



AGENDA

CABINET

MONDAY, 8 NOVEMBER 2004

10.30 AM

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,
GRANTHAM**

Duncan Kerr, Chief Executive

CABINET MEMBERS:	Councillor Mrs. Linda Neal (Leader), Councillor Peter Martin-Mayhew (Deputy Leader/Portfolio: Housing), Councillor Teri Bryant (Portfolio: Community Affairs), Councillor Ray Auger (Portfolio: Environmental), Councillor Paul Carpenter (Portfolio: Technology), Councillor Mrs Frances Cartwright (Portfolio: Cultural) and Councillor John Smith (Portfolio: Economic)
Cabinet Support Officer:	Lena Shuttlewood tel: 01476 406119 e-mail: l.shuttlewood@southkesteven.gov.uk

Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following page. Key decisions are marked *.

- 1. Apologies**
- 2. Minutes**
To approve the record of the Cabinet meeting held on 11th October 2004.
(attached)
- 3. Declarations of Interest (if any)**
- 4. Completing the Prioritisation Process and Citizens Advice Bureau Funding (Resources & Criteria)**
Report by the Chief Executive to follow if required following the Council meeting on 28th October 2004.
- 5. *Waste Minimisation Strategy**
Report number WCS1 by the Head of Waste & Contract Services. **(attached)**
- 6. *Customer Service Standards**
Report number CSV33 by the Customer Services Manager. **(attached)**
- 7. Delivery of Leisure Facilities**
Report number LAC132 by the Head of Leisure & Cultural Services. **(attached)**
- 8. Parish Council Election Costs**
Report number DEM197 by the Elections & Electoral Registration Manager.
(attached)
- 9. 2004/05 Best Value Performance Plan: Audit of 2003/04 Performance Indicators**
Report number DOS257 by the Director of Operational Services. **(attached)**
- 10. Matters Referred to Cabinet by the Council or the Development & Scrutiny Panels (if any)**
- 11. Items raised by Cabinet Members including reports on Key and Non Key Decisions taken under delegated powers.**
- 12. Representations Received from Members of the Public on Matters within the Forward Plan (if any)**
- 13. Representations received from Non Cabinet Members**
- 14. Any other business which the Chairman, by reason of special circumstances, decides is urgent**



MEETING OF THE CABINET
11 OCTOBER 2004 - 10.30 AM – 12.46 PM

PRESENT:

**Councillor Peter Martin-Mayhew
Councillor Terl Bryant
Councillor Ray Auger
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright**

Councillor Mrs. Linda Neal – Leader / Chairman

**Chief Executive
Director of Finance & Strategic Resources
Director of Community Services
Corporate Manager, HR & Organisational
Development
Head of Environmental Health & Licensing
Member Services Manager
Training Manager
Elections & Electoral Registration Manager
Environmental Health Manager (Environment)
Public Relations Consultant**

**Non-Cabinet Members : Councillors Mrs D. Dexter ;
N. Dexter ; G. Taylor ; G. Wheat ; J. Wilks**

**CO50. URGENT ITEM: REPRESENTATIONS FROM RESIDENTS OF
COLSTERWORTH**

The Leader stated that a letter requesting to speak had been received from Mr. Chris Townson of 33 High Street, Colsterworth. Mr Townson wished to address the Cabinet on the issue of placing homeless people in dwellings

adjacent the properties occupied by many very elderly residents in Newton Court, Colsterworth. The Leader exercised her discretion and sought the Cabinet's agreement to acceding to this request under urgent business having regard to the strength of feeling and concern amongst the local community.

The Cabinet, with the exception of Councillor Martin-Mayhew, agreed to allow Mr. Townson to speak. Mr. Townson was permitted to address the meeting for five minutes during which he stressed the fear and concern of local elderly residents, some of whom were in their eighties, concerning the placing of homeless people in Newton Court properties. Such people often had a history of personal and social problems and these issues should be taken into consideration before placing them in close proximity to elderly and vulnerable residents. He referred to advice from the Government's Housing Minister that homeless cases should not be housed next to vulnerable people and mentioned lack of police resources to enforce additional anti-social behaviour orders.

Mr. Townson was constrained from completing his presentation by the five minute time limit. He was therefore invited to submit his written notes to the Cabinet to be considered after the meeting.

CO51. APOLOGIES

Apologies for absence were received from Councillor John Smith.

CO52. MINUTES

The minutes of the meeting held on 6th September and the special meeting held on 20th September 2004 were confirmed as a correct record.

CO53. DECLARATIONS OF INTEREST

There were no declarations of interest.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972 it was resolved that the public be excluded because of the likelihood in view of the nature of the business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 7 and 9 of Part 1 of Schedule 12A of the Act. With the public excluded, the following item was considered.

CO54. STAR LANE TOILETS

[Decision to declare the site surplus to requirements taken by Councillor Peter Martin-Mayew: Portfolio – Housing Services. Decision on the disposal taken by the Leader.]

DECISION:

- (1) That the Star Lane toilets in Stamford are surplus to the Council's requirements;**
- (2) That the site now proceed to disposal to the highest bidder;**
- (3) To acknowledge the request from the Stamford Town Council regarding refurbishment and costs allocated to a Special Expense Area and to explain the reasons why this is not considered a feasible option.**

Considerations/Reasons for Decision:

- (1) Report number CEX256 by the Chief Executive [exempt report by virtue of paragraphs 7 and 9 of Schedule 12A of the Local Government Act 1972] on the receipt of tenders for the disposal of the public toilets at Star Lane, Stamford;**
- (2) The Cabinet does not wish to compromise the Council's existing policy of one high quality attended facility at each town;**
- (3) The highest tender received meets the evaluation criteria.**

Other option considered and assessed: Request from Stamford Town Council to refurbish the toilets and the cost allocated as a Special Expense Area for Stamford.

Reasons for refusal:

- (1) The size of the facility would mean that the only redevelopment option would be for three uni-sex toilet cubicles**
- (2) With the knowledge of the relative unpopularity of the automatic public conveniences, such a facility may not be popular enough to justify the capital and future revenue costs. Unattended facilities present a significant risk of vandalism which is both costly and presents a poor image of the town to visitors and residents. The Council has a duty of care to members of the public using the facilities, having regard to past experience of abuse and misuse of public toilets;**
- (3) The allocation of costs to a Special Expense Area could have capping implications for the District Council;**
- (4) The Stamford Town Council has not presented sufficient evidence to indicate that the majority of Stamford Council Tax payers would be prepared to pay an additional amount on their Council Tax bill for this facility.**

CO55. *PEOPLE MANAGEMENT & WORKFORCE DEVELOPMENT STRATEGY

DECISION: That the Cabinet

- (1) endorses the People Management Vision underpinning the draft documents: "*People feel valued and their full potential is harnessed through recognising them as human beings and not simply a resource. People are proud of the organisation and choose to work for its success*";
- (2) agrees that Human Resources be positioned within the organisation as illustrated on page three of the People Management Strategy i.e. to move towards a more strategic role and become less interventionist by the end of 2005/06;
- (3) agrees the overall structure of the Strategy document and the contents of both the Strategy and the Workforce Development Plan and commends these documents to the Council for formal adoption at its meeting on 28th October 2004.

Considerations/Reasons for Decision:

- (1) Report number HR&OD71 by the Corporate Manager Human Resources & Organisational Development and appended draft People Management & Workforce Development Strategy. The Strategy is a base document on which the Workforce Development Plan is based;
- (2) The People Strategy concerns the management and development of members (as leaders) and employees;
- (3) These documents are linked to the Council's corporate planning arrangements and to the Local Government Pay and Workforce Strategy. The strategy includes issues of importance which have been identified locally.

CO56. *BUDGET CONSULTATION 2005/06 AND MEDIUM TERM FINANCIAL STRATEGY

[Decision taken by the Cabinet collectively]

DECISION:

- (1) To endorse the Medium Term Financial Strategy and to build in a 6% Council Tax increase and to re-coup Special Expense Area expenditure over three years into the budget preparation process;
- (2) The Director of Finance & Strategic Resources to request the County Treasurer considers holding the joint budget consultation

meeting at a venue outside Grantham this year.

Considerations/Reasons for Decision:

- (1) Report number FIN208 by the Director of Finance & Strategic Resources which considers the updated medium term financial strategy (MTFS) for the period 2005/06 to 2009/10 and examines the main influences on the budget preparation for 2005/06;
- (2) The main issues facing the Council in terms of preparing the current MTFS. Progress was made in all these areas within a 6.2% rise in Council Tax which did not attract capping from the Government;
- (3) An assessment of the Council's position relative to its current financial strategies;
- (4) The complexities of assessing future levels of government grant; the Director's recommendation that an annual figure of 2% increase on a like for like basis is a prudent assumption for financial planning;
- (5) Estimated budget requirements for 2005/06 to 2009/2010, including Special Expense Area expenditure;
- (6) The following assumptions: Government grant increase – 2% per year; Tax base – 1% increase per year; Council Tax - 3% increase per year;
- (7) The need for estimated budget requirements to deliver the resources for stepped improvements in the Council's identified priorities. The assumption is that the identified costs associated with the non-prioritisation of services will be realised. If not, the budget requirement will remain higher than desired;
- (8) Expected use of reserves for future years to help fund stepped changes in service improvement;
- (9) The comments of the Capacity & Resources DSP concerning a 6% Council Tax increase and to re-coup the SEA expenditure over a three year period;
- (10) As the budget affects all residents of South Kesteven, the joint consultation meeting with the Lincolnshire County Council, the Police Authority and this Council should be held at an alternative venue this year.

CO57. *COMPLETING THE PRIORITISATION PROCESS

[Decision taken by the Cabinet collectively]

DECISION: That the Cabinet recommends to Council the approval of the following aspects of report CEX235 in order that it can progress with the delivery of its priorities:

- A. The weighting, assessment and scoring of all Council services as set out in paragraphs 3.1 and 3.5.**

- B. The resultant classification of services into priority categories as set out in paragraphs 3.5 and 3.8, with the amendment that car parks and public toilets move from Category Y up to Category B;
- C. All targets and service standards as detailed in the table in paragraph 5, with the amendment that for car parks reference is made to the provision of a new multi-storey facility in Grantham.

Considerations/Reasons for Decision:

- (1) Covering report number CEX255 by the Chief Executive and appended report CEX235 which was agreed by the Cabinet on 12th July 2004 as a consultative draft on the completion of the prioritisation process;
- (2) The views of the Local Area Assemblies and the Development and Scrutiny Panels upon the issues detailed in the consultation draft;
- (3) Proposed savings of £469,000 to be made from non-priority areas that will contribute to the £700,000 investment into the Council priorities.

CO58. *A CHECKLIST FOR GRANTHAM AS A SUB REGIONAL CENTRE

[Decision taken by the Cabinet collectively in the absence of the Portfolio Holder, Councillor John Smith.]

DECISION: To

- (1) approve the amended Checklist for Grantham for the purpose of monitoring progress towards achieving Grantham as a Sub-Regional Centre;
- (2) request the Economic & Cultural Development & Scrutiny Panel to consider the checklist at the meeting scheduled for 11th November 2004 and report back their comments to Cabinet if necessary;
- (3) thank those partners who contributed ideas and comment during the consultation period.

Considerations/Reasons for Decision:

- (1) Report number DCS9 by the Director of Community Services following the consultation process on the criteria for judging progress towards the development of Grantham as a Sub-Regional Centre (having previously been approved by Cabinet on 9th August 2004);
- (2) Details of the main consultation groups and the comments that had been made. The checklist has been amended to reflect these points

- (attached as an appendix to report DCS9);
- (3) The timetabling of meetings has meant that the Economic & Cultural Development & Scrutiny Panel has not yet had an opportunity to comment on the checklist.

CO59. *REVIEW OF PERFORMANCE TARGETS FOR BVPIS INCLUDED IN SKDCS 2004/05 BEST VALUE PERFORMANCE PLAN

[Decision taken by the Cabinet collectively]

DECISION: To agree the amendments to the current year performance targets as shown in appendix 1 to report DOS255 and the Council be recommended to endorse these amendments as part of the annual Best Value Performance Plan.

Considerations/Reasons for Decision:

- (1) Report DOS255 by the Director of Operational Services referring to the best value regime which requires all local authorities to set annual targets for their performance against a range of specified performance measures;
- (2) Targets are set having regard to factors which apply at that time i.e. at the beginning of the year. It is therefore sensible that targets should be reviewed and where necessary, with sound justification, amendments made to reflect current circumstances.

Other Options considered and assessed: At the heart of best value is the performance management framework. Central Government uses key performance data to assess local government's progress under best value generally. It expects local authorities to also set itself stretch targets, which bring about service improvements and efficiencies. It also expects that targets are realistic and achievable. Where this Council's performance is already outstripping current year targets it is sensible to encourage further improvement; similarly if any current year targets are patently unattainable amendments should be made to properly reflect the current situation.

CO60. *CITIZENS' ADVICE BUREAU FUNDING 2005/06

[Decision taken by the Cabinet collectively]

DECISION: That the Cabinet recommends to Council the following:

- (1) The Citizens' Advice Bureau (CAB) be informed that the current year's Council grant is the final payment within the existing

agreement;

- (2) **The CAB be informed that, given their failure to meet the criteria set in the previous three years, their funding request for £135,000 for 2005/06 is not accepted;**
- (3) **That the Cabinet considers proposals for a housing quality marked debt advice service to become operative if the CAB can no longer provide a service in South Kesteven.**

Considerations/Reasons for Decision:

- (1) Report number FIN 209 jointly prepared by the Director of Finance & Strategic Resources and the Chief Executive which referred to the request of grant aid from the CAB for 2005/06 of £135,000 and continued rent free accommodation in Stamford;
- (2) From the information available, it appears that the CAB had not met all the criteria set by the Council in order for it to receive continued funding from the authority. In particular, the quality mark status had not been secured for the whole organisation by the requisite deadline of March 2004. The Quality Mark status obtained (as reported to the Capacity & Resources DSP on 30th September 2004) relates to general help advice. It was the intention of the Council that the Quality Mark status achieved should be at a level that would enable the CAB to bid for Community Legal Service funding
- (3) The bid for next year represents a considerable increase in expenditure. This has to be considered within the context of the completion of the Council's prioritisation process. The CAB's proposals do not offer any increase in the level of service provision previously set by the Council and there does not appear scope for reducing the level of grant aid requested unless the Council is minded to reduce the standard of service provision it has previously set;
- (4) The CAB was given an opportunity to make a presentation to members at the meeting of the Capacity & Resources Development & Scrutiny Panel on 30th September 2004. Following that presentation, the recommendation of the Panel was that the Cabinet does not support the bid for grant of £135,000;
- (5) There were two major non compliances and 29 other areas of non compliance by the CAB which despite assurances given on 30th September 2004, no evidence was submitted to demonstrate that it had addressed these significant and substantial areas of non compliance;
- (6) If, for any reason, the CAB is not able to provide a service after 1st April 2005, the Cabinet will need to consider whether the Council needs to provide any form of service to meet its obligations, particularly to persons at risk of becoming homeless. The estimated cost of either providing or procuring a debt advice service, potentially using volunteers where available, would be £50,000 per annum.

CO61. DOG WARDEN SERVICE

[Decision taken by the Cabinet collectively]

DECISION: To grant authority to advertise for a dog warden service in line with the local authorities' statutory responsibilities, including the flexibility to provide an out-of-hours service if the legislation is amended.

Considerations/Reasons for Decision:

- (1) Report number ENV216 by the Head of Environmental Health & Licensing on the background to the dog warden service and details of the current contract;
- (2) The statutory requirement for a dog warden service which has been classed as Category Y in the prioritisation process;
- (3) Current proposals by DEFRA to amend Section 150 of the Environmental Protection Act 1990 to give sole responsibility for stray dogs to the local authority. This would require that the local authority provide an out-of-hours service for the retrieval of stray dogs;
- (4) Details of the proposed new contract to collect and control stray dogs and deal with dangerous dogs which would have the facility for the Council to buy in additional services should these be required;
- (5) Awarding an output contract as proposed would provide a more efficient service for the public and may provide a cost saving. The saving would enable more effective in-house delivery for enforcement of dog fouling cases, integrated with other "street scene" enforcement.

Other options considered and assessed: Consideration has been given to a wide variety of options, including the enhancement of the warden service to increase enforcement patrols. Other options include the possibility of creating approved dog exercise areas; in providing dog-waste bins and poop scoop dispensers and increased education.

CO62. DISPOSAL OF LAND AT SWINGBRIDGE ROAD, GRANTHAM

[Decision taken by the Cabinet collectively]

DECISION: That 0.125 ha of land situated adjacent the Doctors' Surgery on Swingbridge Road, Grantham , or such amended site as may be required for the purposes of a Surestart Centre, be disposed of at less than best price in accordance with the General Disposal Consent 2003, for a nominal sum for the purposes of ensuring the delivery of a Surestart centre:

- subject to appropriate covenants relating to future usage, delivery etc.;

- subject to no adverse representations as a result of advertisement (disposal of open space); and
- subject to all relevant Council costs being met.

Considerations/Reasons for Decision:

- (1) Report number PPER001 by the Director of Community Services concerning the disposal of land at Swingbridge Road in Grantham at less than best price to Surestart (a Government initiative aimed at giving children aged 0 to 5 and their families the best possible start in life);
- (2) The Council is the Lead Partner for the Surestart programme within Grantham and the delivery of a Surestart centre in the Earlesfield ward (and similar provision within the Harrowby area) is consistent with the delivery plan submitted in September 2003;
- (3) The land has recently been declared surplus to housing requirements and as such is available for use for alternative purposes. The land appears suitable for the proposed Surestart centre, particularly given the relationship of the site to other community and nursery facilities;
- (4) Under its general powers of well-being, and given the leading role that Council has played in the establishment of the Surestart programme in Grantham, it is considered appropriate in this instance to dispose of the land for a nominal sum; this discounting effectively representing a contribution in kind towards the delivery of the centre;
- (5) The disposal can be appropriately covenanted to ensure use solely for the purposes of providing a Surestart centre.

Other options considered and assessed: Whilst it proposed that the land be disposed of for a nominal sum, an alternative valuation could be imposed, up to the unrestricted value identified by the District Valuer. However, the District Council, as Lead Partner of the Surestart programme has been fully supportive of the objectives of the programme, which will clearly enhance community well-being within what are recognised to be disadvantaged and vulnerable communities and, is consistent with the Council's broader aims and objectives. Disposal at nominal value, essentially represents a grant to the open market value of the land, towards the development of the centre.

A number of alternative locations in the locality have been considered. However, the present site, due to its close relationship to other community facilities, is considered to be the optimal location.

CO63. INCORPORATION OF LINCOLNSHIRE ENTERPRISE

[Decision taken by the Cabinet collectively.]

DECISION:

- (1) To note the incorporation of Lincolnshire Enterprise as a company limited by guarantee and take up membership of the Company, subject to confirmation of all funding contributions from members approached by Lincolnshire Enterprise for subscriptions;
- (2) To confirm the nomination of Councillor John Smith to represent the Council in its capacity as member of the Company when the Council has taken up membership;
- (3) To note the appointment by the Lincolnshire Local Government Association of Councillor Porter from South Holland District Council as Director of the Company for this year.

Considerations/Reasons for Decision:

- (1) Report number LEG170 by the Corporate Manager Democratic & Legal Services concerning Lincolnshire Enterprise, currently set up as a sub-regional strategic partnership which receives operational support from Lincolnshire County Council and receives subscriptions from local partners which includes all district/borough councils;
- (2) The decision to move to a company limited by guarantee was agreed in 2003 mainly to provide for an independent structure for the future which could lobby all interested parties in Lincolnshire to achieve the best possible deal for economic development in the sub-region. Under an arrangement with the Lincolnshire LGA, each local authority will be “paired” with another and one director will be provided from each pair on an annual basis. SKDC is paired with South Holland from which authority Councillor Porter has been nominated by the Lincolnshire LGA. As a member of the new Company, the Council has the opportunity to influence the regional economic agenda;
- (3) Appointing a member to represent the Council at member meetings will allow an opportunity for representation, without conflict of interest;
- (4) Allowance for the £12,000 contribution for 2005/2006 has been made in the budget prioritisation exercise.

CO64. ARMISTICE DAY

[Decision taken by the Cabinet collectively.]

DECISION: That

- (1) the Council gives notice that it supports the commemoration of Armistice Day by the “Two Minute Silence” in accordance with past practice;
- (2) Participation in the Silence to be encouraged but not imposed on either staff or visitors, save that those who choose not to participate be asked to respect the wishes of those who do.

Considerations/Reasons for Decision:

- (1) Report number DLS2 by Elections and Electoral Registration Manager seeking the Cabinet's views on how, if at all, Armistice Day and in particular the "Two Minute Silence" should be observed;
- (2) The Royal British Legion was seeking support from local authorities for the commemoration of Armistice Day;
- (3) Although the Cabinet acknowledges that for some service areas it is not feasible to observe the Silence, freedom of choice whether to participate is to be encouraged. Working within such constraints, the Council will make every endeavour to help people mark this event.

CO65. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

(1) Councillor Mrs Linda Neal - Leader

Decision: To award grant aid to the following voluntary groups/charities:

<u>Senior Citizens</u>	
Community Care for the Elderly	£1,000
<u>Other Awards</u>	
Age Concern, Deepings	£750
Alternatives (Grantham)	£150
Bourne & District Blind Club	£50
Over 60's Club (Deeping)	£125
Earlesfield Community Forum	£342
Grantham & District Sports Council	£25
Relate (Peterborough & District)	£250
Grantham Townswomen's Guild	£25
Grantham Branch U3A	£125
Welcome Club Over 60's	£50

[Decision made on 04.10.04]

(2) Councillor Peter Martin-Mayhew: Portfolio – Housing Services

Decision: To lift the Closing Order placed on 29 High Street, Little Bytham to enable this property to be returned to the private housing stock for the district.

[Decision made on 11.10.04]

Decision: To accept the lowest tender received from Mowbeck Construction Ltd. in the sum of £32,688 for building works and adaptations to the Council dwelling at 85 Churchill Road, Stamford.

[Decision made on 11.10.04]

(3) Councillor John Smith: Portfolio - Economic

DECISION:

- (1) That the Council endorses the Harlaxton Village Design Statement as a position statement, to be used to encourage appropriate development within the village. Subject to the amendments to the text suggested by the Conservation Officer, in particular the deletion of references to the document being approved as Supplementary Planning Guidance.
- (2) The document should be adopted as a Supplementary Planning Document in the future (along with other SPDs) and incorporated in the Local Development Framework (LDF) at an appropriate stage in the process. The document should clearly state that it is a position statement and that it will be included as a SPD in the LDF in the future.
- (3) To note the implementation date of the Planning and Compulsory Purchase Act 2004 and the impact of the new Act upon the work of the Planning Policy section. In particular the effect of the changes upon the preparation and adoption of a Local Development Framework.

[Decision made on 11.10.04]

DATE DECISIONS EFFECTIVE:

Decisions at minutes CO55, CO56, CO57, CO59, and CO60 are Policy Framework Proposals and therefore stand referred to the Council at its meeting to be held on 28th October 2004.

All other decisions as made on 11th October 2004 can be implemented on 20th October 2004 unless subject to call in by the following Development and Scrutiny Panels:

<u>Minute</u>	<u>Relevant DSP</u>
CO54(1)	Environment DSP
CO54(2)	Capacity & Resources DSP
CO58	Economic & Cultural DSP
CO61	Environment DSP
CO62	Capacity & Resources DSP
CO63	Economic & Cultural DSP
CO64	Capacity & Resources DSP
CO65(2)	Community DSP
CO65(3)	Environment DSP

**South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham,
Lincolnshire NG31 6PZ**

Contact: Cabinet Support Officer - Tel: 01476 406119
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REPORT TO CABINET

REPORT OF: Chief Executive

REPORT NO. CEX258

DATE: 9th November 2004

TITLE:	Provision of Advice Services in South Kesteven - 2005/6
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A
COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Councillor Linda Neal, Leader
CORPORATE PRIORITY:	Vulnerable People
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	N/A
BACKGROUND PAPERS:	N/A

Recommendation

That the Cabinet confirms that the contents of this report represent the outcomes for the communities of South Kesteven from the application of the fund determined by Council for the provision of advice services in 2005/6.

That the Chief Executive is given delegated authority to enter into negotiations on this basis and, in consultation with the Leader, to make minor changes to these criteria if necessary in order to reach agreement.

Budget for Advice Services in 2005/6

On Thursday the 28th October, Council approved the following resolution

“It is important that the Council recognises that the last payment has now been made to the Citizens Advice Bureau under the current funding agreement which ends on 31st March 2005. The Council’s existing budgeted commitment to funding has come to an end.

Because of the urgency of the situation from the Citizens Advice Bureau’s point of view and the importance of continuity of service to the community a budgetary decision needs to be made now rather than at the budget meeting in February 2005 – that could be too late for the Citizens Advice Bureau to maintain its service and related commitments.

I therefore move that the Council determines a budget of £50,000 for the financial year 2005/2006 for Advice Services in the South Kesteven area.

The determination of any applications within that budget will be a matter for the Cabinet who will need to ensure that outcomes from the Citizens Advice Bureau, or any other service provider are specified and monitored.”

Now that this budgetary provision has been made the Cabinet can consider the outcomes it would be seeking for the community from the application of this funding.

Outcomes in citizen advice can be assessed in a number of ways, including measures such as number of clients helped, amount of money received by clients as a result of assistance etc. Although such measures are useful indicators of the effectiveness of the CAB probably the key requirements relate to the quality advice and the accessibility of the service.

Quality of Advice

In view of the Quality Mark scheme operated by the Community Legal Services it is recommended that the Cabinet require that the service provider obtains and maintains accreditation of General Help level as a minimum.

Access

In the light of the needs of the District and patterns of settlement it is recommended that the Cabinet require that the service is open and available to the general public for:

9 hours per week in Stamford

6 hours per week in Grantham from the 1st April 2005 and 9 hours per week from the 1st October 2005.

3 hours per month in Bourne and the Deepings.

It is not proposed to specify actual times of opening since this will leave the service provider with the discretion to amend opening times to suit customer demands.

Monitoring

In view of the failure by the CAB to abide by the conditions set-down by the Council in 2002, it is proposed that the service provider submits a quarterly statement to the District Council confirming the following:

Opening hours and sites

Continued possession of the quality mark

Data on number of customers assisted and the nature of their enquiry.

Terms of Payment and length of the agreement

It is proposed that the payment be made in two half-yearly instalments, the second such payment being made on the conditions being met during the first quarter. Subject to this provision the agreement will be made for a one-year term

Delegation

In view of the time pressures I would propose that delegated authority is given to me as the Chief Executive, in consultation with the Leader, to make small changes to the terms set-out in this report in order to reach agreement with the CAB.

Duncan Kerr
Chief Executive

Agenda Item 5

REPORT TO CABINET

REPORT OF: HEAD OF WASTE AND CONTRACT SERVICES

REPORT NO. WCS1

DATE: 8TH NOVEMBER 2004

TITLE:	WASTE MINIMISATION STRATEGY
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Waste Minimisation Councillor R Auger
CORPORATE PRIORITY:	
CRIME AND DISORDER IMPLICATIONS:	None
FREEDOM OF INFORMATION ACT IMPLICATIONS:	None
BACKGROUND PAPERS:	

1. INTRODUCTION

The Waste Minimisation Strategy will be a key element of the Councils Waste Strategy. It seeks to identify areas where action and policies can affect the amount of waste collected.

2. RECOMMENDATIONS

That approval be given for the adoption of The Waste Minimisation Strategy

3. DETAILS OF REPORT

The proposed Waste Minimisation Strategy is attached

4. CONTACT OFFICER

**Garry Knighton – Head of Waste and Contract Services
Dawn Temple – Strategic Waste Policy Officer**

SOUTH KESTEVEN DISTRICT

COUNCIL

WASTE

MINIMISATION

STRATEGY

November 2004

WASTE MINIMISATION STRATEGY

Sustainable waste management relies on a successful waste reduction policy. Landfill Directive targets are tough demands to be met and the only way to meet them is to reduce the waste produced by the residents of South Kesteven.

Waste reduction is at the top of the waste hierarchy, and is at the core of any waste management strategy. However, it is recognised that there is a limit to the influence that we, as a Local Authority, can do. We have a duty to collect household waste placed out for collection, therefore waste minimisation depends on Central Government, industry, householders and Local Authorities to make it achievable. Central Government has increased legislation to try and allow Local Authorities to be more involved in the waste collection, including the Waste Minimisation Act 1998 which allows the Authority to specify the receptacle for collections and the Waste Strategy 2000 which highlights the need for waste minimisation.

Over the last fifty years there has been dramatic changes in lifestyle – more variety of products, the development of new materials and an increase in disposable incomes – which has led to a growth in waste produced. It is only more recently that it has been realised that this rate of growth must end, and that it cannot be sustained, not only for disposal issues – where will this waste go? – but for conservation of resources. There has to be a move towards waste reduction, meaning people are going to have to buy less initially and re-use more. This is a shift in the culture that we have created and raised our children in for the last half a century, therefore it is going to be a challenge to reverse. It requires education, from an early age, not only of householders but also Central Government, industry and Local Authorities.

For an immediate effect, a huge effort has got to be made by the householder. Their purchasing power can influence industry and Central Government to take long-term action, and their behaviour will form the trends of the future.

Waste minimisation is not easy, especially with the ‘throw-away’ culture that now exists, promoted by the large number of disposal products now on the market.

Of course, householders cannot be solely responsible for the long-term sustainability of waste management; Government has to play a key role in reversing the trend and ending this growth of waste. Central Government has to lead the way, and steps such as the implementation of the Waste Minimisation Act 1998, are working towards this aim.

ENVIRONMENTAL PROTECTION ACT 1990

This Act states that:

'...the authority may, by notice served on him, require the occupier to place the waste for collection in receptacles of a kind and number specified.' (Section 46, Subsection 1)

This enables us, as the Collection Authority, to state the receptacle for collection, i.e. black bags, and also limit the number that will be collected.

WASTE MINIMISATION ACT 1998

This allows Local Authorities to promote waste reduction schemes and campaigns, whilst supporting other legislation enabling Local Council's to determine the form of collection of waste and the receptacle in which it is collected. The Act's main priority is to give the powers to Local Authorities, both Waste Collection and Waste Disposal Authorities, to take steps to minimise the generation of waste (household, commercial and industrial).

WASTE STRATEGY 2000

This sets out Central Government's vision for managing waste and resources. It sets out the changes that are needed to deliver more sustainable development. It also highlights the waste hierarchy and its importance.

It strives to break the link between economic growth and increased waste.

It acknowledges the need for businesses, households, the community sector and local authorities to be involved for a successful waste management facility and structure.

Though household waste is only a small proportion of the waste stream, this Strategy sets recycling and composting targets for England and then individual statutory targets for local authorities.

PACKAGING DIRECTIVES

Waste reduction relies on the waste being minimised from the source. Many products are packaging excessively, but new Directives are aimed at targeting manufacturers in their behaviour. This reduces the waste passed onto the consumer, but also increases the energy and raw materials saved.

EU states are required to achieve certain packaging waste recovery targets. The Producer Responsibility Obligations (Packaging Waste) Regulations 1997 have been implemented, and should help to show a reduction in the packaging waste disposed of by householders.

OTHER EUROPEAN DIRECTIVES

The End-Of-Life Vehicles Directive states that vehicles should be designed with recyclability and re-use in mind, hence reducing the amount of waste produced from vehicles in the future.

The Waste Electrical and Electronic Goods Directive has made a proposal to minimise the environmental effect of waste electrical items. This has stated that recycling facilities have to be available and targets for re-use have been set for producers.

ZERO WASTE

A culture that sees all waste as a resource and therefore having value is a concept now being adopted by many Local Authorities.

The Government has yet to offer any guidance how this is going to be achieved, but the 'Zero Waste Charter' sets a number of targets including zero waste by 2020, and would require, from 2006, the banning of landfilling biodegradable waste that has not been pre-treated.

Though it is a desirable concept, it is still very unlikely to be achievable. Therefore it is necessary to work towards 'Minimum Waste'. This is whereby the amount of waste produced is kept to a minimum, and as much as possible thereafter it is re-used or recycled. South Kesteven will work towards 'Minimum Waste', working closely with the householders of the District.

TARGETS AND AIMS

South Kesteven in the past has seen a 3% growth in waste produced per annum, however, in 2003/4, there was for the first time a reduction in our total waste produced. Local Authorities are under increasing pressure for this to continue; therefore we must be working towards a zero growth in our waste produced from 2003/4 figures.

AIM: To maintain waste production at 2003/4 levels.

Under powers given to us as a Waste Collection Authority by the Environmental Protection Act 1990, we would be able to restrict the amount of waste we collect. This would be through limiting the number of bags collected. This could be a bold, yet successful, move to waste reduction. Many authorities already limit the amount of waste they collect (West Lindsey will not accept side waste).

A sensible number of bags would be three per household per week, as this is the average capacity of a 180 litre wheeled bin, which is popularly used by other authorities restricting the waste they collect. This would not only target waste reduction, but also increase recycling, since people would be more aware of the waste they produce and their responsibilities for its disposal.

A practical way of ensuring that this method works, the Council can issue each household with 3 black bags per week, but then will only collect the SKDC bags.

An alternative to combat waste increases is to make refuse collections on an alternative weekly collection. This would highlight to the public the necessity to reduce their waste output since they have increased storage responsibilities. Again this would have a strong impact on the recycling rate, as more people would be searching for alternatives for their disposal needs.

TARGET: To consider the possibilities of restricting the amount of waste collected from households.

The current arrangement for collection of garden waste is that residents have to pay for the collection, through the purchase of a green bag. This is an ongoing problem since many continue to place garden waste out in the black bags, therefore not paying the charges. It is believed that there is approximately 150 – 200 tonnes per annum of green waste disposed of in the incorrect way.

TARGET: To eliminate the abuse of the black bags for garden waste.

POLICY STATEMENT To introduce a labelling system whereby the collection staff attach a large sticker on the offending bag explaining why it has not been collected. Possible wording – 'THIS BAG HAS BEEN LEFT AS IT CONTAINS GARDEN WASTE. Please contact the Recycling Help line on 01476 406279 for details of your nearest retailer'.

Waste reduction involves public awareness and support, led by a strong educational campaign. The success of waste minimisation is teaching the

public about being more aware of their shopping power, their effect on waste production and the subsequent effect they have on the environment - locally, nationally and globally. However, the problem lies in the fact that many people see waste as the Council's responsibility, and do not want to take ownership of the problem.

TARGET: To have a continued waste awareness campaign aimed at ALL residents of South Kesteven. The target of the campaign should be educating people of their powers and decisions open to them. Shoppers should be educated on smart shopping techniques and reducing their waste production. This aim is therefore to reduce the amount of waste produced. The effectiveness of this can be measured through careful monitoring of the tonnages collected from the area of the campaign. The success of an educational campaign is long-term, and therefore short-term targets are difficult to set and monitor, however, if the waste levels do not continue to rise, in line with economic growth (approximately 3% per annum), then the education can be deemed a success.

There are a number of areas which can be targeted for campaigns, such as home composting, using washable nappies, furniture re-use schemes, smart shopping advice and junk mail reduction companies. These can be done as individual projects or as a waste minimisation general campaign.

AIM: To promote home composting and aim to sell 500 composters per annum.

TARGET: To promote washable nappies, encouraging links with the local hospitals and maternity groups. We should maintain working relationships with the Waste Reduction and Recycling Group and joint working to promote the use of real nappies.

TARGET: To promote and encourage community groups to re-use furniture rather than sending them to landfill. The aim is to reduce furniture disposal via the bulky item collection.

TARGET: To encourage people to register with Mail Preference Service (MPS) to reduce the amount of unwanted mail they receive.

Work is also being done with children to promote waste awareness, including reduction, reuse and recycling. This involves the Recycling Officer visiting schools and children's groups such as Cubs and Brownies, and making presentations about waste, also papermaking and 'waste crafts'.

AIM: To visit 50 schools and children groups per annum to promote the Three R's, but mainly waste reduction.

The success of a campaign relies much on targeting the type of promotion to the right type of audience, from children to householders, schools to businesses. This will allow the success of the campaign to be accurately measured, and therefore being able to assess the future benefit of similar promotional initiatives.

As part of the long-term promotion of waste issues, including waste minimisation, recycling, flytipping etc. the Council has purchased a promotional trailer. This allows officers to interact with members of the public in a novel and unique way. The trailer can be easily adapted to focus on different audience groups, from school children to young mothers to businesses. It is recognised that the campaign needs to be specific to the audience at the time, and therefore the design of the trailer will allow this to be possible. The trailer will be used at a variety of locations in order to reach these audience groups.

There are many ways to portray a waste reduction message, from the traditional leaflets and media, to more interactive methods, such as road shows, and the Internet. These will be used as felt suitable, and according to the budget implications at the time.

TARGET: To use a variety of media types to promote waste minimisation.

The Council does not currently collect business and commercial waste, however, it is believed that approximately 15% of businesses in South Kesteven are abusing the black bag collections. This would equate to approximately 165 tonnes of waste per annum.

TARGET: To approach the businesses of South Kesteven and ensure that they all have the correct Trade Waste arrangements in place, hence not abusing the black bag system.

RE-USE

In the past, it was everyday behaviour to make use of products as much as possible, with initiatives such as the deposit refund scheme for drinks bottles, milk man deliveries, and refillable containers, however, in recent years these have gradually disappeared. It has been recognised in the waste hierarchy that re-use is an essential part to a sustainable waste management plan.

TARGET: To promote the use of home delivery programmes to reduce the amount of packaging and waste produced, also to encourage the re-use of materials.

Many products are designed to be re-used, though due to the ease of other product availability, these are often not the consumers' first choice. Some products may have alternative uses after their initial use, such as plastic bags as bin liners, or glass jars as storage containers.

TARGET: To campaign to Central Government to enforce packaging rules.

TARGET: To educate the public on how to re-use items, rather than continue this 'throw-away' culture.

Other methods of re-use are through car boot sales, second-hand shops, and charity shops. There is also the possibility of a Furniture Exchange within the District, based in Sleaford. This would offer residents of South Kesteven the opportunity to donate their furniture to allow others to re-use it. This scheme also accepts furniture that does not meet fire regulations, as they have the staff to refurbish in order to meet the guidelines.

TARGET: To promote car boot sales and charity shops within the South Kesteven District Council area. To have a 'notice board' on the South Kesteven District Council web site with details of the local sales and shops. To ensure the public have knowledge of their options, and ensuring Council officers advise the public before arranging disposal.

TARGET: To support local charities and their re-use potential.

POLICY STATEMENT

South Kesteven District Council will promote re-use of goods, and encourage the establishment of facilities to enable goods to be re-used, repaired and exchanged.

Agenda Item 6

REPORT TO CABINET

REPORT OF: Customer Services Manager

REPORT NO. CSV33

DATE: 8th November 2004

TITLE:	Customer Service Standards
FORWARD PLAN ITEM:	Service Standards
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	16th July 2004
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Policy Framework Proposal

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	Access
CORPORATE PRIORITY:	Access
CRIME AND DISORDER IMPLICATIONS:	None
FREEDOM OF INFORMATION ACT IMPLICATIONS:	None
BACKGROUND PAPERS:	CSV5 – Report to Cabinet 8 Oct 01 – CS Charter CSV31 – Report to Cabinet 12 Jul 04 – CS Standard CSV32 – Report to Capacity & Resources DSP 9 Sep 04 – CS Standard

Introduction & Background

1. The Cabinet endorsed the principle of the Council's Customer Service Standards and referred it to consultation. Consultation has now taken place. This paper advises Cabinet of the results and seeks to start the process of adoption of the Standards.

Recommendation

2. That the Cabinet review the consultation comments below and agrees the recommendations.
3. That the Cabinet recommends to Council the approval of the amended Customer Services Standards as amended by Section 4.1 of this report.

Consultations & Comment

4. Consultation on the proposed Standards took place with internal and external consultees. Response from external consultees was minimal. Further internal consultees, including the Capacity and Resources DSP, have made the following observations:

Consultee	Suggestion	Recommendation
Cabinet	Advisory Wording. Consider wording to include such as "frivolous and vexatious" nature of a customer enquiry.	Appropriate phraseology requested from the "Plain English" Campaign and included. Advisory Wording amended.
Capacity & Resource DSP	Point 3. Recommends the removal of "wear name badges and gives names so you know who you are talking to" from point 3 because it is fundamental to the safety of Council staff that in some services, members of staff cannot be personally identified.	In line with current local authority best practise, the current policy is that Customer Service advisors have name badges which only display their forename for staff safety reasons. Other members of staff who deal with the public face-to-face may wear forename only namebadges at their manager's discretion. No change to Point 3
Service Managers	Point 5. Suggests the inclusion of the phrase "90% of the time".	Ten rings is sufficient time for all telephones to be answered. No change to Point 5
	Point 7. Suggests the addition of the phrase "in Plain English"	This supports the Council's adherence to the Plain English Campaign, but would mean little to a customer. No change to Point 7.

4.1 During the consultation process it has occurred to me that the service standards should include the following:

“Provide and advertise appropriate out-of-hours provision to deal with designated emergencies”. To be monitored by an annual audit.

Comments of Director of Finance and Strategic Resource

5. None

Comments of Corporate Manager, Democratic and Legal Services (Monitoring Officer)

6. None.

Conclusion

7. The Council benefits from corporate Customer Services Standards which are applicable to all services that are provided. Customer Service Standards declare the corporate expectations to all users of Council services. The Standards remind staff of the importance of customer service corporately and the minimum standard they are expected to deliver.

Contact Officer:

**Jackie Mills,
Customer Services Manager
Telephone/e-mail address: 01476 406200, j.mills@skdc.com**

Annex:

- A. Customer Services Standards including performance monitoring methodology.
- B. Public Version of Customer Services Standards

ANNEX A

SOUTH KESTEVEN DISTRICT COUNCIL

CUSTOMER SERVICE STANDARDS (INTERNAL)

<u>WE WILL -</u>	<u>HOW WE WILL MEASURE THIS</u>
• Respond to your needs in a polite and helpful way.	Customer feedback and satisfaction survey
• Listen and consider your needs as a valued customer.	Customer feedback and satisfaction survey
• Dress appropriately, wear name badges and give names so you know who you are talking to.	Visual check
• Have private interview facilities available if you require them.	Customer feedback
• Answer telephone calls within 10 rings.	Use telephony software and set up performance monitoring tool
• Answer 80% of your enquiries at first point of contact or tell you why we can't.	Set up performance monitoring tool.
• Answer your letters within 10 working days of receipt.	Set up performance monitoring tool
• Acknowledge your e-mails within 1 working day of receipt, and answer within 8 working days of receipt.	Set up performance monitoring tool
• Provide easy to understand information in a suitable format.	Seek to gain the Crystal Mark for all public documents and forms
• See you within 10 minutes of your appointment time.	Customer feedback
• Investigate any complaint you may have by following the Council's complaints procedure.	See Complaints Procedure
• Inform all sections of your changes and major events on your behalf with your permission.	Set up performance monitoring tool

AS A CUSTOMER THE COUNCIL EXPECTS YOU

To treat Council staff and contractors properly without violence or abuse. Council staff have the right to carry out their duties without fear of being attacked or abused. Violent and/or abusive customers will be reported to the police and added to the Council's Violence To Staff Incident List. Our Customer Service Standards will not apply to you if you are violent or abusive, or make a complaint that is not justified or made only to cause a nuisance.

These are the Customer Service Standards that the Council and its contractors will deliver.

SOUTH KESTEVEN DISTRICT COUNCIL

CUSTOMER SERVICE STANDARDS

We will:

- Respond to your needs in a polite and helpful way.
- Listen and consider your needs as a valued customer.
- Dress appropriately, wear name badges and give names so you know who you are talking to.
- Have private interview facilities available if you require them.
- Answer telephone calls within 10 rings.
- Answer 80% of your enquiries at first point of contact or tell you why we can't.
- Answer your letters within 10 working days.
- Acknowledge your e-mails within 1 working day of receipt, and answer within 8 working days of receipt.
- Provide easy to understand information in a suitable format.
- See you within 10 minutes of your appointment time.
- Investigate any complaint you may have by following the Council's complaints procedure.
- Inform all section of your changes and major events on your behalf with your permission.

AS A CUSTOMER THE COUNCIL EXPECTS YOU

To treat Council staff and contractors properly without violence or abuse. Council staff have the right to carry out their duties without fear of being attacked or abused. Violent and/or abusive customers will be reported to the police and added to the Council's Violence to Staff Incident List. Our Customer Service Standards will not apply to you if you are violent or abusive, or make a complaint that is not justified or made only to cause a nuisance.

These are the Customer Service Standards that the Council and its contractors will deliver.

REPORT TO CABINET

REPORT OF: HEAD OF LEISURE AND CULTURAL SERVICES

REPORT NO. LAC 132

DATE: 8th NOVEMBER 2004

TITLE:	DELIVERY OF LEISURE SERVICES
FORWARD PLAN ITEM:	NOT YET
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	YES

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	CULTURAL
CORPORATE PRIORITY:	
CRIME AND DISORDER IMPLICATIONS:	LEISURE SERVICES CAN IMPACT POSITIVELY ON THE REDUCTION OF CRIME AND DISORDER
FREEDOM OF INFORMATION ACT IMPLICATIONS:	
BACKGROUND PAPERS:	

SOUTH KESTEVEN DISTRICT COUNCIL

DELIVERY OF LEISURE SERVICES

RECOMMENDATION

1. That consideration is given to appointing consultants to support the Council in the development of a trust option for the management of leisure services based on the brief attached to this report.

PURPOSE OF REPORT AND SUMMARY

2. At the meeting of the Cabinet held on 10 May 2004, following discussion on the establishment of an Industrial and Provident Society (IPS), it was resolved:

That further work be undertaken into the provision of a local IPS or other vehicle for the provision of other leisure and cultural services provided by the District Council;

To await a further report to the Cabinet authorising progress.

3. This report provides proposals for a consultant's brief to develop the concept of the delivery of leisure services through a not for profit distributing organisation (NPDO). It also provides briefing information on the history of this form of service delivery, current market trends, the involvement of the District Council to date, the reasons for using a NPDO and some of the major issues that will need to be addressed if progress is to be made.

THE NPDO – WHAT IS IT?

4. Essentially, the type of organisation that we are looking at is a charity. The legal meaning of the word "charity" is rather different than the ordinary meaning of generosity to the poor and needy. It encompasses other purposes that are for the benefit of the community as a whole. There are different types of organisation that can have charitable status and, for the sake of simplicity, they are described in this report as charitable trusts or social enterprises. This could refer to a trust, association, company or IPS.
5. A charitable trust provides a form of ownership distinct from traditional direct local authority provision and from profit-making private sector companies. They have their own legal status as a separate company, employing staff and leasing buildings. All facilities managed by a trust would therefore be leased, from the Council, to that organisation. This could include leisure and arts centres. This change of ownership allows the trust to pass the test of occupation that is required to establish eligibility for relief from non-national domestic rates. Such relief is a fundamental driver in any move to management by a trust. The trust retains a relationship with its parent local authority through a service level agreement in return for a guaranteed annual subsidy.

6. It is also important to understand that the Council's role in the management of the trust would be modest. Where a local authority leases land to a trust or industrial and provident society at less than market rent its representation on the board of that organisation would be limited to 20%. In the event that a market rent could be agreed with the NPDO the likelihood that the Council would still contribute revenue funding in excess of 50% of turnover would also limit representation to 20%.

THE EMERGENCE OF LEISURE TRUSTS

7. The use of leisure trusts to manage local authority leisure facilities is a relatively recent occurrence. The establishment of Greenwich Leisure Limited (GLL) in 1993 is often cited as the starting point. GLL is an IPS that was originally set up to manage seven leisure centres in the Borough of Greenwich. Today it has a portfolio of over 30 public leisure centres within the M25 belt. Expansion was not part of the organisation's original mission but it quickly found itself and its services in demand beyond the borough boundaries.
8. Greenwich Leisure is now recognised as London's most successful social enterprise and part of its adopted role is to help others follow in its footsteps by promoting public sector values with private sector freedoms. The public subsidy of leisure in Greenwich has declined and the company's turnover has increased tenfold. That turnover has not come at the cost of social equity. Discount card schemes have remained for poorer residents and employees' wages have improved.
9. Over 80 local authorities have now copied the Greenwich model, involving 9000 employees and the management of assets worth well in excess of £215m. More facilities are now in the hands of social enterprises than operated through contracts with the private sector.
10. Although the use of leisure trusts by local authorities has been most significant in the sporting sector it is by no means exclusive to this particular area of cultural activity. Trusts have been used for many years to deliver arts services although these tend to have developed independently from local government. Stamford Arts Centre, for example, was originally managed by a trust before being handed over to the District Council. However, as in sport, local authorities are now using trusts to manage arts facilities with a view to enabling development in a climate of financial constraint. An example can be seen at Northampton where, in 1994, the Council created a trust to manage the Derngate Theatre. At the time of the trust's creation the Council's annual subsidy to this facility was £1.02m. By 2001 this had reduced to £615,000. Clearly it is necessary to look behind these figures to gain an understanding of how this has been achieved. Generally, however, the combination of reduced rates with savings reinvested in the facility, and the increase in external sponsorship, has been responsible for the Council's improved financial position.
11. Trusts are also being used for the management of other local authority leisure services. At Wigan a single trust has been established to manage sports facilities,

sports development, arts facilities, arts development, parks and open spaces, playing fields, tourism, play services, libraries and festivals.

THE SOUTH KESTEVEN EXPERIENCE

12. Since the completion of the leisure best value review consideration has been given to alternative methods of managing cultural facilities. It was originally believed that the establishment of a trust to manage facilities part way through an existing management contract was unlikely to receive the blessing of the Charities Commission or the Financial Services Authority (which regulates IPS structures). Indeed this thinking was prevalent at the time of the review when we concluded that consideration of a social enterprise solution for leisure centres would have to wait until existing contracts expired in 2008. We concentrated our initial attention on arts facilities but were quickly distracted when a new type of trust emerged. This is now recognised as a hybrid and was developed by leisure contractors to provide the benefits of a trust to their clients. This allowed the company to retain contract management responsibilities, and, importantly, receive a slice of the savings. This model was promoted to the District Council by its current contractor, Leisure Connection Ltd., and ultimately, for reasons documented elsewhere, the Council chose not to follow this path. Other authorities have successfully adopted the hybrid approach although it is fair to say that it has not gained universal acceptance and is not as appealing as a local independent solution.

BENEFITS OF LEISURE TRUSTS

13. Leisure trusts are particularly well placed to undertake the provision of cultural services. Amongst the recognised benefits the following should be considered.

- The idea of “public” management, rather than “for profit” management is attractive to local authorities. There is a reassurance that profits can be reinvested rather than paid out in dividends.
- Local authorities tend to provide leisure facilities for the benefit of local communities with the aim of improving the quality of life. This objective is matched perfectly by the Recreational Charities Act.
- There are several financial consequences of converting to leisure trusts.
 - Charities do not need to charge VAT on entrance charges to leisure facilities. Whilst this will increase receipts by 17.5% it has to be borne in mind that VAT exemption cannot be gained on capital works.
 - Charities receive mandatory exemption from National Non Domestic Rates of 80% with the remaining 20% relief being discretionary. This is where most of the savings that allow facilities to be improved are made.
 - Profits made by charities are exempt from corporation tax.
- The use of trusts for the management of leisure services, rather than local authorities, has significant appeal to would-be sponsors.
- Trusts have access to some pockets of funding that are denied to local authorities.
- The community takes greater ownership and interest in the operation and management of leisure facilities.

RISKS

14. The principal risk that a local authority exposes itself to in transferring assets to a trust is financial failure of the new organisation. In such circumstances more money has to be invested to rescue the ailing company or take the service back in house. This is something that can generally be mitigated by thorough preparation and business planning.
15. An often-cited risk is a change in the law that may prevent trusts from gaining the benefits of rate relief. There is no evidence to support this. Indeed the Government is a staunch advocate of social enterprise and often quotes GLL as a standard bearer. In doing so it regularly champions the benefits of such organisations including the availability of rate relief.
16. There is also support for conversion to trusts from the Audit Commission. Consideration of the use of trusts in leisure management is a feature of current CPA inspections.
17. Last year the Office of the Deputy Prime Minister published a technical advice note on the use of NPDO's. This is a factual document that explains the history and issues raised by the use of social enterprise. It also contains information on the risks associated with NPDO's. The whole document can be accessed here http://www.odpm.gov.uk/stellent/groups/odpm_localgov/documents/page/odpm_lo_cgov_026960.pdf

COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

18. The report proposes a sensible way forward to consider this key issue.

COMMENTS OF CORPORATE MANAGER DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)

19. Further work is needed to establish the most appropriate vehicle for the provision of the diverse services listed in this report. Much work has already been carried out in respect of the provision of leisure management by way of IPS. This work has more specifically highlighted the pitfalls to be avoided. This report considers many more services. In consideration of all these services the Council must consider the many alternative vehicles available for provision of these services.
20. If charitable status is to be considered it is recommended on advice from the Charity Commissioners that the Council deals with any vehicle for the set up of the charitable body at arms length. It is essential the Council appoints independent consultants to advise on the most appropriate way forward."

MOVING FORWARD

21. A decision to develop a charitable trust, or trusts, for our leisure services will present several hurdles to overcome. From the outset there must be focus on what we want to achieve. There must be confidence that conversion to charitable status is a prize to covet and there must be an absolute commitment to winning

that prize. It would be disastrous to overcome the hurdles ahead and then not cross the winning post.

22. Whilst the trust route can provide significant flexibility and freedoms to the management of leisure facilities there is a responsibility on those setting them up to ensure that they are properly resourced. A trust is likely to struggle if the local authority sets it up simply to divest itself of cost and responsibility. Equally it is important for the local authority to be prepared to relinquish direct control of facilities and establish a healthy working relationship with the new organisation.
23. The process will engage the Council in a variety of issues. These are all identified in the consultant's brief that is attached to this report. Although the Council has a reasonable level of knowledge in this particular field it will be essential to seek specialist advice in order to make progress.
24. The process of transferring to a trust is complicated and a range of preparatory work will be required. In particular all facilities will need to be leased to the trust or trusts. In order to do that there will need to be a concentrated effort to secure appropriate tenure on existing assets. This will involve negotiations with organisations that have an interest in our current portfolio of assets, such as Lincolnshire County Council and Burghley Estates. There will also be issues in respect of other tenants in our buildings whose tenancies will transfer.
25. Staff will need to be consulted and would have to transfer to the new organisation. The Transfer of Undertakings (TUPE) regulations would apply.
26. The starting point is the engagement of consultants. Once we have a report the extent of the project will become clearer. The current budget contains financial provision of £15,000 for consultancy services for this purpose.

JOHN SLATER
HEAD OF LEISURE AND CULTURAL SERVICES
SOUTH KESTEVEN DISTRICT COUNCIL

SOUTH KESTEVEN DISTRICT COUNCIL

ESTABLISHMENT OF A LEISURE TRUST

BACKGROUND

1. South Kesteven District Council is considering the establishment of a trust or industrial and provident society with charitable objectives to operate some or all of the services currently provided by its Leisure and Cultural Services Section. Initially it is anticipated that the trust will take responsibility for the provision of arts facilities although it may be feasible to introduce other activity at an early date. A list of services is outlined in appendix 1.
2. The decision to move towards this model follows a best value review of leisure services and detailed consideration of proposals for use of an industrial and provident society (IPS) for the management of sports facilities in conjunction with an existing contractor. The IPS proposals failed because the Council was not convinced that the objectives of the organisation would provide sufficient community benefit to warrant charitable status. It would also have meant the IPS being inserted mid-term into an existing management contract. However the Council does believe that it is worth pursuing the provision of a wider independent trust with relevant objectives.
3. Like many local authorities the Council finds it increasingly difficult to fund a growing range of services. Leisure is an expensive service with a substantial portfolio of property and it is recognised that continued investment will be required if the service is not to be diminished. A recent exercise to establish priorities for the Council has identified some distinct issues that leisure services can support, although the service itself will not be one of these recognised priorities. Against this background the Council would like to establish a long-term solution for leisure that will provide a sustainable platform for service delivery.
4. This brief does not provide detailed information on the current legal status of the Council's leisure property portfolio and current management arrangements. These are diverse and interested parties are strongly recommended to contact the Council for further information. Contact details are given at the end of this document. The Council has not undertaken any work on the benefit of a single trust as opposed to two or more based on services or geography. Throughout this document the word trust should therefore be treated as both singular and plural.
5. The Council would like to be in a position to consider its options for the provision of a trust by the end of the current calendar year. It now seeks to appoint consultants to provide project management advice and support on all aspects of the following.
 - Establishing a mechanism for delivering services of the Council through the establishment of a not for profit leisure trust or trusts.
 - Transferring all services currently provided by the Leisure and Cultural Service Section to that trust.

- Transferring all services to an IPS.

OBJECTIVES

6. With the establishment of a trust the Council would like to address the following objectives.

- To establish a sustainable infrastructure for the long-term delivery of leisure services for the community of South Kesteven.
- To maximise financial advantage, and in particular access opportunities for savings and investment that may not currently be available to the District Council.
- To demonstrate innovation, efficiency and flexibility in the way services are managed.
- To establish a sense of 'ownership' amongst staff and customers with a view to improving morale, motivation, job satisfaction and ultimately the quality of service.
- To increase, and benefit from, community involvement in the operation and management of the facilities and services.
- To achieve exceptional value for the local taxpayer.
- To open up new funding opportunities for the development of leisure services in South Kesteven.

CONSULTANT'S ROLE

7. The consultant appointed by the council will undertake the following.

- Advise the Council on all issues relevant to the establishment of the trust and the subsequent transfer of all relevant leisure and cultural services to it.
- Provide advice on which model of not for profit trust would be most appropriate.
- Evaluate the advantages and disadvantages of establishing a single trust together with the option of a number of trusts based on individual services, geographical location, or a combination of services/locations and make recommendations to the Council accordingly.

- Develop a project plan, showing sequentially, all the necessary tasks that the Council must undertake to establish the new trust and transfer its assets to it – all to be within a workable and agreed timescale.
 - Provide advice on the composition, competencies, responsibilities and appointment of the board of the new trust – taking cognisance of FRS8 (statement of related parties).
 - Provide advice on the liabilities of members of the board.
 - Advise on a management and staffing structure for the trust giving particular attention to the possible piecemeal development of the organisation and the economies of scale that may only result after all services are transferred to, and operated by, the trust.
 - Draft the Articles of Association and applications and/or registrations with the appropriate bodies to establish the trust.
 - Provide advice on the transfer of existing staff to the trust including the relevance of the TUPE legislation and obligations on terms and conditions and pensions. Notwithstanding these obligations it is also important to provide an indication of appropriate terms and conditions for the trust to aspire to in respect of its staff generally.
 - Provide advice on the need to transfer property to the trust and to recommend the most appropriate method of transfer, if required, together with proposals for the maintenance of these assets.
 - Assist the Council in the development of a business plan for the trust to include consideration of branding and marketing issues at an early stage in the process of establishing the trust.
 - Provide advice on appropriate methods of accountability to ensure that the Council has confidence in the operation of the trust and to ensure that the two organisations enjoy a constructive relationship.
 - Identify any leisure service areas that would not be suitable for transfer to the trust and any services where transfer might incur significant risk.
 - Ensure that the trust is appropriately structured to gain maximum benefit from NNDR and VAT relief.
 - Provide advice on any other financial, taxation, legal or other benefits that the transfer of services to a trust may present.
 - Agree with the Council broad aims and objectives of the trust.
8. In providing this information consideration should also be given to any other issues that the consultants feel is relevant.

QUALIFICATION

9. In order to qualify for appointment consultants must be able to demonstrate and evidence a track record of helping local authorities establish, and transfer staff to, a successful leisure trust. They must also be able to provide specialist legal and financial advice.

DURATION

10. The Council would like to appoint a consultant as soon as possible and wants to be in a position to make a public decision on this issue by the middle of the next calendar year. That will require the bulk of the work to be completed by April 2005 to allow time for political consultation and fine-tuning of the proposals. The Council would also expect to be able to retain the appointed consultants to assist with the establishment of the trust if such a course of action proves to be required.

TERMINATION OF CONSULTANCY

11. It is proposed that the consultants be appointed under the terms of a contract for services that contain appropriate provisions for indemnity and termination in the event of any breach of the contract and non- performance. The contract will be for a fixed term which will determine at the end of that fixed period.

PRESENTATION OF PROPOSALS

12. Consultants Wishing to bid for this work should set out their proposals to show the following.

- How the objectives outlined in this document will be addressed.
- Details of how relevant experience and expertise can be brought to bear on this project.
- An outline work plan with associated timescales, resources to be deployed and outputs that would be delivered.
- The price for the work to show cost build up including expenses and all other overheads.
- The charge per day that would be levied if additional services are required.
- The desired method and timing of fee payments.

CONSULTANTS DETAILS

13. In submitting a tender to carry out this work please provide information as outlined below.

- Name of organisation
- Address
- Contact details
- Name of primary contact
- C.V's of relevant personnel
- Details of your organisation
- Two appropriate referees who may be contacted to verify your abilities
- A statement of confirmation that that you can carry out the work in the agreed timescale.

SUBMISSIONS

Three copies of your proposals together with relevant documentation should be sent to:

Head of Leisure and Cultural Services
 Council Offices
 St Peter's Hill
 Grantham
 NG31 6PZ

This should arrive no later than noon on ?????

For further information please contact John Slater on 01476 406150 or by email at john.slater@southkesteven.gov.uk

Electronic versions of submissions should be sent to the above email address after????

Submissions will be short listed and successful organisations will be asked to make a presentation to a panel on????

John Slater
 Head of Leisure and Cultural Services
 South Kesteven District Council
 Tel 01476 406150

SOUTH KESTEVEN DISTRICT COUNCIL
LEISURE AND CULTURAL SERVICES

LIST OF SERVICES

1. Guildhall Arts Centre Grantham
2. Stamford Arts Centre
3. Bourne Corn Exchange
4. Arts Development
5. Grantham Meres Leisure Centre
6. Stamford Leisure Centre
7. Bourne Leisure Centre
8. Deepings Leisure Centre
9. South Kesteven Sports Stadium
10. Sports Development
11. Play Services
12. Play Equipment (pending possible transfer of part of service)
13. Wyndham Park Grantham
14. Queen Elizabeth Park Grantham
15. Dysart Park Grantham
16. Harrowby Lane Playing Field Grantham
17. Arnoldfield Grantham
18. Recreation Ground Stamford
19. Empingham Road Playing Field Stamford
20. Uffington Road Playing Field Stamford

- 21. Recreation Ground Bourne
- 22. Langtoft Playing Field
- 23. Grantham Cemetery
- 24. Events management
- 25. Adoption and management of open space (part)
- 26. Closed churchyards (part)
- 27. Cycle facility Grantham

Agenda Item 8

REPORT TO CABINET

REPORT OF: ELECTIONS & ELECTORAL REGISTRATION
MANAGER

REPORT NO. DEM 197

DATE: 8th NOVEMBER 2004

TITLE:	PARISH COUNCIL ELECTION COSTS
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	
CORPORATE PRIORITY:	
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	N/A
BACKGROUND PAPERS:	CHIEF EXECUTIVE'S REPORT 1854 OF 22.12.94

PARISH COUNCIL ELECTION COSTS

1. INTRODUCTION

The purpose of this report is to present a proposal to charge in full for Parish Council elections with effect from 1st April 2005, except where elections are combined when the charge would only be the marginal extra cost. This report has arisen as a result of the work on investigating current expenditure on non-priority areas.

2. RECOMMENDATION

That the Cabinet consider whether or not to adopt a method of charging Town/Parish Councils for the cost of their elections and, if so, which of the alternatives to adopt.

3. BACKGROUND

- 3.1. Up to and including the 1991 elections, the Representation of the People Act 1983 (RPA83) made provision for the costs of Parish Council elections to be paid by the District Council but charged only on the Parish for which the election was held.
- 3.2. In November 1992, the law changed and the RPA83 was amended to give Districts the option of either bearing costs themselves or charging them to the relevant Parish Council. The RPA83 was, in fact, amended to read “..... shall, ***if the District Council so require***, be repaid to that Council by the Council for the Parish where the election is held.”
- 3.3. The practice up to the 1991 elections had been to share the cost of combined elections equally, with the exception of specifically attributable costs such as notices of poll and ballot papers. The whole cost of the election was charged if there was no concurrent ward election.
- 3.4. After the change in law in 1992, the local practice changed to a charge of only the marginal costs, i.e. excluding those which the District (or County) Council would incur in any event, e.g. hire of polling stations, printing of poll cards etc. In short, only the extra costs of holding a Parish election with a contested District ward election were charged to the Parish together with specifically attributable costs. This of course lowered the total sum due from the Parish.
- 3.5. In 1994, the Council changed to the current practice of bearing all the costs of Town/Parish elections, whether combined or not.

4. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

I am in agreement with the recommendation.

5. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES

No comments, other than the RPA83 provides the Council with a discretion with regard to the charging of Parish Council election costs.

6. ALTERNATIVES

The alternatives are:-

1. To maintain the status quo, whereby all costs are borne by the District Council.
2. To recharge all Town/Parish Councils with the full cost of their elections, except where there are combined elections when the marginal costs would be charged, together with specifically attributable costs.
3. To split all combined costs on a 50/50 basis.

M.L.HALL
Elections and Electoral Registration Manager

Agenda Item 9

REPORT TO CABINET

REPORT OF: Director of Operational Services

REPORT NO. DOS 257

DATE: 8th November 2004

TITLE:	2004/05 Best Value Performance Plan – Audit of 2003/04 Performance Indicators
FORWARD PLAN ITEM:	No
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	15th December 2003
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	PFP

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	ALL Councillor Mrs L. Neal Leader
CORPORATE PRIORITY:	ALL
CRIME AND DISORDER IMPLICATIONS:	Amendments made to certain crime category statistics for 2003/04
FREEDOM OF INFORMATION ACT IMPLICATIONS:	None
BACKGROUND PAPERS:	SKDC's Best Value Performance Plan 2004/05 approved by Council May 2004

1. INTRODUCTION OR SUMMARY

In accordance with Government legislation SKDC produced a Best Value Performance Plan (BVPP) for 2004/05. Council approved this document at its meeting on 27th May 2004. Thereafter the document was published both in hard copy and on the Council's website on the 30th June 2004.

The BVPP contains a large amount of information relative to SKDC's performance against the measures used by Government to monitor local authorities generally within the best value regime. Each year the District Auditor carries out an audit of the data within the plan to ensure compliance with the relevant act. Where alterations are required the Council is required to publish a list of the amendments.

The Council's Auditor has recently completed this audit and the required amendments to our BVPP are shown, with a brief explanation, in appendix 1.

These amendments will be published on the Council's website alongside the original BVPP in due course

2. RECOMMENDATIONS

In line with the Council's agreed performance management framework and the reporting requirements under the act Cabinet are asked to note the amendments made to SKDC's out-turn performance figures for 2003/04 as show in appendix 1

3. CONTACT OFFICER

K. Martin
Business Services Manager
01476 406211
e-mail k.martin@southkesteven.gov.uk

Indicator	Original Out-turn	Revised Out-turn	Reason for amendment
Corporate Health			
Payment of invoices within 30 days	99.55%	98.35%	Calculation error
Score against racial equality checklist	30.00%	31.58%	Wrong denominator used
Early retirements as a % of workforce	0.22%	0.21%	Wrong denominator used
% Staff with disabilities	7.17%	6.62%	Wrong denominator used
% Staff from ethnic minorities	0.87%	0.81%	As above
Energy consumption in operational property – electricity	90%	93.53%	Reporting error
Energy consumption in operational property – fossil fuel	140%	135.52%	Reporting error
Housing			
Proportion of LA homes non-decent as 1 April	17%	16.63%	Correction by DA to their calculation methodology
Change in % of non-decent homes in year	2.34%	14.49%	As above.
Satisfaction with participation in management – all tenants	52.1%	63.5%	Amendments made following confirmation from ODPM that 'don't know/no opinion' responses should be excluded from the calculations.
Satisfaction with participation in management – bmes	37.5%	50%	Amendments made following confirmation from ODPM that 'don't know/no opinion' responses should be excluded from the calculations.
Satisfaction with participation in management – non bmes	51.9%	63.1%	Amendments made following confirmation from ODPM that 'don't know/no opinion' responses should be excluded from the calculations.

Indicator	Original Out-turn	Revised Out-turn	Reason for amendment
Benefits			
Benefit cases processed correctly	97.70%	97.56%	Amendment made following consultation with DWP
Recovery of overpaid benefit	62.06%	62.36%	As above
Number of benefit claimants visited per 1000 caseload	122	156.2	Caseload number amended by DWP
Number of fraud investigators per 1000 caseload	0.26	0.18	As above
Number of fraud investigations per 1000 caseload	26.5	32.03	As above
Number of prosecutions/sanctions per 1000 caseload	1.5	1.72	As above
Satisfaction with contact in Benefit Office	76.3%	79.1%	Amendments made following confirmation from ODPM that 'don't know/does not apply' responses should be excluded from the calculations.
Satisfaction with service in Benefit Office	84.4%	85.1%	As above
Satisfaction with benefit telephone service	71.6%	73.1%	As above
Satisfaction with staff in Benefit Office	76.1%	81.8%	As above
Satisfaction with clarity of forms/leaflets	58.4%	59.3%	As above
Satisfaction with time taken for a decision	71.3%	72.5%	As above
Overall satisfaction with the Benefits service	78.3%	79.5%	As above
Environment			
Relevant land assessed for deposits of litter and detritus across 4 cleanliness categories.	21%	20.52%	Calculation initially rounded up, DA requires it to 2 decimal places
% of household waste recycled	12.1%	13.65%	Original figure was an estimate pending receipt of audited Lincolnshire County Council figure
% of population served by kerbside recycling	68.3%	69.26%	Wrong denominator for house numbers used.
Cost per household of waste collection	£40.19	£35.20	Original figure was an estimate, as SKDC accounts were not finalised at BVPP publication date.

Indicator	Original Out-turn	Revised Out-turn	Reason for amendment
Planning			
% of new homes on previously developed land	51.25%	51.04%	Calculation error
% of major applications processed in 13 weeks	51%	50.00%	Calculation error
% of minor applications processed in 8 weeks	54.2%	50.96%	Calculation error
% of all other applications within 8 weeks	74.1%	70.66%	Calculation error
Cost per head of population	£5.15	£8.50	Original figure was an estimate as SKDC accounts were not finalised at BVPP publication date plus RO forms on which calculation is based has been redesigned in year.
% of decisions delegated to officers	92.4%	92.57%	Calculation error
Community Safety			
District Audit is instructing us not to report any data on BVP1s 127a-d, the violent crimes PI. They are not happy with the completeness and veracity of the information provided by Lincolnshire Police Authority. This will apply to all the Lincolnshire Districts. Figures for burglaries and vehicle crime are not affected			
Community Legal Service			
Legal and advice expenditure on Quality Mark services	43.3%	46.1%	Grant to Shelter overlooked in original calculation

Notes:

ODPM – Office for the Deputy Prime Minister
 DWP – Department of Works and Pensions
 RO – Revenue Out-turn
 DA – District Audit