

MINUTES

COUNCIL

THURSDAY, 28 SEPTEMBER 2023

2.00 PM



SOUTH
KESTEVEN
DISTRICT
COUNCIL

PRESENT

Councillor Paul Fellows Vice-Chairman

Councillor Emma Baker	Councillor Bridget Ley
Councillor Rhys Baker	Councillor Nikki Manterfield
Councillor Ashley Baxter	Councillor Paul Martin
Councillor David Bellamy	Councillor Penny Milnes
Councillor Harrish Bisnauthsing	Councillor Virginia Moran
Councillor Pam Bosworth	Councillor Charmaine Morgan
Councillor Pam Byrd	Councillor Chris Noon
Councillor Richard Cleaver	Councillor Habibur Rahman
Councillor Helen Crawford	Councillor Rhea Rayside
Councillor Steven Cunnington	Councillor Susan Sandall
Councillor James Denniston	Councillor Max Sawyer
Councillor Phil Dilks	Councillor Ian Selby
Councillor Richard Dixon-Warren	Councillor Rob Shorrocks
Councillor Barry Dobson	Councillor Vanessa Smith
Councillor Patsy Ellis	Councillor Peter Stephens
Councillor Paul Fellows	Councillor Lee Steptoe
Councillor Phil Gadd	Councillor Paul Stokes
Councillor Tim Harrison	Councillor Elvis Stooke
Councillor Graham Jeal	Councillor Rosemary Trollope-Bellew
Councillor Anna Kelly	Councillor Murray Turner
Councillor Jane Kingman	Councillor Mark Whittington
Councillor Gareth Knight	Councillor Jane Wood
Councillor Philip Knowles	Councillor Paul Wood
Councillor Zoe Lane	Councillor Sue Woolley
Councillor Robert Leadham	

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)

Adrian Ash, Interim Assistant Director of Operations

Graham Watts, Assistant Director of Governance (Monitoring Officer)
George Chase, Waste and Recycling Operations Manager
Julie Martin, Head of Housing Technical Services
Chris Prime, Communications Manager
James Welbourn, Democratic Services Manager
Patrick Astill, Communications Officer
Lucy Bonshor, Democratic Officer
Louise Field, Executive Assistant to the Leader of the Council

33. Public Open Forum

As the Chairman had submitted apologies for the meeting, the Vice-Chairman welcomed those in attendance to the meeting.

Prior to the commencement of formal proceedings, the Vice-Chairman asked Members to join him in a minute's silence following the recent deaths of former Councillors Avril Williams, Mike Williams, Rosemary Kaberry-Brown and Ray Wootten. Councillors Ian Selby, Mark Whittington, Graham Jeal, Richard Cleaver, Phil Dilks, Rob Shorrock and Charmaine Morgan gave short speeches in memory of the former Councillors.

One member of the public had registered to speak during the Public Open Forum, but withdrew his question prior to formal proceedings.

34. Apologies for absence

Apologies for absence were received from:

Councillor Ben Green
Councillor Gloria Johnson
Councillor Nick Robins
Councillor Penny Robins
Councillor Ian Stokes
Councillor Sarah Trotter

Councillors Harrish Bisnauthsing and Nikki Manterfield gave notice that they needed to leave the meeting early.

35. Disclosure of Interests

No interests were disclosed.

36. Minutes of the meeting held on 20 July 2023

The minutes of the meeting held on 20 July 2023 on were proposed, seconded and agreed as a correct record subject to the following amendment:

Under the item Members' Open Questions, Question 2 – Councillor Max Sawyer asked the Deputy Leader of the Council for the procedure that was followed in allowing the previous Leader of the Council to pay for a Future Leader's course held in the USA.

It now read:

“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.”

37. Communications (including Chairman's Announcements)

The Council noted the Chairman's engagements.

38. Report of the Council's Independent Remuneration Panel

Members considered a report of the Independent Remuneration Panel following a mini-review into the Members' Allowances Scheme.

The report was introduced by Mr John Cade, Chairman of the Independent Remuneration Panel (IRP). He highlighted the following points:

- A mini review had been undertaken on two issues; firstly, the Special Responsibility Allowances for the Chairman and Vice-Chairman of the Standards Committee, and also the Special Responsibility Allowance (SRA) for the Opposition Group Leader.
- The Standards Committee had an important function, but was newly established; therefore it was recommended that the level of remuneration was to remain as agreed at the AGM in May 2023. If further changes were required, this issue could be looked at again.
- A number of steps were taken when reviewing the SRA for the Opposition Group Leader. The first step was to consult The Local Authorities (Members' Allowances) (England) Regulations 2003 and check that there was a properly constituted opposition group, and if there was then the allowance had to be made. There was nothing within the Constitution of South Kesteven District Council defining what the 'Opposition' comprised.
- The current administration, or Cabinet was formed from votes at the Council AGM in May 2023 from groups across the Council with the exception of the South Kesteven Coalition Group. If the Labour Group had cast their votes differently then the situation would have been different; therefore in the opinion of the IRP the Labour Group could not be an Opposition Group whilst voting for the current Leader. Overall, it was the opinion of the IRP that the Opposition Group allowance should go to the Leader of the South Kesteven Coalition Group.
- The point had been raised that not all group leaders could receive an allowance. This could be looked at in the future by the IRP, but it was advised that there could be some non-pecuniary risks.

The following points were raised during debate:

- One Councillor saw no need for the allowance for an opposition, nor the identification of Councillors as an opposition.
- The Labour Group chose to have no representation within the administration in order to speak freely. The Group was in a loose 'confidence and supply' agreement with the administration, a parallel with the Democratic Unionist Party and the Conservatives in 2017, and the previous 'Lib-Lab pact'.
- The word 'opposition' was not mentioned in the Constitution, and this was something that could be picked up as part of a Constitution review.

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

DECISION:

That Full Council:

1. Notes the content of the report.
2. Approves the rate of £2,865 per annum for the position of Chairman of the Standards Committee as a Special Responsibility Allowance and that this be reflected in the Members' Allowances Scheme.
3. Approves the rate of £945 per annum for the position of Vice-Chairman of the Standards Committee as a Special Responsibility Allowance and that this be reflected in the Members' Allowances Scheme.
4. Instructs the Monitoring Officer to allocate the Opposition Group Leaders' Special Responsibility Allowance to the Leader of the South Kesteven Coalition Group, backdated to 18 May 2023 as the date of the Annual Meeting of the Council.

39. Designation of Monitoring Officer

Members considered the opportunity to designate an officer to the statutory position of Monitoring Officer.

Note: At this stage, all officers of the Council present with the exception of the Chief Executive, Democratic Services Officer and the Democratic Services Manager left the Council Chamber.

Positive reference was made to Alan Robinson, the previous Monitoring Officer and the service that he had provided to the Council prior to his retirement.

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

DECISION:

That Graham Watts, Assistant Director of Governance, be designated as South Kesteven District Council's permanent Monitoring Officer with immediate effect.

Note: All officers that had previously left the Council Chamber returned following the vote.

40. Housing Revenue Account Acquisitions Capital Budget

Members considered an amendment to the 2023/2024 Housing Revenue Account (HRA) capital allocation of Housing Development Investment by an additional £1m in order to respond promptly to opportunities to purchase properties to increase the Council's housing stock.

The Council's housing stock had been reducing year on year; however, capital budget had been committed to initiate development schemes. Examples of these schemes included the twenty homes in Swinegate, Grantham, and the four flats on Elizabeth Road, Stamford. Building work on other projects was scheduled to start in 2024.

The Council had been approached to purchase affordable homes on larger developments, and a recent example of this was the purchase of 12 homes in Langtoft, near Market Deeping.

The administration wanted to be able to respond swiftly to market opportunities and create a flow of new housing for those most in need. This could include buying back properties that had previously been sold, alongside working with the Assistant Director of Housing and the Housing team to develop a hybrid approach on the Council's own sites.

The HRA Disposal and Acquisitions Policy, due to be presented at Cabinet on 10 October 2023 would set the framework for the way in which the Council acquired and disposed of land or assets to and from the Housing Revenue Account.

The following points were highlighted during debate:

- There were roughly 6,000 Council properties, all of which would require differing degrees of maintenance. A point was raised as to whether the amendment to the HRA could be spent solely on repairs rather than on new stock. However, it was clarified that there was the possibility to both respond to opportunities in the housing market and invest in repairs as funding for the two different schemes came from different Council reserves.
- There were a large number of people on the Council House register, and a number of homeless people across the country. Government figures indicated 104,000 in temporary accommodation and that these families were less likely to access services.

- More housing was needed but it would be key to not outbid housing associations.
- There were lessons to be learned from the recent property purchases in Langtoft.
- It was difficult to recruit companies and staff to carry out major works on housing as there was a national shortage of labour in this area.
- Work was ongoing to tackle voids, an example of this was works done to the 150 houses on the Earlsfield estate. Many of these works had been completed, with asbestos removed.
- If the 12 homes at Langtoft had not been purchased they would have been placed on the open market. In time, these homes would return to the Council's housing stock.
- The Council was signed up to the 'One for One' scheme with the government, which required the Capital Receipts Reserve to be invested back into the Council's housing stock. If this was not carried out the money would have to be given back to the government.
- When people exercised their 'Right to Buy', there were cost floor protections which ensured that the Council did not sell the properties on at a discounted rate. Similarly, there were protections in place to ensure that the Council was not penalised unduly from future sales of 'Right to Buy' properties.

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

DECISION:

That Full Council approves the budget amendment of the Housing Revenue Account 2023/2024 Capital Programme Housing Development Investment by an additional £1m.

Note: Councillor Paul Wood requested that his vote against this decision be recorded.

The meeting adjourned at 15:31 and reconvened at 15:41.

41. Proposals for the upgrading of District Council street lights to LED units

Members considered an overview of the potential upgrade to the District Council operated streetlights to energy efficient Light Emitting Diode (LED) units.

Both the Finance and Economic Overview & Scrutiny Committee and Cabinet had considered and recommended this report to Full Council. Both meetings had been well attended and robust debates held. LED units would lead to roughly a 70% saving on every lamp; therefore the return on investment was good.

The following points were raised during debate:

- The report made sense from a financial and environmental point of view. The payback period on the LED lighting was around 5 years.
- Bourne had received LED lighting in its town centre from Lincolnshire County Council (LCC). South Kesteven would need to be confident that any areas being illuminated made the residents feel safe, as it appeared that the amount of light given out could be varied by LCC. There would be the option to keep the lights on all night, dim them, or compromise of the two.
- The impact on wildlife of the new lighting would be considered by the Environment Overview & Scrutiny Committee in the future as the lighting was rolled out.
- The revenue budget would be reduced meaning that it was less likely that money would be needed from reserves. The total allocation of £1m could not be spent all at once as there was not the staffing levels to enable this.

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

DECISION:

That Full Council:

1. Approves the allocation of funding of £1million to accelerate the replacement of the Council operated streetlights with LED energy efficiency lamps. The scheme to be funded as follows:
 - £500k Invest to Save Reserve
 - £250k Budget Stabilisation Reserve
 - £250k Local Priorities Reserve
2. Requests the Environment Overview & Scrutiny Committee review the current Street Lighting Policy with regard to further reducing energy costs at specific times and locations.

42. Proposed Replacement Depot Turnpike Close, Grantham

Members considered the proposals and budget attached to the development of a new depot at Turnpike Close in Grantham.

The priority for a replacement depot was in the outgoing Corporate Plan. The current site at Alexandra Road was not fit for purpose. For example, the current operating licence only allowed for one additional waste collection vehicle on site, demonstrating that there was little room to expand – the current site had been in use since the 1970s. Since 2020 there had been continued progress in working towards this corporate priority by purchasing Turnpike Close.

The welfare facilities did not meet modern standards for the Council's workforce. A new facility would provide drying areas, new locker provisions as well as canteen and training facilities.

The Lincolnshire County Council waste disposal site would remain unchanged as any changes to that site were not within the gift of South Kesteven District Council. Works would not occur on the Alexandra Road site until 2025 to avoid interruptions to the service.

The Joint Meeting of the Finance & Economic and Environment Overview & Scrutiny Committees occurred on 25 July 2023 and recommended proposals to Cabinet, who in turn unanimously recommended the scheme to Council at their meeting on 11 September 2023.

The following points were raised during debate:

- The combined cost of £10 million mentioned within the financial comments in the report included £2 million that had previously been used for the acquisition of the Turnpike Close site.
- The conditions encountered at Alexandra Road were poor compared to other Councils. The site itself was in a residential area and the condition of the access road was degrading.
- The timings of Finance and Economic Overview & Scrutiny Committees made it difficult to monitor the progress of the Depot, therefore a politically balanced, public working group was proposed.
- There had been some previous costs attributed to this project, including preliminary and demolition works.
- The new site at Turnpike Close was closer to the A1 road, and away from most residential properties.
- The selling of surplus assets would mitigate the cost of the Depot; however cost mitigations would be considered separately in the future.

Note: Councillor Harrish Bisnauthsing left the meeting.

Debate moved specifically onto the proposed recommendation 2, which dealt with the allocation of additional funding that may be required for the project. The proposal read:

“That delegated authority be granted to Cabinet, in consultation with the Section 151 Officer and Chairman of the Finance and Economic Overview & Scrutiny Committee, to allocate any additional funding if necessary as a result of unforeseen costs during the project, with any such decision being reported to the Finance and Economic Overview & Scrutiny Committee at the earliest opportunity.”:

- Scope was built into this recommendation to utilise further funding on top of the £8 million should an unintended increase in costs arise. This would be subject to scrutiny from the Finance and Economic Overview & Scrutiny Committee.
- It was prudent to have a mechanism in place to adapt to an unintended overspend. If the spend increased to a greater degree, then a further report would need to be heard at to Full Council.

- If the contractor on site encountered an unforeseen problem and approached Full Council for payment, it would be a lengthier consultation process than using delegated powers.
- The scheme of delegation already contained provision for the Head of Paid Service to take action under emergency powers on consultation with the Leader of the Council.
- There was £333,000 contingency built into the project for construction risks and design development risks, and inflation was also built in.

An amendment to recommendation 2 was proposed. As the proposer had originally moved the motion, he was entitled to amend this. The seconder to the original motion was content with this amendment. The amendment read:

*“That delegated authority be granted to Cabinet, in consultation with the Section 151 Officer and Chairman of the Finance and Economic Overview & Scrutiny Committee, to allocate any additional funding **up to £1 million** if necessary as a result of unforeseen costs during the project, with any such decision being reported to the Finance and Economic Overview & Scrutiny Committee at the earliest opportunity.”*

A further amendment was proposed and seconded, and this read:

*“That delegated authority be granted to Cabinet, in consultation with the Section 151 Officer and Chairman of the Finance and Economic Overview & Scrutiny Committee, to allocate any additional funding **up to £250,000** if necessary as a result of unforeseen costs during the project, with any such decision being reported to the Finance and Economic Overview & Scrutiny Committee at the earliest opportunity.”*

It was highlighted that it was already possible in accordance with the Council's Contract Procedure Rules for the Cabinet to make up to four allocations of £150,000 each, equating to £600,000.

The amended recommendation 2 was moved and seconded, and following a vote, the amendment **FELL** and the vote was **LOST**.

Note: Council voted to further extend the meeting until the end of the item under discussion under Council Procedure Rule 14.20 (g) due to the meeting approaching three hours in length.

Councillor Nicola Manterfield left the meeting.

An amendment was proposed and seconded to remove the wording ‘**up to £1 million**’ from the motion, effectively returning to the original wording proposed. The proposer of the original motion refused to accept this change. Following a vote the amendment was **AGREED**.

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

DECISION:

That Full Council:

1. Approves an allocation of £8m to be included in the General Fund Capital Programme to provide funding to construct a new depot at Turnpike Close, Grantham.
2. Delegates authority to Cabinet, in consultation with the Section 151 Officer and Chairman of the Finance and Economic Overview & Scrutiny Committee, to allocate any additional funding if necessary as a result of unforeseen costs during the project, with any such decision being reported to the Finance and Economic Overview & Scrutiny Committee at the earliest opportunity.
3. Requests that the Finance and Economic Overview & Scrutiny Committee adds the replacement depot to its work programme and establishes a working group to receive regular updates and monitor the project.

43. Amendment to Constitution - Procedure for Dealing with Complaints Against Councillors

Amendment to the Constitution – Procedure for Dealing with Complaints Against Councillors was not considered due to time constraints and would be scheduled for consideration at the next ordinary meeting of Full Council on 23 November 2023.

44. Appointments to Committees and Outside Bodies

Appointments to Committees and Outside Bodies was not considered due to time constraints and would be scheduled for consideration at the next ordinary meeting of Full Council on 23 November 2023.

45. Members' Open Questions

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

46. Notices of Motion

47. Councillor Lee Steptoe

Councillor Steptoe's motion was not considered due to time constraints and may be heard at the next ordinary meeting of Full Council on 23 November 2023.

48. Councillor Sue Woolley

Councillor Woolley's motion was not considered due to time constraints and may be heard at the next ordinary meeting of Full Council on 23 November 2023.

49. Councillor Penny Milnes

Councillor Milnes' motion was not considered due to time constraints and may be heard at the next ordinary meeting of Full Council on 23 November 2023.

50. Close of meeting

The meeting closed 5:10pm.