Minutes of a meeting of the SOUTH HOLLAND DISTRICT COUNCIL held in the Council Chamber, Council Offices, Priory Road, Spalding on Wednesday 19 January 2011.

PRESENT

Councillors:  
S G Marthews – Chairman  
M D Seymour – Vice-Chairman

B Alcock  
G R Aley  
M Bamber  
D G Best  
F Biggadike  
M D Booth  
S M Booth  
C J T H Brewis  
A Casson  
M G Chandler  

R Clark  
R J H Creese  
G K Dark  
P A Espin  
R Gambba-Jones  
R Grocock  
A Harrison  
S Keeble  
C J Lawton  
A M Newton  

G A Porter  
P S Przyszlak  
A Puttick  
R M Rudkin  
G J Taylor  
D A Tennant  
D J Wilkinson  
S F Williams  
A R Woolf  
C N Worth

The Chief Executive, the Corporate Director Andrew Petcher and the Head of Legal and Member Services.

Apologies for absence were received from Councillors J E Avery and H R Johnson.

In attendance: The Press and The Venerable T R Barker, Chairman of the Standards Committee.

380. MINUTES

The minutes of the meeting held on 15 December 2010 were signed by the Chairman as a correct record subject to Councillor S F Williams being added to the list of attendees.

381. DECLARATIONS OF INTEREST

Councillor G K Dark declared a personal interest in Item 14 (Replacement Leisure Facilities) as he was Chairman of the [District] [Disabled – amended Council 2 March 2011] Swimming Club and he had been asked to assist the indoor bowls club in looking at the proposals.

382. CHAIRMAN’S ANNOUNCEMENTS

Members were informed that the Chairman’s Engagements were available to view on the noticeboard in the Council Chamber, Members’ teamsite and on the noticeboard in the Members’ Lounge.

383. COMPROMISE AGREEMENT SUB-COMMITTEE

The minutes of the meeting of the Compromise Agreement Sub-Committee held on 9 December 2010 were submitted for information.
Councillor Newton asked Councillor Worth where the money was coming from for the compromise agreement and whether it impacted on the Council Tax payers of the district. Councillor Worth advised that matters arising from the Compromise Agreements Sub-
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383.  COMPROMISE AGREEMENT SUB-COMMITTEE  (Continued)

Committee were reported on an annual basis by the Chief Executive. Councillor Worth advised that he would find out the date of the Report and inform Councillor Newton.

DECISION: That the minutes be received.

384.  JOINT PERFORMANCE MONITORING AND POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the special meeting of the joint Performance Monitoring Panel and Policy Development Panel held on 14 December 2010.

DECISION: That the minutes be received and adopted.

385.  PERFORMANCE MONITORING PANEL

Consideration was given to the minutes of the meeting of the Performance Monitoring Panel held on 14 December 2010.

DECISION: That the minutes be received and adopted.

386.  JOINT PERFORMANCE MONITORING AND POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the special meeting of the joint Performance Monitoring Panel and Policy Development Panel held on 4 January 2011.

In respect of minute number 359 (Budget Scrutiny – Formulation of Recommendations to Cabinet) Councillor M Booth asked for assurances that decisions (ii) and (iii) relating to financing of voluntary organisations and the Citizens Advice Bureau, would be undertaken. Councillor Porter replied that funding would not be cut and money would be found. With regard to the Citizens Advice Bureau there was a possibility they could be in receipt of additional money.

(Councillor DG Best declared a personal interest due to him being the Chairman of the Citizens Advice Bureau)

DECISION: That the minutes be received and adopted.

387.  DEVELOPMENT CONTROL COMMITTEE

The minutes of the meeting of the Development Control Committee held on 5 January 2011 were submitted for information.

DECISION: That the minutes be received.

388.  QUESTIONS ASKED WITHOUT NOTICE UNDER COUNCIL PROCEDURE RULE 10.8

Questions without notice pursuant to Council Procedure Rules 10.8 were asked and answered by the Leader and Cabinet members as follows:-
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388. QUESTIONS ASKED WITHOUT NOTICE UNDER COUNCIL PROCEDURE RULE 10.8
(Continued)

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<th>Question by:</th>
<th>Answered by:</th>
<th>Subject:</th>
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<tr>
<td>Councillor Newton</td>
<td>Councillor G Taylor</td>
<td>CCTV</td>
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Councillor Newton understood that the police were likely to move the CCTV monitoring station next year. As this was an issue that affected not only Spalding but other towns and villages within the district she asked Councillor Taylor to ensure that talks were held with the relevant people to ensure something was ready for next year and that assurance would be given that spare offices at the council building in Priory Road, freed up due to the re-organisation, would be looked at also. Councillor Taylor advised that he had presented the Performance Monitoring Panel the previous night, with an update of the current situation. The use of the current venue would come to an end in August 2012 when an alternative venue would have to be found. The current monitoring station was a state of the art CCTV Control Room and Councillor Taylor confirmed that talks were underway to find a replacement venue of similar standard.

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<tr>
<td>Councillor S Booth</td>
<td>Councillor P Espin</td>
<td>Pond at Priory Road Offices</td>
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Councillor S Booth advised that he still had a Christmas tree which was ready for disposal and would Councillor Espin like it to put in the pond in the atrium at the Council offices to give the fish something to swim around. Councillor Espin replied that the issue of the pond had been raised last year and he had endeavoured to get some local companies to assist with sponsorship but to no avail. He added that if any member was aware of anyone prepared to help he would be pleased to hear from them. Councillor Espin added that the Council Chairman could update on possible sponsorship. The Chairman added that the company who had showed some interest had a new staff member starting in May 2011 who would be responsible for this type of matter and he would be able to give an update at that stage on possible sponsorship.

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<td>Councillor N Worth</td>
<td>New Leisure Facilities in Crowland</td>
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Councillor Alcock told Councillor Worth that there had been suggestions in the local paper that Crowland would be receiving new leisure facilities in the future and asked what the plans were. Councillor Worth replied that there had always been plans for Crowland. He directed Councillor Alcock to look at the leisure centre in Long Sutton which was a joint venture with the school and there were plans for a similar venture at the George Farmer school in Holbeach. Councillor Worth suggested there could be opportunities with St Guthlacs school and use of their sports hall. After the 2012 Olympics there would be more available funds for sport and arts within the lottery grants and asked that the ward members began working with the community and the school. Councillor Pyzyszak commented that there were threats to close St Guthlacs school. Councillor Worth replied that whatever happened it was still an ideal opportunity to look at the school as a community facility.

Councillor Alcock asked a supplementary question to Councillor Worth asking if he was entering into negotiations with St Guthlacs school regarding the closure of the school and asked for reassurance that he was not entering into debate about the school. Councillor Worth replied that he was not entering into a debate about the school.
QUESTIONS ASKED WITHOUT NOTICE UNDER COUNCIL PROCEDURE RULE 10.8

4. Councillor B Alcock Councillor G Porter Rail Hub

Councillor Alcock asked Councillor Porter to explain why he had not been aware that planning blight would affect a great number of houses in the area of proposed rail hub.

Councillor Porter replied that he could not be sure that he agreed as a decision had still to be made on a specific piece of land. He was willing to look at proposals from the private sector but Cabinet had raised doubt that the private sector would be in a position to develop the rail hub. Cabinet had agreed the site would be suitable but there had been no commitment to deliver it.

Councillor Alcock asked a supplementary question as to whether Councillor Porter felt that if there was a planning blight and it had been registered with the Land Registry, would Council reconsider the identification of the site. Councillor Porter replied that it was up to the members on Sustainable Communities Steering Group to consider and bring back to Cabinet if they felt it necessary.

5. Councillor R Creese Councillor G Porter Land Registry

Councillor Creese asked who was responsible for registering with Land Registry and who was culpable in terms of the planning blight. Councillor Porter replied that he did not know who had registered it and where they were hoping to take it. Councillor Gambba-Jones said that the proposal had been brought to Council via Economic Development. The involvement of members had been at Councillor Gambba-Jones’ instigation, in asking the Local Development Framework Working Party to offer a view. At the earliest opportunity the members of the Working Party considered the issue and brought any concerns forward. Development Control in liaison with the policy team put proposals together suggesting an appropriate site. Councillor Gambba-Jones stated that there was no function in registering any interest with the Land Registry, it was not appropriate and served no purpose. Councillor Creese asked that it be found out who had registered the land with the Land Registry.

6. Councillor C Brewis Councillor G Porter Government Grants

Councillor Brewis asked Councillor Porter about the recent press articles regarding government grants for Councils who collected their rubbish fortnightly. Councillor Porter replied that there were no proposals for money to be given to councils for failing to deliver weekly collections.

Councillor Brewis asked a supplementary question and stated that it had been reported in the Guardian and Telegraph national press and asked Councillor Porter if he could find out for sure. Councillor Porter confirmed that there were no plans within the comprehensive spending review for any new money, although there may be incentives for recycling more.

Although Defra (Department for Environment, Food and Rural Affairs) was to undertake consultation on waste this did not form part of the consultation.
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388. QUESTIONS ASKED WITHOUT NOTICE UNDER COUNCIL PROCEDURE RULE 10.8
(Continued)

7. Councillor Brewis Councillor P Espin Drainage Board Precepts

Councillor Brewis told Councillor Espin that members from Fenland District Council had found out that 83% of drainage board precepts came back and asked if he was aware of this. Councillor Espin replied that he would be interested to find out how that calculation had been made and would make attempts to find out how the calculation had been reached. Councillor Przyszlak advised that he could add nothing to this.

389. FORWARD PLAN

The Cabinet Forward Plan for the period January 2011 to June 2011 was submitted.

Councillor S Booth asked, in relation to the Sutton Bridge Gypsy and Traveller Site, for assurance that there would be enough budget left to deliver the third site. Councillor Porter advised that there would be enough money within the budget and the budget for the Sutton Bridge site had been considerably reduced. Councillor Newton questioned that within the paperwork for the new Holbeach site that the vacant pitch was capable of accommodating more than one van as it had 16 hook up points. Councillor Porter replied that he had no knowledge of this and eagerly awaited the recommendations of the Task Group that was currently looking into the reason for the delay and overspend at the Travellers site in Holbeach.

Councillor Espin advised that the decision to award the contract for the works at the Sutton Bridge Gypsy and Traveller site had now been put back to probably April when the purchase of the land was expected.

DECISION: That the Forward Plan for the period January 2011 to June 2011 be received.

390. SCHEME FOR PAYMENT OF MEMBERS’ ALLOWANCES

The Local Authorities (Members’ Allowances) (England) Regulations 2003 required the Council to approve, or amend a Scheme for the Payment of Members’ Allowances. In accordance with the Regulations it must establish an Independent Remuneration Panel to advise it on the specified aspects of the Scheme, including the level of payment.

Whilst the Council was ultimately responsible for agreeing its Scheme for Payment of Members’ Allowances, it must have regard to the Panel’s advice. Therefore, it should not disregard the Panel’s advice without giving appropriate reasons.

The Panel’s report was attached for consideration at Appendix 1 to the Report.

If the Panel's recommendations were approved by the Council the financial implications would be:
All members present declared a personal interest in respect of item 18 (Scheme for Payment of Members’ Allowances) by virtue of them all being members of the authority and would therefore be entitled to claim the allowances. The interest was not considered to be prejudicial as it was exempt by virtue of paragraph 10(2)(iv) of the Members’ Code of Conduct.

It was agreed to suspend standing orders for this item.

Councillor Porter advised that he was frustrated that no-one from the Remuneration Panel was present to answer any questions regarding the content of the report. He questioned why the Junior Portfolio Holders did not, like all other members with a position of special responsibility, receive an allowance based on a percentage of the Leader’s allowance. Concern was raised by some members that there was no evidence of the work a junior Portfolio Holder carried out.

Councillor Porter stated that there had been no confusion regarding the LGA rate that had been used for the last 5 years, as noted in the report and Council had already refused to have allowances linked to the Annual Survey of Hours and Earnings (ASHE). Councillor Porter suggested that members’ allowances be linked to the old age pension increases. He put forward alternative proposals:

- That travel and subsistence allowances continued to be linked to Lincolnshire County Council provided they didn’t exceed the tax limit of the Inland Revenue;
- That the carers’ allowance continued to be payable at £8.00 per hour which must be supported by appropriate receipts;
- That the LGA rate continued to be used, for index linking purposes, and then allowances to be linked to the old age pension increase from 2012 onwards;
- That Junior Portfolio Holders receive 10% of the Leaders Special Responsibility Allowance backdated to May 2010;
- That any increase not be taken this year apart from the Junior Portfolio Holders;
- That the Remuneration Panel disband and merge with Breckland Council, subject to Breckland’s approval;
- That the Public Service Discount (PSD) be reduced to 35%.
390. **SCHEME FOR PAYMENT OF MEMBERS’ ALLOWANCES** (Continued)

Councillor Creese proposed that a report be brought to the next meeting of Council detailing Councillor Porter’s recommendations to allow members time to consider the amended recommendations but this was not agreed by all members. This was put to the vote and lost. It was proposed and seconded that the proposals put forward by Councillor Porter be voted upon on block. This proposal was carried.

**DECISION:**

(a) That travel and subsistence allowances continued to be linked to Lincolnshire County Council provided they didn’t exceed the tax limit of the Inland Revenue;

(b) That the carers’ allowance continued to be payable at £8.00 per hour which must be supported by appropriate receipts;

(c) That the LGA rate continued to be used, for index linking purposes, and then allowances to be linked to the old age pension increase from 2012 onwards;

(d) That Junior Portfolio Holders receive 10% of the Leaders Special Responsibility Allowance backdated to May 2010;

(e) That any increase not be taken this year apart from the Junior Portfolio Holders;

(f) That the Remuneration Panel disband and merge with Breckland Council, subject to Breckland’s approval;

(g) That the Public Service Discount (PSD) be reduced to 35%.

In accordance with Council Procedure Rule 16.5 Councillors [D G Best], S Booth and C J T H Brewis [and G K Dark] all requested that it be recorded in the minutes that they abstained from the vote.

[That it be noted that Councillor G K Dark abstained from the vote on the grounds that the disputed special responsibility allowance was not dealt with as a separate issue. That it be noted that Councillor D G Best did not abstain but voted against the recommendations as they were not taken individually – amended at Council 2 March 2011]

391. **REPLACEMENT LEISURE FACILITIES**

The provision of improved leisure facilities was a council priority included in the Corporate Plan 2010-15:

“The long term aim of building new leisure facilities in the Spalding area along with improved access to facilities throughout the district remained a priority because of the strong relationship with health outcomes.”
In 2007 a leisure options appraisal was carried out by a Cabinet Working Party and had considered the National, Regional and Local context in respect of sporting priorities and objectives.

The Cabinet Working Party carried out the leisure options appraisal in accordance with Audit Commission recommendations and guidelines. These were principally based around increasing participation so that the community (who were therefore more active) received
the consequent benefits of improved health, community safety, social cohesion and economic development.

The current Council Corporate Plan retained an objective of replacing existing facilities.

The previous recommendations of Cabinet to replace the existing facilities on an alternative site were unable to be delivered because the business case on which the proposal was based was adversely impacted by the current and continuing economic downturn in the housing market which affected land values and meant that the project was not deliverable.

An opportunity had now arisen to consider a more affordable scheme for the replacement of existing facilities. This was due to a combination of business opportunities including favourable interest rates for borrowing to finance a project and the economic drivers that were reducing the costs of major construction projects as current large schemes came to an end.

There was an opportunity to consider a replacement facility project which would be consistent with the results of the options appraisal exercise carried out in 2007 based on extensive public consultation, needs assessment and an audit of current facilities. It was considered that the evidence base acquired through extensive consultation remained current and this had been used to support the new business case. The Outline Business Case was attached to the report.

Councillor Chandler asked that consideration be given to siting some of the facilities to be lost from the British Sugar Sports Club at the proposed leisure facility.

Councillor Dark had some concerns regarding the parking and was not sure whether the car parking allocated would fulfil future needs and suggested a parking survey be undertaken. He asked that a function room be looked at for the bowls club and that all usergroups be fully consulted.

Councillor Alcock had concerns regarding the location and asked whether there would be improvements made with regard to the insulation, heating and lighting in the bowls club. Councillor Alcock’s main concern was the financing and stated that it was not many years ago when money saved earned a significant amount of interest and to base a decision on the presumption that the allocated money would not be earning was shortsighted.

Councillor Brewis asked that consideration be given to altering the plans so that the building faced south to maximise the potential for solar energy.

Councillor Woelf asked Councillor Worth to confirm that the athletics track would not be lost to which Councillor Worth confirmed that it would be lost. Councillor Worth advised that he took on board all the comments raised.

DECISION: (a) That the proposal be agreed in principle as set out in the Outline Business Case;

(b) That Sector be commissioned to undertake a full financial assessment and advise the Council on funding options;
391. **REPLACEMENT LEISURE FACILITIES** (Continued)

   (c) That a qualified structural engineer carry out a full survey on the existing facilities;

   (d) That properly qualified leisure consultants be commissioned to advise on further replacement options; and

   (e) That a budget of £20,000 be allocated to produce a detailed Business Case.

392. **DESIGNATION OF POLLING PLACES – DELEGATED AUTHORITY**

Electoral legislation made the Council responsible for the designation of "polling places" in connection with the various elections and referendums. Within a "polling place" there may be one or more polling stations as determined by the Returning Officer to be necessary.

The location of "polling places" was normally agreed when ward boundaries were reviewed and were usually determined having regard to the availability of suitable and convenient premises for polling purposes. The existing polling places within South Holland were approved several years ago as part of the last electoral review.

Members were aware that there were District Council and Parish Council elections scheduled to be held on 5 May 2011. On the same day there was expected to be a Referendum on the UK parliamentary voting system.

Arrangements had already commenced in respect of these elections/referendum. In undertaking the risk assessment it had been identified that arrangements needed to be put in place to authorise the Returning Officer to designate polling places if needed at short notice. For example, if a designated polling place became unusable due to flood, fire, vandalism, etc.

**DECISION:**

   (a) That in the event that a designated polling place became unusable or unsuitable, the Returning Officer be delegated authority to designate suitable alternative premises; and

   (b) That the Schedule of Delegation be amended accordingly.

393. **REPORTS FROM MEMBERS ON OUTSIDE BODIES**

   (a) **Health Scrutiny Committee for Lincolnshire**

Consideration was given to the report of Councillor C J T H Brewis detailing matters considered at the meeting of the Health Scrutiny Committee for Lincolnshire held on 20 October 2010.

**DECISION:** That the Report be noted.
393. **REPORTS FROM MEMBERS ON OUTSIDE BODIES** (Continued)

(b) **Health Scrutiny Committee for Lincolnshire**

Consideration was given to the report of Councillor C J T H Brewis detailing matters considered at the meeting of the Health Scrutiny Committee for Lincolnshire held on 17 November 2010.

**DECISION:** That the Report be noted.

(c) **North Level District Internal Drainage Board**

Consideration was given to the report of Councillor C J T H Brewis detailing matters considered at the meeting of the North Level District Internal Drainage Board held on 24 November 2010.

**DECISION:** That the Report be noted.

(d) **National Association of British Market Authorities (NABMA)**

Consideration was given to the report of Councillor A Newton advising the Council of matters considered at the NABMA Management Board Meeting held on 2 November 2010.

**DECISION:** That the Report be noted.

(Meeting ended at 8.40 pm.)

(End of Minutes.)