

Minutes of a meeting of the **SOUTH HOLLAND DISTRICT COUNCIL** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Wednesday, 11 May 2022 at 6.30 pm.

PRESENT

P A Redgate (Chairman)
A R Woolf (Vice-Chairman)

B Alcock	A Casson	G A Porter
J Avery	H Drury	J L Reynolds
A C Beal	R Gambba-Jones	G T D Rudkin
F Biggadike	R A Gibson	S-A Slade
H J W Bingham	R Grocock	E J Sneath
M D Booth	M Hasan	J Tyrrell
C J T H Brewis	J L King	S C Walsh
P E Coupland	C J Lawton	D J Wilkinson
A C Cronin	J D McLean	C N Worth
T A Carter	A M Newton	

Apologies for absence were received from or on behalf of Councillors J R Astill, N H Pepper, G P Scalese, M D Seymour, G J Taylor and A C Tennant,

In Attendance: The Chief Executive, the Deputy Chief Executive (Corporate Development) and S151, the Deputy Chief Executive (Growth), the Deputy Chief Executive (Communities), the Assistant Director – Leisure and Culture, the Assistant Director – Governance and Monitoring Officer, the Head of Delivery, the Democratic Services Manager, the Democratic Services Team Leader and the Lead Electoral Officer.

1. ELECTION OF A CHAIRMAN

The Chief Executive invited nominations for the election of Chairman of the Council for the ensuing year. Councillor P Redgate was nominated and seconded.

Councillor Brewis thanked the Chairman for the generous and inclusive manner of his Chairmanship over the past year, and this was echoed by all members.

DECISION:

That Councillor P Redgate be elected as Chairman for the ensuing year.

(Councillor Redgate thereupon took the Chair and signed the declaration of acceptance of office.)

Action By

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2. ELECTION OF A VICE-CHAIRMAN

The Chairman invited nominations for the appointment of a Vice Chairman of the Council for the ensuing year. Councillor A Woolf was nominated and seconded.

DECISION:

That Councillor A Woolf be appointed as Vice Chairman of the Council for the ensuing year.

(Councillor Woolf thereupon signed the declaration of acceptance of office.)

3. MINUTES

Consideration was given to the minutes of the meeting of Full Council held on 3 March 2022.

DECISION:

That the minutes be signed as a correct record.

4. DECLARATION OF INTERESTS.

Councillors B Alcock and M Booth did not have a Disclosable Pecuniary Interest, but in the interests of transparency, declared that in relation to agenda item 11c, that they were on the Board of Directors of Welland Homes Ltd and would abstain from the vote.

Councillors P Coupland, J Tyrrell and E Sneath did not have a Disclosable Pecuniary Interest, but in the interests of transparency, declared that in relation to agenda item 11c, that they were on the Board of Directors of Welland Homes Ltd.

5. CHAIRMAN'S ANNOUNCEMENTS.

The following announcements were made:

- The Chairman thanked members for re-electing him as Chairman for a further year. He stated that the last time all members had met in the Council Chamber was 26 February 2020, prior to the pandemic – much had been achieved in the last two years, and it was good to return to the Chamber after such a long absence.
- The Chairman welcomed John Leach, the new Deputy Chief Executive - Communities to the meeting.
- The Chairman thanked the outgoing Assistant Director –

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Governance, and Monitoring Officer, Mark Stinson for his contribution to the Council over the years.

6. ANNOUNCEMENTS BY LEADER AND MEMBERS OF THE CABINET.

The Leader made the following announcements:

- The Leader echoed the Chairman's comments regarding the very welcome return to the Council Chamber, following the pandemic.
- The Leader also welcomed the new Deputy Chief Executive - Communities, John Leach to the meeting.

7. QUESTIONS ASKED ON NOTICE UNDER STANDING ORDER 6

The following question was received from Councillor R Gibson:

We have been made aware through the local papers that a consultancy firm has been asked to produce a report on the state of Spalding town centre and the siting of the Johnson water fountain.

Can we ask how much the consultant has been paid for this work please?

The following response was provided by the Portfolio Holder for Assets and Planning:

Officers have confirmed that no consultancy firm has been asked by them to produce a report on the "state of Spalding Town Centre".

Officers have however commissioned and received a Heritage Impact Assessment that covers the history and the proposed siting of the Johnson water fountain and a condition survey of the fountain by a specialist stonemason at a total cost of £3,780 +VAT.

The above information was provided to members in printed form at the meeting.

No further supplementary question was asked.

8. QUESTIONS ASKED WITHOUT NOTICE UNDER STANDING ORDER 7

Question to: Councillor Taylor

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Question from: Councillor Newton

Subject: Issues with the swimming pool in Spalding.

Councillor Newton stated that the leisure contractor, Parkwood had attended a meeting of the Performance Monitoring Panel on 16 March 2022 to provide the Panel with an update on the current situation. With regard to staffing, the Panel had been assured that the pool was fully staffed. However, it was understood that very recently, several staff had left. In addition, there were reports that chlorine levels were too high, a situation that had allegedly not been addressed until the involvement of the area manager. Could the Portfolio Holder provide members with an update regarding the situation.

Councillor Porter responded that as Councillor Taylor had given his apologies and was not at the meeting, a written response would be provided to all members, and that officers would contact Councillor Newton promptly on this issue.

Question to: Councillor Porter

Question from: Councillor Newton

Subject: South Holland Parish Voluntary Car Scheme

Councillor Newton commented that she represented the Council on the South Holland Parish Voluntary Car Scheme and that one of its founders, Mr David Garner was 100 today. Councillor Newton believed that in 2023/2024, the Scheme would have been running for 50 years, and she requested that its start date be confirmed from any records held by the Council. She also commented that this anniversary should be marked in some way.

Councillor Porter responded that the archives would be interrogated to provide this information. He also stated that the South Holland Parish Voluntary Car Scheme did a marvellous job and that its 50th anniversary should be marked.

Question to: Councillor Coupland

Question from: Councillor Brewis

Subject: Council Tax charge for empty properties

Councillor Brewis reported that he had been made aware of a Council Tax charging anomaly relating to two properties that were empty whilst being renovated. One of the properties had received a charge from before the current owners had taken ownership of it, and the other had no charge at all. Could the Portfolio Holder explain this?

Councillor Coupland advised that he could not provide an answer without the full circumstances but that he was aware of a similar

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situation, details of which had been forwarded to the relevant department. He would confirm with Councillor Brewis outside of the meeting whether this was the same matter and if not, this case would also be looked into.

Question to: Councillor Gambba-Jones

Question from: Councillor Booth

Subject: Environmental Services Capital Vehicle Spend

Councillor Booth referred to the Environmental Services Capital Vehicle Spend item, listed within the Key Decision Plan, and asked what the Council's policy was with regard to using more environmentally friendly vehicles.

Councillor Gambba-Jones replied that, although there was a will to use more environmentally friendly vehicles, their ability to cater to the extremes of the district was an issue. Even in relatively urban areas, there were issues around charge times, their ability to sustain very slow journeys and to manoeuvre backwards and forwards, and stop and start as required. Even relatively small vehicles used their charge quickly due to their heavy loads. The issue of environmentally friendly vehicles was actively being considered by members and officers, who were looking at users in urban areas to understand how well the vehicles worked there, and to consider if they could be used in a rural area. These vehicles were expensive to maintain and also depreciated in value significantly, and it was therefore important to be cautious in spending tax payers' money.

9. COMMITTEE MINUTES

The minutes of the following Committees and Panels were noted:

- Planning Committee – 9 March 2022
- Performance Monitoring Panel – 16 March 2022
- Governance and Audit Committee – 17 March 2022
- Policy Development Panel – 23 March 2022

10. REPORT FROM CABINET MEETING ON 26 APRIL 2022

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

a) Graffiti and Street Art Management Policy

The report was presented by the Leader on behalf of the Portfolio Holder for Communities and Facilities.

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The Chairman clarified that no decision was required on this item, other than the Council note the Graffiti and Street Art Management Policy.

b) 2021/22 Financial Report Quarter 3

The report was presented by the Portfolio Holder for Finance, Commercialisation and Partnerships.

It was noted that Table 8 (General Fund Capital Programme Revised 2022/23) within Appendix A to the Cabinet report included incorrect figures. Members were provided with a new copy of the updated table, showing the following:

- Revised Budget 2022/23 column for Crease Drove Industrial Units should read £1,350,000
- Revised Budget 2022/23 column for Grants for Growth should read £217,000
- Although both of these items had been amended, the overall total remained the same.

Members considered the report, and the following points were made:

- In relation to the Public Works Loan Board, members asked whether the amount detailed with the borrowing costs resulted in tenants having to pay around £500 - £600 per annum each to service the loan.
 - The Portfolio Holder responded that a fact of the loan meant that all properties held in the HRA had a mortgage of approximately £17,000 on each of them and that the Councillor's observation was therefore correct.

DECISION:

- 1) That the necessary budget carry forwards for the General Fund and Housing Revenue Account Capital programme as detailed in tables 8 and 12 of Appendix A to the Cabinet report be approved.
- 2) That virements (internal transfers) up to the value of £1.676m to reflect the efficiency savings which currently are still in service areas and due to be offset against the budget for efficiency savings be approved.

c) Welland Homes Housing Delivery

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The report was presented by the Portfolio Holder for Assets and Planning.

The report introduced a Welland Homes Housing Delivery Framework. The Policy Framework set out the criteria for how the capital programme budget for Welland Homes schemes should be allocated by the Executive. This was a new policy, as the Authority did not currently have a policy framework for approving new Welland Homes schemes. Currently, in the absence of an approved policy, all decisions regarding new housing and schemes were considered by the Council. The criteria within the Policy included the type of delivery models within scope of the framework, including design and build projects, acquiring completed buildings and purchasing land. It also set out the property requirements which would be supported, including the property types and location. Any scheme within budget and the required scope could be approved by the Executive. Welland Homes could still pursue projects outside of the scope of the framework, but these would require Council approval. The Authority currently had an approved capital budget for the delivery of 21 further homes by Welland Homes. Currently, the company held 39 homes in ownership. The framework would enable Welland Homes to deliver new homes which provided housing solutions to meet local housing demand. It would support Welland Homes to meet its business plan objectives.

Members considered the report and the following points were made:

Members commented that they were pleased that Cabinet had agreed to include the additional recommendation to inform ward members on any housing schemes which met the criteria, prior to a public report being submitted to Cabinet for decision.

DECISION:

- 1) That the Welland Homes Housing Delivery Framework, at Appendix A to the Cabinet report, which informs and guides future Executive decisions for the Capital Programme for Welland Homes housing delivery, be approved.
- 2) That the Welland Homes Housing Delivery Framework be included as a local choice policy in the Council's Policy Framework and that the Constitution, at Article 4.3, be amended accordingly.

11. KEY DECISION PLAN

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Consideration was given to the Key Decision Plan.

DECISION:

That the Key Decision Plan be noted.

**12. SOUTH AND EAST LINCOLNSHIRE COUNCILS
PARTNERSHIP PERFORMANCE REPORT**

Consideration was given to the report of the Assistant Director (Corporate) which provided a six-monthly update on the Partnership's performance.

The Leader introduced the report and took the opportunity to congratulate all members for unanimously agreeing to pursue the Partnership as a line of operation for the Council as it was already demonstrating itself to be very successful.

DECISION:

- 1) To note the progress of the Set-Up stage of the Partnership (section 2)
- 2) To note the performance measures for 2022/23 and the frequency of reporting to Partnership Councils (section 3)
- 3) To note the establishment of Priority Partnerships and the frequency of reporting to Partnership Councils (section 4)

13. S&ELCP WORKFORCE DEVELOPMENT STRATEGY

Consideration was given to the report of the Assistant Director (Corporate) which requested adoption of the S&ELCP Workforce Development Strategy

DECISION:

That the S&ELCP Workforce Development Strategy at Appendix A to the report be adopted.

14. COMMUNITY GOVERNANCE REVIEWS

Consideration was given to the report of the Assistant Director – Governance (Monitoring Officer) to consider a request for Community Governance Reviews for the Parish of Cowbit to increase the number of councillors from five to seven and for

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Holbeach to decrease the number of councillors from eighteen to sixteen.

The Assistant Director Governance clarified to members that the decision being requested at the meeting was to commence a review and to agree a timetable, and not to make a determination on the proposals.

Members considered the report and the following points were made:

- Councillor Carter commented that it was a shame that Holbeach had not had a full compliment of councillors for a number of years – the town of Holbeach was growing and reducing numbers may not be the best way forward.
- Members asked at what point the District Council could get involved when a Parish Council was not functioning as it should.
 - The Assistant Director Governance advised that the District Council had very limited powers in respect of the regulation of a Parish Council. The Monitoring Officer and Deputy Monitoring Officers were responsible for investigating individual complaints against individual councillors. In addition, if the Parish Council became inquorate, District Councillors could be appointed to make it quorate until such time as there were sufficient numbers. However, with regard to intervening, the District Council had no legal power to do so. With regard to Holbeach Parish Council, SHDC had assisted where it could as part of the Standards process but there was no regulatory power to intervene.
- Members responded to ask how many members of the community were required to submit a petition for action to be undertaken.
 - The Assistant Director Governance replied that he would obtain and share this information after the meeting. However, he reiterated the point that, even if a petition were to be submitted, the District Council had no legal authority to intervene in the operations of a Parish Council.
- Councillor Worth commented that, although he supported the review, he was disappointed that one of the proposals was to remove one of the seats from the Holbeach Hurn ward as there was not much representation for the villages.

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DECISION:

- 1) Cowbit Parish Council – To approve to undertake a Community Governance Review for the Parish of Cowbit;
- 2) Holbeach Parish Council - To approve to undertake a Community Governance Review for the Parish of Holbeach;
- 3) That delegated powers are given to the Monitoring Officer to carry out the Reviews;
- 4) To agree the timetable for the Reviews as attached at Appendix A.
- 5) That the Monitoring Officer reports the findings of the Reviews to Council for final decision.

15. INTERIM APPOINTMENT OF MONITORING OFFICER

Consideration was given to the report of the Head of Paid Service to consider the interim designation of an officer as Monitoring Officer to take effect from 17 May 2022 until 24 May 2023.

The Leader stated that, whilst accepting the recommendations and understanding the reasons for his departure, he was extremely sad that Mark Stinson was standing down from his role as Assistant Director Governance and Monitoring Officer. Mark had served the Authority well for many years.

Mark thanked the Chairman and the Leader for their kind words and stated that it had been an honour and a privilege to work with all members and officers at the Authority.

Councillor Newton stated that she and all members held Mark in their highest regard, and wished him and all his family the very best. She also commented that she had worked with John Medler in the past and was very happy that he would be taking on the role.

DECISION:

- 1) That, subject to similar decisions to be taken by the other two Councils, John Medler becomes the Interim Joint Monitoring Officer of South Holland District Council, East Lindsey District Council and Boston Borough Council from 17 May 2022 until 24 May 2023 as a shared officer in accordance with s113 of the Local Government Act 1972 and subject to the terms of

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the Memorandum of Agreement between the three Councils;

- 2) That the s151 Officer be authorised to vary the budget for legal fees, should this be necessary, in order to reflect the likely need for additional legal support to the Interim Monitoring Officer; and
- 3) That, for the present time, Lincolnshire County Council Legal Services be identified as Solicitor to the Council.

16. REAPPOINTMENT OF INDEPENDENT PERSON

Consideration was given to the report of the Assistant Director – Governance (Monitoring Officer) which sought approval for the re-appointment of the Independent Person.

DECISION:

That the current Independent Person, Mike Sofianos, is reappointed for the period 12 May 2022 until the annual Council meeting in May 2024.

17. LICENSING PANEL AND PANEL OF THE COMMITTEE OF THE LICENSING AUTHORITY

Consideration was given to the report of the Head of Public Protection and Deputy Monitoring Officer, which asked to consider varying the Constitution to allow the appointment of a substitute member for each Panel meeting.

DECISION:

That the Constitution be varied, as shown in Appendix A, to allow a substitute member to be appointed for each meeting of the Licensing Panel, and the Panel of the Committee of the Licensing Authority.

18. POLITICAL GROUP REGULATIONS, COMMITTEE/OUTSIDE BODY MEMBERSHIP REVIEW AND 2022/23 SCHEDULE OF MEETINGS

Consideration was given to the report of the Assistant Director Governance (Monitoring Officer) which asked the Council to confirm: a) In accordance with the Local Government (Committees and Political Groups) Regulations 1990, appointments to committees and outside bodies and to review membership; and b) To agree the 2022/23 Schedule of Meetings.

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The Assistant Director Governance (Monitoring Officer) presented the report and advised that the following additional recommendation be considered:

That delegated authority be granted to the Chief Executive in consultation with the Chairman to amend or cancel meeting dates as necessary, subject to compliance with any constitutional requirements where an agenda has already been published.

DECISION:

- 1) That the following Committees be appointed in accordance with political group regulations:
 - Planning Committee;
 - Governance and Audit Committee;
 - Performance Monitoring Panel;
 - Policy Development Panel;
 - Licensing Committee;
 - Committee of the Licensing Authority;
 - Chief Officer Employment Panel
 - Chief Officer Employment Appeals Panel
 - Shared Memorandum of Agreement Committee;
- 2) That the following Committees be appointed without being politically balanced:
 - Standards Panel;
 - Appeals Panel;
 - Settlements Agreements Sub-Committee;
 - Independent Panel
- 3) That the Councillor Development Working Group be re-appointed to, reflecting cross party membership;
- 4) That no changes be made to the current Committee and Panel membership as set out in Appendix A, and Outside Body membership as set out in Appendix B;
- 5) That Councillor H Bingham be appointed to the currently vacant position of Vice-Chairman to the Governance and Audit Committee;
- 6) That Council meeting dates be approved, and the proposed dates for Cabinet and Committee meetings for the Council

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Municipal Year 2022/23 be noted, as set out in (Appendix C);
and

- 7) That delegated authority be granted to the Chief Executive in consultation with the Chairman to amend or cancel meeting dates as necessary, subject to compliance with any constitutional requirements where an agenda has already been published.

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

There were no further nominations, and there were no further proposed changes to the Constitution.

20. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

21. COMMITTEE MINUTES (RESTRICTED)

No discussion was required on this item and it was therefore not necessary to exclude the Press and Public from the meeting.

The minutes of the Performance Monitoring Panel – 16 March 2022 (exempt minute) were noted.

(The meeting ended at 7.27 pm)

(End of minutes)