

Notes of a meeting of the **SOUTH HOLLAND DISTRICT COUNCIL** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Wednesday, 27 February 2019 at 6.30 pm.

PRESENT

R Grocock (Chairman)

B Alcock	M G Chandler	J L Reynolds
G R Aley	H Drury (Vice-Chairman)	S-A Slade
D Ashby	L J Eldridge	E J Sneath
J R Astill	P C Foyster	G J Taylor
J Avery	R Gambba-Jones	J Tyrrell
F Biggadike	C J Lawton	J Whitbourn
M D Booth	J D McLean	P A Williams
T A Carter	A M Newton	A R Woolf
A Casson	G A Porter	C N Worth

Apologies for absence were received from or on behalf of Councillors C J T H Brewis, P E Coupland, G K Dark, A Harrison, J L King, C N Johnson, M D Seymour, A C Tennant and S Wray

In Attendance: Democratic Services Officer, Chief Executive, Executive Director - Strategy and Governance, Shared Executive Director Commercialisation (S151), Executive Manager - Governance, Place Manager, Head of Finance, Strategic Business Partner (Finance), Environmental Services Manager, Strategic Finance and Compliance Manager and Head of CPBS Operations

86. **MINUTES**

Consideration was given to the minutes of the meeting of Full Council held on 23 January 2019, including the exempt minute.

DECISION:

That the minutes be signed as a correct record.

87. **DECLARATION OF INTERESTS.**

Councillor Newton did not have a Disclosable Pecuniary Interest, but in the interest of transparency declared that, in relation to item 23, she was on the Board of Directors of CPBS.

88. **CHAIRMAN'S ANNOUNCEMENTS.**

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The Chairman announced that the Spalding WW2 memorial would be unveiled by the Duke of Kent on 13 March 2019 and invited all members to attend the ceremony at Spalding Parish Church and Ayscoughfee Hall

89. **ANNOUNCEMENTS BY LEADER AND MEMBERS OF THE CABINET.**

Councillor Gambba-Jones announced that litter picking kits were now available for members to collect.

90. **QUESTIONS ASKED ON NOTICE UNDER STANDING ORDER 6**

There were none.

91. **QUESTIONS ASKED WITHOUT NOTICE UNDER STANDING ORDER 7**

Question to: Full Council
Question From: Councillor Newton
Subject: Spalding in bloom.

Councillor Newton stated that Spalding In Bloom were in need of new members and asked that any Councillors who were interested should enquire.

Question to: Councillor Worth
Question From: Councillor Booth
Subject: Sea defences.

Councillor Booth stated that he was concerned with the condition of secondary sea defences. He was pleased to report now that people required a permit to adjust them. He asked if Councillor Worth if he was aware that this had happened. Councillor Worth stated that he was aware of this change

Question to: Councillor Gambba-Jones
Question From: Councillor Alcock
Subject: Bull and Monkie.

Councillor Alcock asked how progress was on resolving issues at the Bull and Monkie pub. Councillor Gambba-Jones stated that there was no immediate resolution. The owner had carried out the minimum requirement to stop the Council from being able to intervene.

Councillor Alcock asked if there was a possibility of buying the site. The Executive Manager – Governance stated that the owner of the pub had taken the necessary steps to prevent this from happening in the foreseeable future.

Question to: Councillor Porter
Question From: Councillor Foyster
Subject: Brexit preparation.

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Councillor Foyster asked who it was that the Council was meeting with to prepare for Brexit. Councillor Porter stated that this was only the emergency planning forum.

92. **COMMITTEE MINUTES**

Policy Development Panel (15 January 2019)

DECISION:

That the minutes be received

Planning Committee (16 January 2019)

DECISION:

That the minutes be received

Performance Monitoring Panel (30 January 2019)

DECISION:

That the minutes be received

Joint Performance Monitoring Panel and Policy Development Panel (12 February 2019)

DECISION:

That the minutes be received

Planning Committee (13 February 2019)

DECISION:

That the minutes be received

93. **REPORT FROM CABINET MEETING HELD ON 12 FEBRUARY 2019**

Consideration was given to the report of Cabinet which sought approval for the Cabinet's recommendations:

a) Pride in South Holland (Cabinet minute 67/18) (Cabinet Agenda Item 7)

b) Q3 Finance report 2018/19 (Cabinet minute 71/18) (Cabinet Agenda Items 11 & 14)

The Portfolio Holder for Place introduced the Pride in South Holland Report, stating that this was good news. The further works were already underway and this addition would allow for the continuation of this important task.

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The Portfolio Holder for Growth and Commercialisation then introduced the Q3 Finance Report 2018/19.

DECISION:

a) Pride in South Holland

1. That additional resources are made available to increase the Pride in South Holland Initiative by releasing funds of £24,891 in 2018/19 and £246,843 for 2019/20

b) Q3 Finance Report 2018/19

2. That an increase in the General Fund Capital Programme is approved in accordance with para. 5.5.2 and Appendix B of the report;
3. That the revised 2018-19 capital programme for the General Fund and HRA be approved.

94. **KEY DECISION PLAN**

Consideration was given to the Key Decision Plan.

DECISION:

That the Key Decision Plan be received.

95. **BUDGET, MEDIUM TERM STRATEGY AND CAPITAL STRATEGY**

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director Commercialisation which presented the General Fund and Housing Revenue Account 2019/20 revenue and capital estimates and the Financial Medium Term Strategy, for consideration.

The Portfolio Holder for Growth and Commercialisation introduced the report. South Holland remained in a strong overall position. Changes to the fair funding review would be manageable. Innovative and efficient budget management was key to the favourable situation.

The proposed budget did not have any reliance on the new homes bonus and in addition, all budgets had been subjected to detailed scrutiny. It was recommended that there was a £4.95 increase to Band D council tax. Although the average household would only see an increase of just over 8p per week.

Further allowances were being made for the purchasing of property in the district.

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Housing rent would reduce by 1% in accordance with national standards. It was notable that the cabinet had also approved the new business rates relief, which could see up to a 1/3 reduction of rates for small local businesses.

DECISION:

1. That Council Approves:
 - a. The revenue Estimates for the General Fund, Housing Revenue Account and Spalding Special Expenses for 2019/20 (Appendices A, B and C to the report) be approved.
 - b. That the use of reserves (Appendix D) be approved.
 - c. That the Council Tax for a Band A property in 2019/20 be set at £116.52 a £3.30 per annum increase on 2018/19 levels (Band D £174.78 for 2019/20, a £3.95 per annum increase on 2018/19 levels).
 - d. That the Spalding special expense for a Band A property be set at £15.78 for 2019/20, (previously £15.66 in 2018/19) and Band D £23.67 for 2019/20, (previously £23.49 in 2018/19).
 - e. That the Medium Term Financial Strategy (Appendix B) be approved.
 - f. That the Housing Revenue Account weekly dwelling rents reduce by 1% over the previous year, 2018/19, rent with effect from Monday 1st April 2019. This is in line with current government guidelines and legislation.
 - g. That the Capital Strategy and Capital Programme (Appendices E and F) be approved.
 - h. That the Treasury Management Strategy, including the Minimum Revenue Provision policy and Investment Strategy be approved. (Appendix G).
 - i. That the fees and charges shown in Appendix H be approved for adoption from 1 April 2019.
2. Approve the increase in the establishment of 1.0 FTE (shared with BDC, 60% BDC and 40% SHDC), to create a post that adds capacity to support the Chief Executive and Directors at a senior level to move forward a number of strategic priorities and helps to identify the key impacts of emerging national and local policy on the organisation(s) from a corporate point of view, enabling effective mitigation as required (as detailed in Appendix A, paragraph 3.7.2).
3. Approve the additional council tax premium for long term empty properties as detailed in 1.21.

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In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a recorded vote was taken on the recommendations below (Draft Budget, Medium Term Plan and Capital Strategy). The vote was as follows

For	Against	Apologies/Absent
Councillor Alcock		Councillor Brewis
Councillor Aley		Councillor Coupland
Councillor Ashby		Councillor Dark
Councillor Astill		Councillor Harrison
Councillor Avery		Councillor Johnson
Councillor Biggadike		Councillor King
Councillor Booth		Councillor Seymour
Councillor Carter		Councillor Tennant
Councillor Casson		Councillor Wray
Councillor Chandler		
Councillor Drury		
Councillor Eldridge		
Councillor Foyster		
Councillor Gamba-Jones		
Councillor Grocock		
Councillor Lawton		
Councillor McLean		
Councillor Newton		
Councillor Porter		
Councillor Reynolds		
Councillor Slade		
Councillor Sneath		
Councillor Taylor		
Councillor Whitbourn		
Councillor Williams		
Councillor Woolf		
Councillor Worth		

96. **COUNCIL TAX SETTING 2019/20**

Consideration was given to the report of the Portfolio Holder for Finance and the Executive Director – Commercialisation which sought the Council’s approval for the setting of the amounts of Council Tax applicable for 2019/20 for each valuation band and in each part of the district.

The Portfolio Holder for Growth and Commercialisation introduced the report. He stated that this was the annual Council Tax Setting report and that the changes would mean that, for a Band D Council Tax property, there would be an annual increase of £23.67, a 0.77% increase.

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DECISION:

- 1) That Council approves that the charge to be levied on the Council Taxpayers of Spalding for services provided in their town (Spalding Special Estimates) will be £217,700 for 2019/20. This equates to a Band D equivalent charge of £23.67 (£23.49 for 2018/19), a 0.77% increase.
- 2) That Council approves the formal Council Tax resolutions for 2019/20 as set out below:
 - 1 It is to be noted that on 19 December 2018 the Council calculated: -
 - (a) the Council Tax Base 2019-20 for the District as **27,931** (item T in the formula in section 31B(3) of the Local Government Finance Act 1992, as amended) and;
 - (b) Dwellings in those parts of the district to which a Parish precept relates as shown in **Appendix B**
 2. Calculate that the Council Tax requirement for the Council's own purposes for 2019-20 (excluding Parish precepts and Spalding Special Expenses) is **£4,881,780**
 - 3 That the following amounts be calculated by the Council for the year 2019-20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended (the Act): -
 - (a) **£42,286,720** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act;
 - (b) **£37,558,450** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - (c) **£5,728,270** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (item R in the formula in Section 31a (4) of the Act);
 - (d) **£205.09** being the amount at 3(c) divided by the amount at 1(a) (item T), calculated by the

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LCC	861.60	1,005.20	1,148.80	1,292.40	1,579.60	1,866.80	2,154.00	2,584.80
PCC	160.92	187.74	214.56	241.38	295.02	348.66	402.30	482.76

5. That having calculated the aggregate in each case the amounts at 3(h) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in **Appendix E** as the amount of Council Tax for 2019-20 of the categories of dwellings shown.
6. **Appendix F** provides definitions for the formal Council Tax resolution.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 a recorded vote was taken on the recommendations below (Draft Budget, Medium Term Plan and Capital Strategy). The vote was as follows

For	Against	Apologies/Absent
Councillor Alcock		Councillor Brewis
Councillor Aley		Councillor Coupland
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Councillor Astill		Councillor Harrison
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Councillor Booth		Councillor Seymour
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Councillor Casson		Councillor Wray
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Councillor Lawton		
Councillor McLean		
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Councillor Sneath		
Councillor Taylor		
Councillor Whitbourn		
Councillor Williams		
Councillor Woolf		
Councillor Worth		

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Consideration was given to the report of the Deputy Leader and Portfolio Holder for Strategy, Governance and Transformation which presented the new proposed Corporate Plan for the period 2019-2023.

The Portfolio Holder for Strategy, Governance and Transformation stated that the current corporate plan ended in 2019. The New Plan allowed the Council to be held to account and was fundamental to delivery of Council functions

DECISION:

That the contents of the report are noted and that Council formally adopts the new Corporate Plan 2019-2023.

98. **AN INVITATION TO THE BOUNDARY COMMISSION**

Consideration was given to the report of the Portfolio Holder for Governance and Customer and Executive Manager – Governance (Deputy Monitoring Officer) which sought the Council's approval to request the Local Boundary Commission for England to undertake a review of the Council's electoral arrangements.

The Portfolio Holder for Strategy, Governance and Transformation introduced the report. The last review took place in 2006. Given the amount of time since the last review, it was hoped that a new review would take place. The review was intended to ensure that there was electoral equality within the district.

DECISION:

That Council invites the Local Government Boundary Commission for England to consider whether it wishes to undertake a review of the Council's electoral arrangements.

99. **CONSTITUTION**

Consideration was given to the report of the Monitoring Officer which proposed variations to the constitution.

The Executive Manager – Governance introduced the report stating that the proposed changes to call-in for non-key Officer decisions had been considered by the Performance Monitoring Panel where they were supported.

DECISION:

- 1) **Call-in for Non-Key Officer Decisions** - That Call-in not apply to non-Key Decisions made by officers under delegated authority, and the Constitution be amended in accordance with Appendix A;

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2) **Senior Information Risk Officer (SIRO)** - That the Shared Executive Manager Information be appointed the Senior Information Risk Officer, and the Constitution be amended in accordance with Appendix B

3) **Licensing functions**

- That the terms of reference of the Licensing Committee be amended to include reference to the Animal Welfare functions, and to clarify the licensing functions for which it is responsible as shown in Appendix C
- That the terms of reference of the Licensing Panel be amended to refer specifically to Regulation 2 of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 as shown in Appendix C
- That the Monitoring Officer be authorised to amend the Constitution to include reference to any future additional licensing matters which come under the above terms of reference, subject to a report being submitted to full Council for information.

4) **Staffing Procedures / Appeals Panel and Grievance Panel**

- That paragraph 12 of the table at paragraph 15(l) of part 3 Section F be amended to that shown in Appendix D
- That existing paragraphs 13 to 17 be deleted and the remaining section of Part 3 Section F be renumbered accordingly.
- That the Appeals Panel and the Grievance Panel be replaced with one Appeals Panel comprising 4 members (excluding any members involved in the original decision which is subject to appeal), not appointed in accordance with the Local Government (Committees and Political Groups) Regulations 1990, with a Quorum of 3 members in accordance with standing order no. 38, and with the single term of reference detailed at Appendix D
- The duplicate delegations in the Schedule of Delegation be deleted

100. **STANDARDS ARRANGEMENTS**

Consideration was given to the report of the Executive Director – Strategy and Governance (Monitoring Officer) which proposed an amendment to the Standards Arrangements for consideration.

The Executive Manager - Governance introduced the report. Within the Arrangements a need for flexibility around Standards Panel membership had been identified. It was proposed that changes be made to allow for a bilateral agreement with another, similar authority to allow the Function of conducting a hearing to be delegated to another authority where the interests of fairness were served.

The Executive Manager – Governance stated that there was a typographical error in recommendation 3 of the report. Where recommendation 3 referred to paragraph 1.4, it should have, in fact, referred to paragraph 1.5.

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DECISION:

- 1) That the Monitoring Officer and/or the Deputy Monitoring Officer be authorised to delegate to any other local authority final determination of complaints made under the Council's Standards Arrangements, subject to consultation with the Chairman of the Council's Standards Panel, and subject to the officer being satisfied that this is in the interests of fairness;
- 2) That the Monitoring Officer and/or the Deputy Monitoring Officer be authorised to accept similar delegations to South Holland District Council from other local authorities, subject to consultation with the Chairman of the Standards Panel;
- 3) That the Standards Arrangements be amended in accordance with paragraph 1.4 of the report; and
- 4) That the Constitution be amended accordingly.

101. **REPORTS FROM OUTSIDE BODIES**

North Level District Internal Drainage Board

Consideration was given to the report of Councillor Brewis.

DECISION:

That the report be noted

Health Scrutiny for Lincolnshire Committee

Consideration was given to the report of Councillor Brewis.

DECISION:

That the report be noted

102. **NOMINATIONS FOR COMMITTEES AND OTHER SEATS AND PROPOSED CHANGES TO THE CONSTITUTION.**

There were none.

103. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

There were none.

104. **EXCLUSION OF THE PRESS AND PUBLIC**

DECISION:

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That, under section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Schedule 12 (A) of the Act.

105. **RESTRICTED MINUTE**

Consideration was given to the restricted minutes of the meeting of the South Holland District Council held on 28 November 2018.

The meeting did not have to go into exempt session for the agreement of this item as they were agreed, without divulging exempt information, during discussion of item 2 of the agenda.

DECISION:

That the minutes be signed as a correct record.

106. **REPORT FROM THE CABINET MEETING HELD ON 12 FEBRUARY 2019
(EXEMPT APPENDIX)**

The appendices feature in this item were linked to the report of Agenda Item 9. These appendices were considered in coming to the final decision on that item.

This item did not require exempt session as members came to a conclusion on Item 9 of the agenda without needing to go into exempt session.

107. **COMPASS POINT BUSINESS SERVICES OPTIONS**

Consideration was given to the report of the Deputy Leader of the Council and the Deputy Leader of the Cabinet which sought to gain the Council's approval for key actions to enable the extension of the current arrangements with Compass Point Business Services ("CPBS")

The Portfolio Holder for Growth and Commercialisation introduced the report. The Council had stated in the previous year that it would provide CPBS with a further period to present its proposals for transformation. Now that these had been presented, consideration could be given to the future contractual arrangements.

DECISION:

That, subject to the Leader approving those elements that are executive functions

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- 1) the Joint Venture Shareholder Agreement between the Council, CPBS and East Lindsey District Council (“ELDC”) and associated contractual documents be terminated, and amended contracts entered into in accordance with the Heads of Terms set out in Appendix B to the report;
- 2) the initial Transformation Plan submitted by CPBS and attached at Appendix A to the report be approved, subject to refinement and the approval of individual business cases in accordance with the principles set out at Appendix B to the report;
- 3) the Council agrees to invest 37% of the costs in assisting CPBS to meet its transformation plans to a maximum of £555,000 subject to (i) ELDC investing the remaining 63% of those costs; and (ii) CPBS producing individual business cases for each strand of its Transformation Plan, in accordance with the principles set out in Appendix B, to the satisfaction of both councils;
- 4) authority to approve or reject individual business cases for each element of the Transformation Plan be delegated to the Executive Director of Strategy and Governance, in consultation with the Deputy Leader of the Council and the Deputy Leader of the Cabinet; and
- 5) delegated authority be granted to the Executive Director of Strategy and Governance, in consultation with the Deputy Leader of the Council and the Deputy Leader of the Cabinet, to determine (i) the date that the existing Joint Venture Shareholder Agreement and associated contract documents are terminated and the new contract documents entered into; and (ii) the final terms and conditions of the revised Joint Venture Shareholder Agreement and associated contract documents having regard to the Heads of Terms at Appendix B to the report.

(The meeting ended at 7.35 pm)

(End of minutes)