



MEETING OF THE CABINET
6 SEPTEMBER 2004 - 10.30 AM – 12.00 PM

PRESENT:

Councillor Peter Martin-Mayhew
Councillor Teri Bryant
Councillor Ray Auger
Councillor Mrs Frances Cartwright
Councillor John Smith

Councillor Mrs. Linda Neal – Leader / Chairman

Chief Executive
Corporate Director of Finance & Strategic Resources
Corporate Director of Operational Services
Corporate Director of Community Services
Head of Cleansing and Contract Services
Head of Property Services (Design)
Solicitor to the Council
Business Services Manager
Management Accountant
Environmental Health Technician
Public Relations Consultant
Support Officer

Non Cabinet members : Councillors G. Taylor, G. Wheat, M. Wheat and Wilks

CO37. APOLOGIES

Apologies for absence were received from Councillor Paul Carpenter.

CO38. MINUTES

The minutes of the Cabinet meeting held on 9th August 2004 were confirmed as a correct record.

CO39. FLY TIPPING PROSECUTION

DECISION:

- (1) The decision to prosecute cases of fly-tipping be delegated to the Head of Cleansing and Contract Services after consultation with Legal Services;**
- (2) To allow for fixed penalties/formal cautions to be issued where it is thought appropriate.**

Considerations/Reasons for Decision:

- (1) Report number CCS1 by the Head of Cleansing and Contract Services outlining the transfer of fly-tipping prosecutions from Environmental Health Services to Cleansing and Contract Services;
- (2) The recent appointment of an Enforcement Officer to investigate incidents of fly-tipping and trade waste abuse;
- (3) The time and effort involved in preparing cases for prosecution is considerable and the option to issue fixed penalties or formal cautions would represent good management and practical use of officer time;
- (4) The continuance of undergoing fly-tipping prosecutions with the option to issue a fixed penalty or formal caution would portray a positive message to the public on the Council's serious approach to fly tipping.

CO40. CPA RE-ASSESSMENT

DECISION:

That a decision relating to the commission of the IdeA to carry out the proposed Comprehensive Performance Assessment re-assessment be deferred until such time as a lead assessor with Audit Commission training can be appointed, at which point, the issue be brought back to Cabinet for a decision.

Considerations/Reasons for Decision:

- (1) Report number CEX248 by the Leader and the Chief Executive outlining the Audit Commission's proposals for the next round of Comprehensive Performance Assessments (CPAs), the implications for South Kesteven District Council and the requirement for an Abbreviated Peer Review;
- (2) To ensure that the progress of the Council following its initial CPA is gauged accurately, the Review Team undertaking the Abbreviated Peer Review, should be thoroughly acquainted with the Audit Commission's moderation process.

CO41. *APPROVAL OF PROCUREMENT: CURRENT POSITION STATEMENT

DECISION:

- (1) To approve the Procurement Current Position Statement;**
- (2) To note the working plan required to produce a detailed procurement strategy within National Procurement guidelines.**

Considerations/Reasons for decision:

- (1) Report number FIN203 by the Corporate Director of Finance & Strategic Resources which presented the Council's Procurement Current Position Statement, the Draft Procurement Strategy and the National Procurement Strategy for Local Government Milestones;
- (2) Forthcoming procurement healthcheck with IdeA in November;
- (3) Outstanding improvement areas relating to procurement identified by the Purchasing Best Value Review.

CO42. *WHARF ROAD CAR PARK, STAMFORD

DECISION:

- (1) To note the position relating to the state of the Council's land and the adjoining development land at the Wharf Road Car Park, Stamford;**
- (2) That work commences, as soon as possible, to remediate the Council's Wharf Road Car Park Site by constructing a barrier between Council-owned land and the development land and to undertake hotspot removal (option B).**

Considerations/Reasons for Decision:

- (1) Report number LEG/0167 presented by the Solicitor to the Council on behalf of the Property Performance Management Group outlining the current position relating to the investigation of contamination at the Council's Wharf Road Car Park, Stamford;
- (2) The pollution of controlled waters is likely to arise as a result of the contamination and the Council has a duty to prevent this;
- (3) The current provision of an interceptor only decontaminates surface water before it enters the River Welland, the full remediation works would also clean ground water by removing the contamination;
- (4) Option B would only disrupt the use of the car park for eight weeks and the costs of the works would be £235,000 plus VAT;
- (5) Short-term monitoring of effectiveness of the works would be required;
- (6) The remediation would be sustainable, resulting in the site being suitable for re-use as commercial or residential without gardens;
- (7) An application has been submitted to DEFRA's Capital Project Programme. Options A and B, during initial discussions, have been identified as favourable because they present a sustainable solution.

Alternative Options considered and assessed:

- (1) Constructing a barrier only (option A): rejected as the Council would be totally reliant on the barrier for providing protection;
- (2) Complete source removal by dig and dump and installation of barrier (option C): rejected because of longer-term and complete disruption to car park and works would not provide sustainable remediation thereby reducing the chance of receiving a grant from DEFRA.

CO43. *E-GOVERNMENT AND CUSTOMER SERVICES POSITION STATEMENT

DECISION:

To achieve the objective to provide a highly satisfactory experience for all South Kesteven District Council Customers in an efficient manner, the following approach be taken:

- (1) The Council's own website, www.southkesteven.gov.uk, be used to deliver services electronically;
- (2) The community portals be used for community activity rather than Council services with links to www.southkesteven.gov.uk;
- (3) Welland Customer Relationship Management software, SKDC content management software (with the option to migrate to the Welland content management solution if appropriate) and Welland Electronic Document and Records Management system as detailed in the E-Government Technical Architecture be used;
- (4) The Council continues its involvement with the Welland Contact Centre Initiative, delivers on the commitments made with the partnership agreement and reviews its involvement with the Initiative on a six-month rolling basis, dependent on progress;
- (5) The Council works closer with its colleagues in Lincolnshire through the Lincolnshire Public Sector Working Group, to ensure the seamless public delivery across the county;
- (6) The responses to the Audit Commission's report found in Appendix 4 of their report be noted;
- (7) The recommendations set out on page 14 of the background paper: "South Kesteven District Council – Partnership and Customer Access Strategy" by Nineveh Consulting be accepted but that the consultants are asked to clarify recommendation 9.4 (Welland).

Considerations/Reasons for Decision:

- (1) Report number DOS251 by the Corporate Director of Operational Services setting out delivery of the E-Government agenda to date and the Audit Commission's E-Government Progress Review for South Kesteven District Council;
- (2) Summary of Welland legal and partnership agreements as presented in the above report;
- (3) Background paper "South Kesteven District Council – Partnership and

Customer Access Strategy” by Nineveh Consulting, September 2004, presenting the findings of an independent strategic analysis of options for delivering effective e-government with the district;

CO44. ITEMS RAISED BY CABINET MEMBERS

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

Decision: To approve a Mandatory Disabled Facilities Grant in the sum of £21,491.42 for building adaptations to a property at Ash Grove, Grantham.

[Decision made: 23.08.04]

Decision:

- (1) To accept the lowest tender of £91,190.00 submitted by Monkview Demolition Ltd of Spalding for the demolition, site clearance and erection of security fencing at the Aire Road site.
- (2) To confirm agreement to the final design layout and proposed two and four bedroom house style design as illustrated on the attached drawings nos.

HGE0291/02	Site Layout
05	2 Bed 4 Person House
03	2 Bed 4 Person House
06	4 Bed 6 Person House
04	2 Bed 4 Person House

- (3) To confirm SKDC financing of £2.25m for the construction of twenty properties with a Housing Association financing the remaining fourteen properties using a mix of rented and shared ownership. SKDC to have nomination rights.
- (4) To proceed with the invitation of formal tenders including options for “system built prefabricated” and “traditional” construction of individual houses.

[Decision made: 31.08.04]

Decision: To approve the lowest tender received from J Gregory Builders of Swayfield in the sum of £24,750.00 for the partial reconstruction of a substantial stone wall bounding South Kesteven District Council properties at Glen Road, Castle Bytham.

[Decision made: 06.09.04]

Decision: That the tender submitted by Rand Associates of Reigate, Surrey, in the sum of £10,200.00 be accepted for the appointment of a consultant to carry out validation of stock condition survey as part of the stock option appraisal process for the council’s housing portfolio.

[Decision made: 06.09.04]

(2) Councillor John Smith: Portfolio – Economic

Decision: That no action be taken under Sections 47, 48 and 54 of the Planning (Listed Buildings and Conservation Areas) Act in respect of outbuildings at 47 East End, Langtoft.

[Decision made: 31.08.04]

Decision: That following negotiations between Combined Energy Solutions and Property Services, Combined Energy Solutions contract be extended for a further 8 months at the existing rates. This would extend the contract until 31 March 2005. In the meantime, the OJEC advertising and tendering process should be engaged.

[Decision made: 06.09.04]

(3) Councillor Mrs Frances Cartwright: Portfolio – Cultural

Decision:

- (1) To accept the grant offer from the English Sports Council of £40,000 towards the refurbishment of the South Kesteven Sports Stadium athletics track and ancillary facilities;
- (2) That £46,892 of matched funding be made from the Council's General Fund – Planned Maintenance for 2005/06.

[Decision made: 16.08.04]

Decision: That, mindful of the considerable effort involved in organising the event and the pleasure it gives to the community, additional funding for the 2005 Grantham Carnival cannot be made due to:

- (1) the Grantham Special Expense Area is already in deficit and there is only a budget of £5,000;
- (2) the audited accounts for the 2004 event have not been submitted to the Council.

[Decision made: 23.08.04]

(4) Councillor Ray Auger: Portfolio – Environment

Decision: To give authority to obtain competitive tenders for the following work to the Wharf Road car park in Grantham:

- a) the removal of existing waterproof and protective deck coatings;
- b) inspection and repair of concrete structural elements;
- c) provision of new waterproof membrane incorporating additional

movement joints and improved deck profiling to assist drainage.

[Decision made: 31.08.04]

(5) Councillor Teri Bryant: Portfolio – Community Affairs

Decision: To accept the lowest tender submitted by Acrabuild (Anglia) Ltd. of Market Deeping in the sum of £18,826.20 for the replacement of a partially collapsed and defective section of large diameter culvert alongside Station Street in Rippingale.

[Decision made: 31.08.04]

LINCOLNSHIRE SOUTH WEST PRIMARY CARE TRUST – PROVISION OF AFTER HOURS SERVICE

DECISION:

That the Cabinet requests the Community Development and Scrutiny Panel to investigate, together with its own scoping: Why the Council was not made aware that the Lincolnshire South West Teaching Primary Care Trust's provision of medical specialists between 11.00p.m. and 8.00p.m. was not part of a national scheme and how the system is presently working?

Councillor Bryant brought the Cabinet's attention to an article in the Sunday Telegraph on 5th September 2004 relating to the delivery of medical services between 11.00p.m. and 8.00a.m. It was with great concern that he had read in the article, "that Lincolnshire South West Teaching Primary Care Trust is the first health authority in the country to no longer provide GPs for patients between 11.00p.m. and 8.00p.m." He recalled a presentation given by the Chief Executive of the PCT to the Council on the national programme to provide medical specialists during nighttime hours. It was now apparent that this was not to be a national programme given South West Lincolnshire's exclusion from the scheme.

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 8,9, and 10 of Part 1 of Schedule 12A of the Act. With the public excluded, the following item was considered.

CO45. *EAST STREET CAR PARK SITE, GRANTHAM

DECISION:

- (1) To accept the preliminary scheme proposals submitted by Henry Boot Developments Ltd as the basis for working with the company as Preferred Partner for the proposed redevelopment of the East Street and Watergate sites in Grantham and to inform the other two developers that their submissions were not successful;**
- (2) To prepare for the redevelopment by taking immediate action to terminate existing tenancies at the East Street site and preventing further unauthorised use of access ramps for customer parking by local businesses;**
- (3) To set up a Project Team to negotiate with Henry Boot Developments Ltd and produce detailed plans for the following scheme objectives within four months:**
 - **Minimum 300-space multi-storey car park to ACPO “Secured Car Park” design standards;**
 - **Optimum use of SKDC Capital resources**
 - **High quality pedestrian link between the proposed new car park and Castlegate;**
 - **Options for site use to make maximum contribution to criteria defined for Grantham to achieve sub-regional status;**
- (4) To advertise the Watergate site and seek competitive bids for its potential sale on the open market;**
- (5) In the absence of acceptable proposals and plans resulting from the decisions above, to terminate plans for redevelopment and dispose of the East Street site;**
- (6) To consult with the Grantham Town Centre Management Partnership on the benefits to Grantham as a sub-regional centre that would derive from each of the three options prepared by Henry Boot Developments Ltd.**

Considerations/Reasons for Decision:

- (1) Report number PRO314 by the Head of Property Services (Design) on behalf of the Property Performance Management Group providing information on the recent history of the site and the outcome of development bids received from three major development companies;
- (2) The approved Grantham Town Centre Master Plan has recommended this site for redevelopment as a car park which is supported by the schemes submitted by Henry Boot Developments Ltd. The schemes also included a public toilet;
- (3) Henry Boot Developments Ltd has a good reputation for working in partnership with a number of district councils;
- (4) The schemes submitted by Henry Boot Developments Ltd would provide the Council with retained ownership of the car park and income generated;
- (5) In order to ensure the Council receives the maximum benefit from the

Watergate site, it was agreed to go ahead with seeking competitive bids for its potential sale on the open market in accordance with the District Valuer's advice.

Alternative Options considered and assessed:

- (1) Schemes submitted by two other development companies: rejected as Henry Boot Developments Ltd offered a more attractive financial arrangement and best options for the Council, subject to more detailed design work and research of the final scheme content;
- (2) Demolition and rebuild of car park or sell off the site: rejected in light of the attractiveness of Henry Boot Developments Ltd.'s submissions but would be considered if a partnership proved impractical;
- (3) SKDC-Managed Redevelopment: rejected due to its complex nature, substantial risks and capital funds required.

DATE OF PUBLICATION OF RECORD: 7th SEPTEMBER 2004

DATE DECISIONS ARE EFFECTIVE:

Decisions made on 6th September 2004 can be implemented on 15th September 2004 unless subject to call-in by the Chairman or three members of the relevant Development and Scrutiny Panel

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