKDC’s policies regarding the entire combined Stamford North and Quarry Farm site.*
- *That RCC’s rejection of its draft local plan coupled with the county having an assessed housing supply of less than five years means that it is now potentially vulnerable to the approval of unplanned, ad-hoc development since national planning policy states that there is a presumption in favour of development where councils’ assessed housing supply falls below 5 five years and no Local Plan is in place.*

This Council reaffirms its commitment that a high-level masterplan, supported by a detailed development brief, appropriate full transport assessment and phasing plan, is required for the entire site (to include for the land extending into Quarry Farm, Rutland) before any planning applications are considered for any part of the entire combined site.

This Council therefore resolves to request that the Secretary of State for Levelling Up, Housing, and Communities should ‘call in’ any planning application submitted to develop Quarry Farm until such time as a high-level masterplan, supported by a detailed development brief, appropriate full transport assessment and phasing plan has been agreed between SKDC and RCC.”

Councillor Cleaver, in presenting the motion, outlined that it sought to defend the Council’s policies in the Local Plan, was plan-led and aimed to ensure that decisions in respect of the Quarry Farm site were made in the context of South Kesteven District Council’s Local Plan. Quarry Farm was essentially an extension of Stamford but was not located in the district. Given this and the fact that Rutland County Council

did not have a Local Plan in place, he felt it perfectly reasonable to ask the Secretary of State to 'call-in' any planning applications in relation to the site.

Councillor Amanda Wheeler seconded the motion and agreed that Quarry Farm would form part of the Stamford North development on the edge of Stamford and Rutland, leaving it very vulnerable. She made reference to the receipt of Community Infrastructure Levy funding, which Rutland County Council would receive, whereas the pressure on roads and services, such as General Practitioners and schools, would impact residents in Stamford.

In debating the motion the following points were noted:

- South Kesteven District Council and Rutland County Council had been working collaboratively on this matter and had, for example, already adopted design guidelines.
- It was essential that the scheme took into consideration the whole site, particularly in respect of infrastructure.
- Any proposal would be assessed against the Development Plan Policies.
- It would be premature to refer any application upon submission to the Secretary of State as part of the 'call-in' process and the Secretary of State would not entertain predetermining an application before it was received.
- Meetings were held every two months which involved two Members from South Kesteven District Council and two Members from Rutland County Council, with Officers working together so that the whole site masterplan could be established before anything was approved.
- A question was raised as to who would develop the masterplan, and within what timeframe.
- Joint developers were working together to produce a whole site masterplan for the area. Nothing would be granted permission in the areas until this masterplan had been developed.
- The east and west link road had been identified as a key issue that would need to be addressed.
- The motion did nothing to frustrate or interrupt the points made as part of the debate and supported their intentions.
- The motion was requesting that an application be 'called-in' once it had been submitted, not prior to submission.

An amendment was proposed which sought removal of the final paragraph of the motion.

The amendment was seconded.

Upon being put to the vote, the amendment was lost.

Upon voting on the original motion, the motion was lost.

75. Close of meeting

The meeting closed at 16:43.