



# AGENDA

For a meeting of the
<b>COUNCIL</b>
to be held on
<b>THURSDAY, 24 FEBRUARY 2005</b>
at
<b>2.00 PM</b>
in the
<b>COUNCIL CHAMBER, COUNCIL OFFICES, ST. PETER'S HILL, GRANTHAM</b>
<b>Duncan Kerr, Chief Executive</b>

**Members of the Council are invited to attend the above meeting to consider the items of business listed below.**

- 1. Public Open Forum**  
The public open forum will commence at **2.00 p.m.** and the following formal business of the Council will commence at **2.30 p.m.** or whenever the public open forum ends, if earlier.
- 2. Apologies for Absence**
- 3. Declarations of Interest**  
Members are asked to declare any interests in matters for consideration at the meeting.
- 4. Minutes of the meeting held on 27th January 2005 (Enclosure)**
- 5. Communications (including Chairman's Announcements) (Enclosure)**
- 6. Notices of Motion given under Council Procedure Rule 12:-**  
**(1) By Councillor Yvonne Gibbins**

"Given the facts that;

- (1) Members with "special responsibilities" have higher allowances and have recently been given an increase in their allowances, and
- (2) CPA gave SKDC only a "fair" status,

I therefore propose that; all cabinet members, Chairmen and Vice-Chairmen declare their suitability for these posts and allowances, by informing all members of SKDC orally of their qualifications, experience and training, which make them the most

appropriate person for their positions, and that they will regularly attend courses/workshops pertinent to their portfolios/panels remit”

**(2) By Councillor John Hurst**

“This Council considers that a Shadow Cabinet, enshrined in the Constitution, would enrich the developing democracy of the District, to the general good. Such Shadow Cabinet, in accordance with statute, must have objectives and processes that do not duplicate those of the DSPs or Cabinet.

The Shadow Cabinet will have the following remit:

1. to recommend to the Scrutiny Coordinating Committee, subjects that could be included in the future work programme of the Development and Scrutiny Panels
2. to advocate to the Cabinet, issues and concerns that it perceives to be relevant to the people of the District
3. to proffer expertise and advice to the Executive
4. to offer an alternative perspective to the Cabinet on consultation documents
5. the Shadow Cabinet does not have the power of call-in.”

**(3) By Councillor Stephen O’Hare**

“That this Council believes that in relation to the multi million pound annual expenditure of this Council

1. It is financially sensible to ensure that all members of the Cabinet have received appropriate external formal training;
2. Where practicable it is financially sensible to ensure that any Councillor appointed to the Cabinet has received such training before appointment to the Cabinet;
3. Any existing Cabinet member who has not received such training by the end of 2005 should seriously consider resigning from the Cabinet.”

**(4) By Councillor Stephen O’Hare**

“That this Council believes that the format of Local Area Assemblies should be changed so as to allow members of the public to ask questions after the end of each item on the agenda and not be forced to wait until the very end of the meeting to be involved.”

**7. Budget 2005/06 (Policy Framework Proposal)**

Report number FIN226 by the Director of Finance & Strategic Resources:

(1) Budget 2005/2006:

- Section A – Cabinet Report to Council

- Section B – Chief Finance Officer's Statement on Robustness and Adequacy of Reserves
- Section C – Council Tax Resolution for 2005/06
- Section D – Resolutions on Capital Financing **(Enclosure)**

(2) Budget Book for 2005/2006 **(Separate Enclosure to follow)**

8. **2005/06 Review of Corporate Planning Arrangements**  
Report number CEX281 by the Chief Executive. **(Enclosure)**
9. **Change Management Action Plan**  
Report number CEX280 by the Leader and Chief Executive. **(Enclosure)**
10. **Generic Equalities Scheme**  
Report number HR&OD76 by the Corporate Manager, Human Resources and Organisational Development. **(Enclosure)**
11. **Amendment to Regulation of Investigatory Powers Act Policy**  
Report number DLS17 by the Corporate Manager, Democratic & Legal Services.  
[Deferred from last Council meeting.] **(Enclosure)**
12. **Members' Allowances**  
Report number FIN227 by the Director of Finance & Strategic Resources. **(Enclosure)**
13. **Representatives on Outside Bodies: Internal Drainage Boards**  
Report number DLS25 by the Corporate Manager, Democratic & Legal Services. **(Enclosure)**
14. **Questions Without Discussion.**



# MINUTES

**COUNCIL**  
**THURSDAY, 27 JANUARY 2005**  
**2.00 PM**

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## PRESENT

Councillor Graham Wheat Chairman

Councillor Auger  
Councillor Bisnauthsing  
Councillor Bryant  
Councillor Burrows  
Councillor Carpenter  
Councillor Mrs. Cartwright  
Councillor Chivers  
Councillor Craft  
Councillor Dexter  
Councillor Mrs. Dexter  
Councillor Fines  
Councillor Fisher  
Councillor Mrs Gaffigan  
Councillor Gibbins  
Councillor Hewerdine  
Councillor Howard  
Councillor John Hurst  
Councillor Fereshteh Hurst  
Councillor Joynson  
Councillor Mrs. Kaberry-Brown  
Councillor Kerr  
Councillor Kirkman  
Councillor Lovelock M.B.E.

Councillor Martin-Mayhew  
Councillor Mrs. Neal  
Councillor Nicholson  
Councillor Parkin  
Councillor Pease  
Councillor Mrs. Percival  
Councillor Radley  
Councillor Mrs. Radley  
Councillor Sandall  
Councillor Selby  
Councillor Smith  
Councillor Mrs. Smith  
Councillor M Taylor  
Councillor G Taylor  
Councillor Thompson  
Councillor Turner  
Councillor Waterhouse  
Councillor Mrs. Wheat  
Councillor Wilks  
Councillor Mike Williams  
Councillor Avril Williams  
Councillor Wood  
Councillor Mrs. Woods

## OFFICERS

Chief Executive  
Director of Finance and Strategic Resources  
Corporate Manager Democratic & Legal  
Services

## OFFICERS

Member Services Manager  
Support Officer

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*Before the commencement of formal business, the Council stood and observed a moment's silence in respect of Holocaust Memorial Day, the South East Asian tsunami and the former Councillor, the late Bill Simpson.*

## 88. PUBLIC OPEN FORUM

There were no questions put by members of the public.

**89. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs Bosworth, Miss Channell, Conboy, Galbraith, Genever, Helyar, Jalili, Morris, Nadarajah, O'Hare and Stokes.

**90. DECLARATIONS OF INTEREST**

There were none declared.

**91. MINUTES OF THE MEETING HELD ON 9TH DECEMBER 2004**

The minutes of the meeting held on 9<sup>th</sup> December 2004 were confirmed as a correct record.

**92. COMMUNICATIONS (INCLUDING CHAIRMAN'S ANNOUNCEMENTS)**

The Chief Executive circulated to members copy of the Local Government Association's response to the motion approved by Council in September 2004 requesting a review of the implementation of the Local Government Act 2000. The schedule of Chairman's and Vice-Chairman's civic engagements was noted.

**93. NOTICE OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:**

**by Councillor Ken Joynson**

**DECISION: This Council urges the leaders of all the political groups to use their influence to ensure that the language used by their members during debates in the Council chamber promotes, rather than denigrates, local democracy. In particular all leaders are urged to ensure that remarks about other members are respectful, and to avoid terms that are personally offensive. The Chairman is also asked to remind members of the sentiments of this motion should the need arise in the future.**

The following motion had been proposed by Councillor Joynson:

"That this Council urges the leaders of all the political groups to use their influence to ensure that the language used by their members during debates in the Council chamber promotes, rather than denigrates, local democracy. In particular all leaders are urged to ensure that remarks about other members are respectful, and to avoid terms that are personally offensive. The Chairman is also asked to remind members of the sentiments of this motion should the need arise in the future."

Councillor Joynson spoke in support of his motion, explaining that the sentiment prompting his proposal had not specifically arisen from events at the previous Council meeting but from experiences throughout his twenty-year membership of the Council, during which he had always found this Council to be caring. He did not deny the need for political parties within local government

but felt that all members had a common bond in the desire to help people. He stated that the Council Chamber was not a place for personal comments but a place for respecting others' opinions and representing the whole community. In seconding the motion, a member stated that members of the Council should be able to disagree amiably and respectfully.

Some members were concerned that the motion, if supported, could stifle debate. Others felt that the new political management arrangements were responsible for the conflicts between members because they did not provide the opportunity for non-executive members to express their views effectively. However, the majority supported the motion and on being put to the vote, was carried.

#### **94. REVIEW OF SEAT ALLOCATIONS**

##### **DECISION:**

- (1) Councillor Wilks from the Independent group to surrender his seat on the Development Control Committee and be replaced by Councillor Waterhouse from the New Independent group;**
- (2) Councillor Wheat to serve on the Development Control Committee;**
- (3) Councillor Waterhouse to be replaced on the Constitution and Accounts Committee by Councillor Wilks from the Independent group;**
- (4) Councillor Joynson from the Liberal Democrat group to surrender his seat on the Environment Development and Scrutiny Panel and be replaced by Councillor Avril Williams from the Labour group;**
- (5) Councillor Kirkman from the New Independent group to resign from the Capacity and Resources Development and Scrutiny Panel and be replaced by Councillor Wilks from the Independent group;**
- (6) Councillor Kirkman from the New Independent group to resign from the Standards Committee and be replaced by Councillor Wilks from the Independent group;**
- (7) Councillor Lovelock be appointed as the Vice-Chairman of the Constitution and Accounts Committee.**

The Chief Executive presented his report number CEX267 which set out the allocation of seats to each political group following recent changes within the Council and nominations received for the necessary reallocation of seats.

It was proposed and seconded that the recommendations in the report be accepted and the membership of the Standards Committee be changed to one

Conservative, one Labour and one Independent and the membership of the Chief Executive Appraisal Panel to remain as it is i.e. including the leader of the New Independents and not the leader of the Independents. An amendment was proposed and seconded that, in light of the Shadow Cabinet incorporating Independent members, the word “supposedly” be inserted before “Independent group” at nominations 5.2, 5.4 and 5.6 set out in the report. This received strong objection and, with the agreement of his seconder, was subsequently withdrawn by the proposer.

Another amendment was proposed and seconded that the report's recommendations be supported subject to an Independent member replacing the New Independent member on the Standards Committee and the Constitution and Accounts Committee to be reformed with nine members, taking effect from the next meeting of the Council. It was believed that because this would provide one seat for each opposition party and five for the administration, it would improve debate, be more democratic and provide the opportunity for less senior members to join the Committee. Members spoke against this proposal, as it was thought that five members comprised the ideal committee membership and that decision-making by the Constitution and Accounts Committee was not always political. On being put to the vote, the amendment was lost.

A further amendment was proposed and seconded that the recommendations be accepted subject to the replacement of New Independent member on the Standards Committee with an Independent member and Councillor Lovelock to be appointed as the Chairman of the Constitution and Accounts Committee. On being put to the vote this was carried. A further vote on the substantive motion was also carried.

#### **95. CONSTITUTION AND ACCOUNTS COMMITTEE: 10TH JANUARY 2005**

**DECISION:** To approve the recommendations of the Constitution and Accounts Committee:

- (1) That Rule 17 of the Constitution's Council Procedure Rules be amended to “At the Annual Meeting the Council shall elect a Leader.”**
- (2) The Leader, when appointed by the Council, be solely responsible for the selection and appointment of the Deputy Leader.**

The Leader proposed acceptance of the Constitution and Accounts Committee's recommendations. This was seconded and on being put to the vote, was carried.

#### **96. REDUCING THE LENGTH OF COUNCIL MEETINGS**

**No decision was made with regard to this item.**

The Leader presented report DLS12 which contained recommendations from

the Constitution and Accounts Committee on reducing the length of Council meetings and a procedure for selecting motions given under Council Procedure Rule 12. It was proposed and seconded that in order to retain some semblance of democracy in the Council Chamber, rather than attempting to stifle debate, the Constitution and Accounts Committee looks seriously at either changing full Council meetings to a six weekly cycle or alternatively, the Council follows the lead of Lincolnshire County Council and start Council meetings at 10.30a.m. with a one hour lunch break. This would ensure that all issues have time to be properly debated. An amendment was proposed and seconded that the Committee's recommendations be accepted subject to the amendment of recommendation 1.1(7) to: "That questions that would be better answered by the Cabinet member at Development and Scrutiny Panels (DSPS) be redirected to them. If the reply of the Cabinet member was not satisfactory then the question to be returned to Council."

A member spoke in support of the original motion, stating that the Committee's recommendations were a threat democracy. Specifically, recommendation 1.1.(7) suggested a misunderstanding of the role of the DSPs; the value of motions, debate and questions without discussion was proportional to the publicity they received and should therefore be aired in the Council meetings. The member spoke further on the selection of motions by the Chief Executive; this was also considered undemocratic because in the criteria were issues that should emerge from debate, not from a single person's opinion. In concluding, he stated that debates would be topical, were the Council to meet more often. This received support from other members who further criticised recommendation 1.1.(7), recalled specific incidents at DSP meetings and suggested that the recommendations would further discourage public involvement in Council meetings.

In supporting the amended motion, members did not want the Council to move towards County Council style meetings and it was thought that reducing the length of meetings would make debate efficient, allowing more time for Councillors to work within their ward. On being put to the vote, the amendment was carried. Before a vote was taken on the substantive motion, a further amendment was proposed that the recommendations be accepted subject to the amendment of 1.1.(8) to indicate that when the questioner is not present, their question be put by the Chairman or, in his absence, the Vice-chairman. This received a seconder and was carried following a vote. A further amendment was proposed and seconded that the recommendations be accepted subject to the amendment of 1.1.(8) as above and a referral to the Constitution and Accounts Committee to consider increasing the length and frequency of Council meetings. On being put to the vote, this amendment was lost. Another amendment proposed that the recommendations be accepted subject to the amendment of 1.1.(7) and 1.1.(8) as above. This was seconded and on being put to the vote, also lost.

Given the apparent disagreement on this issue, it was proposed and seconded that the Council moved onto the next item of business. A vote on this motion was carried.



**97. INDEPENDENT REMUNERATION REPORT: MEMBERS' ALLOWANCES**

**DECISION:** Members' Allowances for the 2005/06 municipal year be set as follows:

- (1) Members' Basic Allowance be increased in accordance with November 2004 retail price indexation;**
- (2) Special responsibility allowances be increased in accordance with November 2004 retail price indexation;**
- (3) Co-opted members of the Standards Committee who do not hold the Office of Chairman or Vice-Chairman shall not receive an allowance;**
- (4) A special responsibility allowance shall not be paid for membership of working groups, task panels or task and finish groups;**
- (5) An allowance for childcare and carers shall be payable for approved duties at £5.25 per hour subject to a ceiling of £1,050 per annum per Councillor;**
- (6) Travel and subsistence allowances for elected and non-elected co-opted members shall be the same as the allowances provided to staff employed under the National Joint Council (NJC) national conditions of service. The mileage rates shall be the same rate as paid to essential car users. The nationally agreed mileage and subsistence rates applicable in 2004/05 and for each year thereafter shall be available within the Council as notified to it by the Employer' Organisation;**
- (7) Elected members will not be given the opportunity of joining the Local Government Pension Scheme;**
- (8) Indexation shall run for two years with the next review being completed for the start of the municipal year commencing in May 2006;**
- (9) Only one Special Responsibility Allowance shall be payable to any member and this shall be the highest that the member is entitled to.**

The Corporate Director of Finance & Strategic Resources presented his report number FIN211, which had been amended following its deferral from the last meeting of the Council, and included the report of the Welland Partnership Members' Remuneration Panel.

Generally, members did not consider that the recommendations of the Panel should be implemented, although the Panel was given due acknowledgement for its work and its recognition of the time spent on Council business by all

members was appreciated. It was instead proposed to accept all recommendations of the Panel subject to the basic allowance and special responsibility allowances to be increased in accordance with November 2004 retail price indexation, no allowance to be provided for the Standards Committee parish representative and no participation for members in the Local Government Pension Scheme (LGPS). This received a seconder.

A member felt that residents deserved value for money and that an increase in allowances should reflect the value, qualifications and experience of members. An amendment was therefore proposed that the Panel's recommendations be accepted subject to special allowances only to be increased by the recommended amount if eligible members could prove their value to the rest of the Council and Councillors not be given the option to join the LGPS. This was seconded.

In support of the original motion, given the Council's prioritisation, efficiency gains and Government capping, a member stated that it was wholly unacceptable to increase members' basic allowance by 23%, as per the recommendation of the Panel, regardless of its accurate reflection of the work of members. It was suggested, however, that a skills-test of members could be considered separately. A member also commented that, given the recent difficulties in recruiting candidates for local elections because most people could not afford to become Councillors, the Council must not lose sight of the longer-term potential problem in not fully remunerating members for their work.

Following a short adjournment of the meeting, a vote on the amendment was lost. A subsequent vote on the original motion was carried.

**98. AMENDMENT TO REGULATION OF INVESTIGATORY POWERS ACT POLICY**

**DECISION: That consideration of the amended RIPA Policy be deferred to a future meeting of the Council.**

The Corporate Manager of Democratic and Legal Services (Monitoring Officer) introduced his report number DLS17 which presented an amended version of the Council's Policy Practice and Compliance Procedures in relation to the Regulations of Investigatory Powers Act 2000, taking into account necessary revisions following the introduction of Part 1 Chapter II of the Act. The officer added that the document required further updating including the sections on authorised officers, the Home Office website and various grammatical amendments.

The Portfolio Holder for Community Affairs requested that the document, which required further minor amendments and the inclusion of authorised forms at Appendix 1, be considered at a future meeting of the Council. This was seconded and, on being put to the vote, was carried.

**99. REPRESENTATION ON OUTSIDE BODIES: DAME MARGARET THOROLD FOUNDATION**

**DECISION:** That Councillor Kerr continue his appointment as the Council's representative on the Dame Margaret Thorold Foundation.

Councillor Kerr was nominated to continue his appointment, which was seconded and carried following a vote. Councillor Kerr thanked members for their support.

**100. QUESTIONS WITHOUT DISCUSSION**

Six questions had been submitted prior to the meeting.

Verbatim details of the questions, together with supplementary questions and the responses are set out in the appendix to the minutes.

**101. CLOSE OF MEETING**

The meeting closed at 4.50p.m.

## **APPENDIX TO COUNCIL MINUTES: 27<sup>TH</sup> JANUARY 2005**

### **MINUTE 100: QUESTIONS WITHOUT DISCUSSION**

#### **(1) Question 1 (Councillor Stephen Hewerdine)**

Can you please tell me are there any plans or money in the future to safeguard the war memorial plaque in Wyndham Park in Grantham Museum on public display which is being desecrated all the time by vandals as this is an important chapter of history which cannot be forgotten.

#### **Response: Councillor Mrs Frances Cartwright**

Thank you for the question. There are no plans to remove the plaque from its present site. I don't know if you have noticed, Councillor Hewerdine, but you should have seen a difference, as our staff are cleaning and repairing the memorial on a voluntary basis and this has already been reported in the press.

#### **(2) Question 2 (Councillor Mrs Joyce Gaffigan)**

*[Mrs Gaffigan prefaced her question by stating that another meeting of the Stamford Local Area Assembly had taken place following the submission of her question. The question therefore referred to the previous meeting of the assembly.]*

Twenty five members of the public were present at the Local Area Assembly meeting in Stamford.

In view of the fact that most of the public's concerns were either non-priority i.e. tourism, or were subsequently dismissed by the Cabinet, i.e. CAB funding, how does Councillor Neal see the public perception of the L.A.A. meetings?

#### **Response: Councillor Mrs Linda Neal**

Obviously, as this was question that was penned to the previous Council meeting, I will provide the same response that I would have done on that particular occasion so in one sense my response will be out of date also. Thank you Councillor Gaffigan for giving me the opportunity to remind the Council that the next meeting of the Stamford L.A.A. is on Thursday 20<sup>th</sup> January and obviously, the 20<sup>th</sup> January, Mr Chairman, has now gone. Unlike Councillor Gaffigan, I am not a member of the Stamford L.A.A. although like her, I did vote at the Council meeting in May for the authority's priorities. Explaining the need for priorities, including the current ones and potential future ones, is the responsibility of all members of L.A.A.s. To do this, we must get the facts right and not distort them to our own ends. As Councillor Gaffigan knows, the funding of the CAB was not dismissed by Cabinet; it was considered and resolved by full Council. It is the repeated assertion of inaccuracies like this that causes the greatest public confusion and disenchantment with those who hold public office.

#### **Supplementary Question: Councillor Mrs Joyce Gaffigan**

I wasn't questioning what was done here in Council. I am questioning how the public see us. I am not questioning how we see each other or indeed my own perception of what goes on here. It is the public perception of these people in Stamford that I am worried about. I am not criticising the Local Area Assemblies at all. I am just asking: how do you feel the public feels about us? I include myself in that.

**Response: Councillor Mrs Linda Neal**

I would just reiterate that it is all of the Councillors' responsibilities to promote the policies of the Council accurately and all L.A.A. members have a responsibility in that. I would urge every one of us, when we go to our respective L.A.A. meetings, to take that on board and try and promote the priorities of the Council.

**(3) Question 3 (Councillor Stephen O'Hare)**

*Put in Councillor O'Hare's absence by the Chairman.*

Given the fact that the Chief Executive has now confirmed that this Council has not received and does not have a copy of the CAB internal audit report will Councillor Bryant now take this public opportunity to apologise for his incorrect public statement that this report was available to any Councillor who asked for it?

**Response: Councillor Teri Bryant**

The short answer is: no. But, out of courtesy to the rest of the Council, the public, the press who have no doubt waited with absolute bated breath for the answer to this burning question since it was first posed eight weeks ago, I will reply. Having used my common sense, life experiences and having read all the available papers, I was aware that Peter Cowley, the past chairman of the CAB, had stated that he was happy to discuss the CAB audit report with any Councillor. Therefore, the information in that report was clearly available to any Councillor who asked for it. I hesitate, in his absence, to mention that Councillor O'Hare patently did not ask for this, despite being on a Scrutiny Panel tasked with looking into the subject of CAB funding. I believe that the DSP actually recommended refusal and, funnily enough, I did not see Councillor O'Hare's descent with the decision recorded.

**(4) Question 4 (Councillor Stephen O'Hare)**

*Put in Councillor O'Hare's absence by the Chairman.*

Does the Leader of the Council agree that decisions of this Council should be based on

- i) written reports from officers
- ii) documents held by this Council
- iii) material which is in the public domain

and nothing else?

**Response: Councillor Mrs Linda Neal**

No, I don't, Mr Chairman. Quangos, Government Agencies and even the Liberal Democratic party may make decisions only on these criteria but the Council is different, it is democratic. As such, the most important element in reaching its decisions is the very one that is missing from his list. This is the views of the local people, whether expressed directly or through their Councillors as their local elected representatives. I will not delay the meeting by speculating why Councillor O'Hare forgot to include the views of local people and their representatives in his checklist, I will simply reiterate that these views are the best guarantee of effective public decision making.

**(5) Question 5 (Councillor John Hurst)**

Will Councillor Neal, in the interests of restoring pre-existing friendly relations (which I greatly wish to see) and the dignity of the Council, withdraw the word "lie" which she audibly uttered, when I was speaking, at the last full Council?

**Response: Councillor Mrs Linda Neal**

Until I saw this question, I didn't even know that pre-existing friendly relations had disappeared. Had Councillor Hurst come and spoken to me privately, I am sure this could have been resolved before now. Just to clarify why I wasn't aware that pre-existing friendly relations had disappeared, there was an occasion after the Boxing Day hunt meeting when I was walking back to my vehicle and I actually popped into a shop. I didn't see Councillor Hurst, he actually followed me into the shop, wished me a Happy New Year, shook my hand, kissed both cheeks and hoped that things would be absolutely fine. So, obviously, as you can understand from that, it's very difficult to realise that these friendly relations had actually disappeared. Perhaps it is as we walk through the Council Chamber door that we become different people and we forget what happens outside. In short, I will not apologise to Councillor Hurst and the reason I will not apologise is that, I sincerely believe what I said was the truth. I do not believe that anybody should be expected to apologise for speaking the truth. If I had a single grain of doubt in my mind that what Councillor Kirkman was also saying, and what I was saying at that meeting, was not true then I would unreservedly apologise. Perhaps it would just be pertinent to mention that there has been a Counsel's opinion on this and although I would not like to use the word "lie" freely, because I do believe that that isn't the way we would like to conduct ourselves, but there is a Counsel's opinion that actually supports what I said; it was not out of order and it should therefore not be contentious because I sincerely believed and continue to sincerely believe that what I said was the fact.

**Supplementary Question: Councillor John Hurst**

The issue was not friendly relations, fundamentally, the issue was not law. In the light of the fact that the Council has here my word of honour that the letter I sent out on 14<sup>th</sup> December, is the truth, the whole truth and nothing but the truth, will Councillor Neal reconsider what she has just said and take into account before she answers,

what the consequences are likely to be for the dignity of the Council if she does not withdraw the word “lie”, which was clearly on the recording?

**Response: Councillor Mrs Linda Neal**

The correspondence that Councillor Hurst put out, I do believe was a little constructive with the truth. I wouldn't go as far as to say that it was untrue, but the way that it was written implied that my referral to the word “lie” was not about what I actually referred to it as being about. May I remind members that Councillor Hurst said that the words “overtly political” were not used by him at a group leaders' meeting. That is what my reference was to. I have absolutely no doubt in my mind at all that what I said was correct. The letter that Councillor Hurst put out, because of the way it is written, implies, through reading it, that the reference to the “lie” was about the breakdown of the agreement and that was not the case. I again refuse to actually apologise to Councillor Hurst, because Councillor Hurst, on this occasion, I am afraid, is wrong, most definitely wrong. One thing that I have tried to do whilst being Leader of this Council, is to be honest, open and approachable and I am not going to change being honest now by apologising to something that I know is not true.

**(6) Question 6 (Councillor Mrs Fereshteh Hurst)**

Will Councillor Neal explain why recommendations from the Environment DSP are neither adopted by the Cabinet nor rejected with an explanation to the Panel?

**Response: Councillor Mrs Linda Neal**

I wasn't actually aware that this was happening. Perhaps the question might more have appropriately been put to Councillor Auger as the Environment Portfolio Holder. I will speak to Councillor Mrs Hurst privately to try and establish what is at the root of the question because clearly I don't know and we'll see if we can come to some satisfactory conclusion on it.

**Supplementary Question: Councillor Mrs Feresteh Hurst**

Since I became a Councillor last year, we keep recommending and I am the only Labour member on that Committee. We vote for it, we explain, we research, we recommend something and we send it to Cabinet and nothing happens; we never hear again, anything. We are spending time, sitting three or four hours in that Committee and also wasting staff time, who are writing down and nothing happens. We are just wasting the Council money because there are staff coming, writing down and nothing happens. Could you please explain why you are wasting Council money?

**Response: Councillor Mrs Linda Neal**

If Councillor Mrs Hurst is talking about the whole of the time that the Environment Panel has existed, I do not believe that the statement that she is making is entirely true because I do believe that on various occasions, the Panel's recommendations will surely have been adopted by the Portfolio Holder. However, I can only repeat that

if she wants to give me specific examples where she is concerned, then I am perfectly happy to look at those. I can only say that perhaps the reading of Cabinet minutes and Portfolio Holder decisions will give the information to Councillor Mrs Hurst that she is now seeking.



**CHAIRMAN'S ENGAGEMENTS**  
**January 27th – February 24th 2005-02-11**

Date/Time	Event	Venue
9th February 2005 12.30p.m	Start on Site Ceremony Loughurst Housing Association	Springfield Road, Grantham, Lincs.
28th January 2005 5.30p.m.	Rotary Club of Grantham Swimarathon	Meres Leisure Centre, Grantham
12th February 2005 7.30p.m.	Charity Cabaret Evening	South Holland Centre, Spalding



## REPORT TO COUNCIL

REPORT OF: Cabinet (Section A)  
Director of Finance & Strategic Resources (Section B,C,D)

REPORT NO. FIN226

DATE: 24<sup>TH</sup> February 2005

<b>SUBJECT:</b>	<b>BUDGET 2005/06</b> <ul style="list-style-type: none"><li>- Section A - Cabinet Report to Council</li><li>- Section B - Chief Finance Officer's Statement on Robustness and Adequacy of Reserves.</li><li>- Section C - Council Tax Resolution for 2005/06.</li><li>- Section D - Resolutions on Capital Financing.</li></ul>
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL</b>	<b>KEY DECISION AND POLICY FRAMEWORK PROPOSAL</b>

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<b>COUNCIL POLICIES:</b>	BUDGET DEVELOPMENT
<b>CORPORATE OBJECTIVES:</b>	CORPORATE HEALTH
<b>RELEVANT STATUTORY POWERS:</b>	LOCAL GOVERNMENT FINANCE ACT 1992 LOCAL GOVERNMENT ACT 2003
<b>BUDGETARY IMPLICATIONS:</b>	SIGNIFICANT
<b>CONSULTATIONS:</b>	PDC's COUNCIL TAX PAYERS VIEWPOINT PANEL

## **BUDGET 2005/2006**

### **SECTION A - CABINET REPORT TO COUNCIL**

#### **Recommendation**

**The Council is recommended to accept this budget, attached statement from the Chief Finance Officer and approve the resolutions at Section C and D for the Budget 2005/06.**

#### **Introduction**

1. The budget for 2005/06 is a major policy framework item and the purpose of this report is to present the Council with the budget proposals for consideration. The draft budget book for 2005/06 has been circulated to members in advance of the meeting. The full budget book will be available when the Police Authority have set their Council Tax for 2005/06.
2. The report covers the background to the budget, looks at the main external influences impacting on the Council's finances, and highlights new service delivery areas. It provides an overview of the strategic financial position and is supported by the Chief Finance Officer's statement on robustness of budget and adequacy of reserves.

#### **Background to the Budget**

3. The Budget preparation continues to evolve alongside the modernising and prioritisation agenda. The delivery of priorities and ensuring they are resourced will be the major element in budget deliverance. It has been necessary to switch additional resources to those services which may be assessed as priorities. Financial capacity has been built into the medium term financial plan to allow this to happen. The 2005/06 budget is therefore the first year that service delivery, reflects the Council's priorities and redirection resources from non-priority areas.
4. Budget development has evolved since last year. Building upon the success of involving policy and development committees as part of the 2004/05 budget work, this has been replicated for 2005/06 by using the Capacity and Resources Development and Scrutiny Panel (DSP) with co-opted members from the four DSP's.
5. The role of that budget working group has been to get a full understanding of the issues impacting upon the Council's budget situation of 2005/06. This has covered diverse areas from the Local Government Settlement and Pension Fund– to the service by service analysis of net spend, and exploration of cross-cutting issues such as utilities management.

6. The Capacity and Resources DSP has given a series of recommendations to the Cabinet in relation to the budget and these have been included in the Cabinets assessment of the budget.
7. In accordance with the development of Service Plans, the Cabinet has through portfolio holders and relevant service managers gained a better understanding of the linkages between service and corporate priorities and highlighted those areas of non priority. The development of service plans will have implications for the formulation of the budget in future years as service managers become more involved with the process.
8. External consultation has involved joint working with the Lincolnshire County Council and Police Authority through the Viewpoint Panel. A meeting held with a representative sample of the panel was held on 11<sup>th</sup> January. The meeting was observed by those group leaders or nominees that were able to attend.
9. Further consultation through the Local Area Assemblies has been undertaken. This has included a likely position for each of the main precepting authorities. The results are similar to that of the Viewpoint Panel.
10. The result of consultations on South Kesteven's budget so far indicate that the majority of respondents prefer a Council Tax increase of up to 6% with very few advocating a higher increase. The table below shows the position.

	4-5%	5-6%	> 6%
Viewpoint Panel	35%	47%	18%

11. The Capacity and Resources DSP following its analysis indicated to the Cabinet that it should carefully consider the Council Tax increase for 2005/06.

#### Government Guidance on Council Tax Increases

12. The Local Government Finance settlement and subsequent pronouncements assume Councils will be aiming to increase Council Tax by low single figures and no more than 5%. Nick Raynsford, the Local Government Minister, has given the view that there will be a strict capping regime in place to ensure this happens. The Government has reserve capping powers and initially would ask for further information on proposed increases, but has indicated that it will be enforced to a greater degree than last year.
13. South Kesteven has three unique problems in relation to this position (i) with such a low base of tax and spending the gearing impact has a much bigger effect on percentage increases (ii) the increases in special expenses must be considered alongside the overall increase (iii) the impact of parish precepts may also need consideration. The Council is able to control items (i) and (ii) but item (iii) is outside its direct control. Parish Councils were urged to consider the impact of capping in setting their precepts for 2005/06. The Cabinet is aware that the cost of re-billing could be £50,000 if the Authority was capped.

### District Audit Management Letter

14. This provides the external assessment of the accounts for 2003/04 and a view on 2005/05 budget setting. It urged the Council to consider the impact of capping in setting the level of Council Tax for 2005/06. This point has been considered preparing this budget report.

### External Financial Issues

15. The biggest external factor influencing the budget target for 2005/06 is the Local Government Finance Settlement. The provisional settlement issued in November has been the subject of technical reports from the Director of Finance and Strategic Resources. The Government's priorities nationally have been for Education, Social Services and the Police. District services have been a lower priority and the net impact of external funding gives a 5.1% cash increase in comparison to 2003/04 (4.7% on a 'like for like' basis). In cash terms the level for general formula grant for 2005/06 is £403,000 more than that received in 2004/05. The final Local Government finance settlement indicates the level of external support will be £8,368,000 for 2005/06. The formula grant figure for 2004/05 was £7,965,000.

### Interest Rates and Retail Price Index

16. Interest rates and the retail price index have changed over the past 12 months. Stable interest rates help predict the element of investment income that will come from the Council's reserves, although the yield will be relatively low in comparison to past years ie the Council needs to have a higher level of reserves to receive the same level of investment income. The base rate has increased by from 4% to 4.75% over the year through three 0.25% increases. It has not changed since August 2004.
17. The Retail Price Index (RPI) is used by those Council Tax payers on fixed incomes eg pensioners and those who receive inflationary awards only, to question higher than RPI increases in Council Tax. The cost base of the Council does not necessarily follow the main Retail Price Index. The Council has a number of contracts indexed to particular expenditure factors relevant to the work undertaken which exceed RPI increases eg grounds maintenance. The November RPI (including interest rates) is 3.4%.

### Interest Receipts

18. The Council has become reliant upon the level of interest receipts accruing to the General Fund. This arises because of the levels of reserves the Council holds. In the medium term financial strategy it is expected that the level of specific reserves will fall, leading to a reduction in the level of interest receipts. Effectively, interest receipts changes will have a 'gearing' impact traditionally associated with the changes in external support from government.
19. General fund interest receipts for 2004/05 are estimated at £650,000, and £500,000 for 2005/06. The level of interest receipts is expected to fall because of the use of reserves in 2005/06 - in particular the use of the specific reserves.

### The Stock Market and Pension Fund

20. The Council is statutorily obliged to belong to the Local Government Pension Scheme and the Lincolnshire (County Council) Pension Fund. In the 2004/05 budget process we contributed
- (i) a lump sum into the fund for the capital cost of early retirements - this was at £500,000, and was paid in 2003/04.
  - (ii) paying an additional 4% on payroll in 2004/05, effectively making the employer's contribution 20% closing the deficit in the fund. For 2004/05 this additional expenditure will be funded by the Pensions Reserve. This will amount to £336,000 for 2004/05.
21. The triennial actuarial valuation of the fund took place in March 2004 with new employer contribution rates payable from April 2005. The interim valuation results of the fund received in December 2004 showed the funding level for South Kesteven falling from 97.6% to 78%, leading to an increase in employer contribution rates from 16% of payroll to 28%, if the deficit was recovered over the usual 12 year period. The County Council actuary has advised mitigation of the impact by looking at various methods such as extending the period over which the deficit can be recovered eg over 20 years. This leads to a required employer's contribution of 21.2% for 2005/06 through to 2007/08. The additional contribution has been budgeted for in 2005/06 onwards.

### Overall impact on Budget Requirement

22. The increase in Council Tax at rates above the RPI, depends very much upon the relative position and gearing effect between net expenditure and government grant. For every 1% that expenditure rises above the level of grant increase, Council Tax rises by 3.3%. The Council's budget requirement for 2005/06 is £13,292,000 an increase of 5% on 2004/05, but the amount to be met by taxpayers, £4,871,000, will be 6.2% higher than 2004/05. The above figures include the five special expense areas (SEA). This gives rise to the following levels of Council Tax at Band D:-

Proposed Council Tax Levels 2005/06			
	04/05 £	05/06 £	Change %
South Kesteven - Overall Band D	96.02	100.80	5
Grantham SEA	30.69	32.22	5
Stamford SEA	17.01	17.82	5
Bourne SEA	4.14	4.32	5
Langtoft SEA	20.07	20.79	5
Deeping SEA	2.43	2.52	5

23. The call on the collection fund of £5,744,000 includes Parish Precepts of £873,000, an increase of 6% over 2004/05. The average Band D Council Tax charge including

Parishes and Special Expense areas will be £132.36 in 2005/06 (£126.41 in 2004/05) - an increase of 4.7%. The increase in the tax base is 1.3% for 2005/06. The changes to the 2<sup>nd</sup> homes discount will be implemented from April 2005, and be incorporated in the tax base for 2006/07.

#### Comments on Strategy Approach to Budget Setting

24. In calculating the budget requirement for 2005/06 there will be no impact on general fund reserves. One issue that causes the Cabinet concern is the treatment of special expense areas; preparing estimates for these areas and assuming full cost recovery from those taxpayers created unreasonable percentage increases in Council Tax. A consistent approach has been adopted for SEA'S limiting the overall tax increase to 5%. A review of expenditure in SEA'S will be undertaken during 2005/06.
25. Briefly to re-cap the purpose of SEA's are to eliminate double taxation of those areas where the local services provided by the District are akin to those provided by the Parish Council in other areas. Some residents were therefore taxed twice - once by the District and once by the Parish.
26. Analysing the reasons for the large potential changes for 2005/06 for the SEA's
  - (i) any large changes in expenditure requirements fall on a low tax base generating large percentage increases.
  - (ii) accountability for charging costs to the SEA's must be clearly identified.
27. The position at Langtoft has been difficult to resolve. It is imperative that costs are driven down to ensure a sustainable position. The new management arrangements should satisfy the users of the facility and Council Tax payers.
28. The Cabinet proposes to increase the tax on special expense areas by 5% and aims to review whether the deficits can be recovered in future years. An element of general fund working balances relates to the SEA's. This approach will allow for ensuring expenditure is evened out over time and avoid large changes in Council Tax from SEA's. An element of general fund working balances relates to the SEA'S. There will be no increase in the deficits for 2005/06.

#### Development and Scrutiny Issues

29. The rising expectations from service recipients regarding improvements in service quality does have to be considered within the overall financial management of the authority. The various best value reviews, CPA and priority consultation will all impinge upon future policies. The detailed Development and Scrutiny Panels (DSP) budgets are contained within the budget book and the following summarises the key areas by DSP.



### Economic and Cultural DSP

30. The net general fund charge is due to rise from £5,283,000 to £5,741,000 for 2005/06. The most significant change relates to the postponement of setting up of an Industrial Provident Society (IPS) for the management of leisure facilities, which will give rise to a full liability on business rates payable. The remaining budgets show the investment in Economic Regeneration and Town Centres.

### Environment DSP

31. The net general fund charge will rise from £4,215,000 to £5,171,000 for 2005/06. The areas of growth include waste management, street cleansing, and recycling.

### Capacity and Resources DSP

32. There are no major budget issues ensuing from the Capacity and Resources DSP. The net panel cost is budgeted to rise from a projected out-turn of £2,177,000 to £2,765,000. This reflects the additional investment in the Access to Service Programme, an agreed Priority A item. The cost of central support charged to the General Fund increases from £4,891,000 to £5,367,000 for 2005/06.

### Communications and Engagement DSP

33. The net general fund charge will rise from £909,000 to £974,000 in 2005/06.

### Community DSP

34. The net general fund charge will rise from £1,059,000 in 2004/05 to £1,233,000 in 2005/06.

### Scale of Charges

35. Attached to the report is a summary of the main changes in the scale of charges. The budget book shows the individual charges against each service.

### Capital Programme

36. FIN195, the Capital Programme Review was presented to the Council during 2004/05. This budget report includes the current budget position on the capital programme. The capital programme shows the investment in Priority A areas and a provision for maintaining existing assets. All projects are now subjected to appraisal by the Property Management Performance Group.

### Savings Identified in Budget Process

37. The budget process for 2005/06 has incorporated those areas where savings could be established in order for them to be re-directed to future priorities. This is in line with the Council decision previously agreed.
38. The resources freed up will be re-directed to capacity funding and priority delivery in accordance with the last years policy. It may be used to support capital or revenue expenditure or one-off projects identified for 2005/06. In addition an efficiency target of £200,000 has been set in accordance with the implementation of 'Gershon'. A formal efficiency statement will be presented in April 2005.

### Housing Revenue Account

39. The Housing Revenue Account is ringfenced from the General Fund. The Government tightly controls what can be charged to the account and the level of external support through the Housing Subsidy system. The main target will be to bring all stock up to the Decent Homes standard by 2010 and achieve a 2 star rating for management and this will require the continuation of previous targeted financial management, with the focus upon planned improvements to stock rather than responsive maintenance. Over 50% of the Council's reserves relate to the Housing Revenue Account.
40. The rent increase for 2004/05 is 4.03%, plus an adjustment for rent restructuring. This will be the fourth year of the ten year transition programme of moving rents to their assessed level under the Government's basis for setting social housing rents - namely 70% set upon local earnings and 30% on market value of the dwelling. Other HRA charges will be set according to the FIN222 report presented to Cabinet on 7 February 2005.

### Reserves

41. The Council holds reserves to either protect itself against unforeseen or unexpected charges of expenditure or income - general reserves or for a specific reason - specific reserves. The reserves are split between the Housing Revenue Account and the General Fund.
42. The Housing Revenue Account will have £10,854m in capital reserves and £4,868m in revenue reserves, as at 1<sup>st</sup> April 2005. By 31<sup>st</sup> March 2006 the HRA reserves will be £8,694m in capital and £6,124m in revenue.
43. The General Fund balances are estimated at 1<sup>st</sup> April 2005; £4,657m capital: £6,072m specific; £2,548m general. By 31<sup>st</sup> March 2006 the general fund balances are estimated at - £2.498m capital; £5.701m specific; £2.548m general.
44. The specific reserves will be reviewed over the next financial year to ensure they are appropriate for the Council's developing delivery of services.

#### Capital Financing 2005/06

45. 2005/06 sees the second year of the Prudential Code of Practice for Capital Financing. This replaced the tight regulation of local authority capital financing and will, over time, allow for a more flexible approach to the financing of the Council's Capital Programme. The Director of Finance and Strategic Resources has attached his report on the new Code of Practice as part of the statement on the budget.

### Appendices to Cabinet Report

Appendix A	-	Consolidated Budget Summary 2005/06
Appendix B	-	Summary of Development & Scrutiny Panels Budget Heads 2005/06
Appendix C	-	Housing Revenue Account Summary 2005/06
Appendix D	-	Capital Programme
Appendix E	-	Scale of Charges changes 2005/06
Appendix F	-	Parish Precepts 2005/06

## **SUMMARY OF GENERAL FUND ESTIMATES**

	<b>2004/2005 Estimate Base £'000</b>	<b>2004/2005 Projected Outturn £'000</b>	<b>2005/2006 Estimate Base £'000</b>
Capacity and Resources Development and Scrutiny Panel			
- Services	2,303	2,177	2,765
- Under/(Over) allocation of Support Services	7	-	-
Communications and Engagement Development and Scrutiny Panel	919	909	974
Community Development and Scrutiny Panel	1,037	1,059	1,233
Economic and Cultural Development Development and Scrutiny Panel	5,175	5,283	5,741
Environment Development and Scrutiny Panel	5,011	4,215	5,171
Special Expense Areas	622	655	626
Gershon Efficiency Savings	-	-	(200)
Capacity Building, Priority Setting and Service Improvements	300	-	250
<b><u>TOTAL SERVICE COSTS</u></b>	15,374	14,298	16,560
Surplus - Direct Works Organisation	(30)	(50)	(30)
Interest and Investment Income	(300)	(650)	(500)
Capital Charges Adjustment	(2,405)	(2,510)	(2,617)
Financing of Capital Expenditure	822	1,478	2,409
Movement on Reserves			
- Decrease in Specific Reserves	(971)	(1)	(2,530)
- Increase in General Fund Working Balance	75	-	-
<b><u>BUDGET REQUIREMENT - GENERAL FUND</u></b>	12,565	12,565	13,292
Revenue Support Grant	(4,546)	(4,546)	(4,712)
Non Domestic Rate Income	(3,419)	(3,419)	(3,656)
Council Tax Collection Fund Surplus	(14)	(14)	(53)
<b><u>DISTRICT NET EXPENDITURE</u></b>	4,586	4,586	4,871
SKDC Budget Requirement	4,115	4,115	4,374
Bourne Special Expense Area	17	17	18
Deepings Special Expense Area	10	10	11
Grantham Special Expense Area	314	314	333
Langtoft Special Expense Area	16	16	15
Stamford Special Expense Area	114	114	120
Parish Precepts	831	831	873
<b><u>GENERAL FUND EXPENDITURE/CALL ON COLLECTION FUND</u></b>	5,417	5,417	5,744

## SUMMARY OF GENERAL FUND ESTIMATES

	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
Band D Properties on which charges are based	42,853.1	42,853.1	43,396.2
<b><u>BAND D CHARGES</u></b>			
South Kesteven District Council Charge	£96.03	£96.03	£100.80
Bourne Special Expense Area Charge	£4.14	£4.14	£4.32
Deepings Special Expense Area Charge	£2.43	£2.43	£2.52
Grantham Special Expense Area Charge	£30.69	£30.69	£32.22
Langtoft Special Expense Area Charge	£20.07	£20.07	£20.79
Stamford Special Expense Area Charge	£17.01	£17.01	£17.82
Average Parish Band D Charge	£19.39	£19.39	£20.12

## STATEMENT OF RESERVES AND BALANCES

	Balance as at 1 April 2004 £'000	Movement in year 2004/2005 £'000	Balance as at 31 March 2005 £'000	Movement in year 2005/2006 £'000	Balance as at 31 March 2006 £'000
<b>Capital Reserves</b>					
Major Repairs Reserve	9,689	1,165	10,854	(2,160)	8,694
General Fund	4,657	-	4,657	(2,159)	2,498
	14,346	1,165	15,511	(4,319)	11,192
<b>Revenue Reserves</b>					
Insurance Reserve	831	(45)	786	(110)	676
Direct Services Organisations	150	(150)	-	-	-
Future Minimum Revenue Provision	1,510	-	1,510	-	1,510
Pensions Reserve - Former Employees	436	(65)	371	(65)	306
- Current Employees	1,616	(300)	1,316	-	1,316
Building Control	230	68	298	(1)	297
Capacity Building, Priority Setting and Service Improvements	1,300	491	1,791	(195)	1,596
	6,073	(1)	6,072	(371)	5,701
<b>Revenue Balances</b>					
Housing Revenue Account	4,464	404	4,868	1,256	6,124
General Fund	2,548	-	2,548	-	2,548
	7,012	404	7,416	1,256	8,672
<b>Total Reserves</b>	<b>27,431</b>	<b>1,568</b>	<b>28,999</b>	<b>(3,434)</b>	<b>25,565</b>

**CAPACITY AND RESOURCES**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Access Programme	-	134	465
2	Corporate Costs	568	548	563
3	Council Tax Collection and Benefits Administration	1,063	993	1,205
4	Non Domestic Rate Collection	20	19	25
5	Pension Costs	306	265	265
6	Welland Partnership	346	218	242
7	<b>NET GENERAL FUND CHARGE</b>	<b>2,303</b>	<b>2,177</b>	<b>2,765</b>



**CAPACITY AND RESOURCES**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
	<b>CENTRAL SERVICE SECTIONS</b>			
1	Chief Executive's Services	1,320	1,293	1,401
2	Environmental Health Services	1,031	845	964
3	Financial Services	3,251	3,058	3,355
4	Housing Services	870	1,041	1,094
5	Land Use Planning Services	462	389	400
6	Leisure and Cultural Services	168	158	174
7	Property Services	1,086	1,036	1,153
8	<b>TOTAL TO BE CHARGED</b>	<b>8,188</b>	<b>7,820</b>	<b>8,541</b>
9	Administrative Buildings	89	89	100
10	Capital Schemes	188	221	248
11	Direct Service Organisations	132	134	152
12	Holding Accounts	145	147	163
13	Housing Revenue Account	2,233	2,237	2,418
14	Special Expense Areas	92	88	93
15	Welland Partnership	32	13	-
16	<b>CHARGED TO NON GENERAL FUND SERVICES</b>	<b>2,911</b>	<b>2,929</b>	<b>3,174</b>
17	Capacity and Resources DSP	1,590	1,416	1,563
18	Communications and Engagement DSP	387	383	417
19	Community DSP	536	592	633
20	Economic and Cultural Development DSP	1,487	1,439	1,558
21	Environment DSP	1,284	1,061	1,196
		5,284	4,891	5,367
22	Under/(Over) allocation of Support Service sections	(7)	-	-
23	<b>CHARGED TO GENERAL FUND SERVICES</b>	<b>5,277</b>	<b>4,891</b>	<b>5,367</b>

**COMMUNICATIONS AND ENGAGEMENT  
DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Democratic Representation	681	684	715
2	Elections	16	22	22
3	Public Relations and Communications	101	94	121
4	Registration of Electors	121	109	116
5	<b>NET GENERAL FUND CHARGE</b>	<b>919</b>	<b>909</b>	<b>974</b>

**COMMUNITY**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Closed Circuit Television	354	322	362
2	Community Safety	61	60	114
3	Footway Lighting	171	159	164
4	Grants to Voluntary Associations	88	78	66
5	Gypsy Caravan Site	-	-	-
6	Helpline	13	23	86
7	Housing Area Improvement Initiatives	118	66	76
8	Housing Association Loans	(1)	2	-
9	Loans - Private	6	5	5
10	Private Sector Housing	222	341	360
11	Sure Start	5	3	-
12	<b>NET GENERAL FUND CHARGE</b>	<b>1,037</b>	<b>1,059</b>	<b>1,233</b>

**ECONOMIC AND CULTURAL DEVELOPMENT**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Arts Development and Arts Centres	974	1,027	1,057
2	Building Control	146	(20)	54
3	Community Activities	156	128	160
4	Community Development	117	115	155
5	Conservation	112	142	153
6	Corn Exchange, Bourne	172	180	179
7	Development Control	206	152	234
8	Economic Regeneration and Town Centre Development	491	512	723
9	Fairs	(1)	-	(1)
10	Historic Building Grants and Enhancements	45	26	-
11	Industrial Estates	(232)	(218)	(228)
12	Land Charges	(112)	(114)	(103)
13	Leisure Centres and Stadium	2,058	2,252	2,348
14	Leisure Grants and Loans	103	121	76
15	Leisure Premises	(16)	(17)	(18)
16	Licensing	101	135	68
17	Markets	(3)	15	13
18	Miscellaneous Property	144	180	220
19	Planning Policy	200	191	266
20	Play Areas and Open Spaces	221	252	251
21	Street Naming and Numbering	69	66	71
22	Tourism	224	158	63
23	<b>NET GENERAL FUND CHARGE</b>	<b>5,175</b>	<b>5,283</b>	<b>5,741</b>

**ENVIRONMENT**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Abandoned Vehicles	49	20	20
2	Awarded Watercourses and Sewer Dykes	84	79	116
3	Bus Stations	79	95	95
4	Car Parks	(622)	(536)	(521)
5	Closed Burial Grounds	52	54	55
6	Commercial and Environment	674	550	671
7	Control of Dogs	67	77	42
8	Cycle Centre and Cycleways	47	28	44
9	Drainage Rates	511	485	508
10	Emergency Planning	18	19	23
11	Grass Cutting - Verges	23	23	26
12	Night Soil, Private Sewers and Itinerant Travellers Control	2	18	3
13	Pest Control	124	97	-
14	Public Conveniences	211	205	230
15	Recycling	445	225	834
16	Refuse Collection	1,943	1,647	1,717
17	Street Cleansing	800	706	847
18	Street Furniture	28	19	22
19	Supported Travel	476	404	439
20	<b>NET GENERAL FUND CHARGE</b>	<b>5,011</b>	<b>4,215</b>	<b>5,171</b>

## SPECIAL EXPENSE AREAS

### REVENUE ESTIMATES

### SUMMARY OF SERVICE HEADS

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
1	Bourne Special Expense Area	27	22	23
2	Deepings Special Expense Area	11	11	11
3	Grantham Special Expense Area	366	364	372
4	Langtoft Special Expense Area	34	74	37
5	Stamford Special Expense Area	184	184	183
6	<b>NET GENERAL FUND CHARGE</b>	622	655	626
7	Expenditure Financed by South Kesteven District Council	(58)	(58)	-
8	Required Savings	-	-	(6)
9	Capital Charges Adjustment	(93)	(126)	(123)
10	<b>CHARGED TO SPECIAL EXPENSE AREAS</b>	<b>471</b>	<b>471</b>	<b>497</b>

#### SERVICE DESCRIPTION

Special Expense Areas are used to budget for non strategic services provided for a particular local community as opposed to the whole District. The resulting Special Expense Area charge is levied on only those people living in the relevant parish.

Capital charges are eliminated from the levies in accordance with standard accounting practice.

**COMMUNITY**  
**DEVELOPMENT AND SCRUTINY PANEL**

**HOUSING REVENUE ACCOUNT**

**SUMMARY**

	Detail	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
	<b>INCOME</b>			
1	Dwelling Rents	15,917	15,871	16,218
2	Non Dwelling Rents	264	255	265
3	Charges for Services and Facilities	1,498	1,350	1,365
4	Other Income	79	110	100
5	<b>TOTAL INCOME</b>	17,758	17,586	17,948
	<b>EXPENDITURE</b>			
6	Repair and Maintenance	4,823	4,898	4,639
7	Supervision and Management - General	1,978	2,136	2,678
8	Supervision and Management - Special	1,873	1,787	1,983
9	Contribution to Housing Subsidy Pool	5,448	4,998	4,352
10	Capital Charges - Interest	9,035	11,544	11,388
11	Capital Charges - Depreciation on HRA Assets	3,725	4,697	4,722
12	Capital Charges - Debt Management Expenses	12	12	12
13	<b>TOTAL EXPENDITURE</b>	26,894	30,072	29,774
14	<b>NET COST OF SERVICES</b>	9,136	12,486	11,826
15	Capital Charges - Interest	(9,035)	(11,544)	(11,388)
16	Loan Charges - Interest	210	210	203
17	Interest Receivable	(340)	(500)	(527)
18	<b>NET OPERATING EXPENDITURE</b>	(29)	652	114
	<b>APPROPRIATIONS</b>			
19	Capital Expenditure financed from Revenue	523	-	-
20	Transfer to/(from) Major Repairs Reserve	(113)	(1,056)	(1,370)
21	Transfer from Capital Reserve	(523)	-	-
22	(Surplus)/Deficit	(142)	(404)	(1,256)
	<b>FUND BALANCE</b>			
23	Balance at Beginning of Year	673	4,464	4,868
24	Surplus/(Deficit) for Year	142	404	1,256
25	Balance at End of Year	815	4,868	6,124

# CAPITAL PROGRAMME

## SUMMARY AND FINANCING STATEMENT

	Description	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000	2006/2007 Estimate Base £'000	2007/2008 Estimate Base £'000
	<b><u>HOUSING INVESTMENT PROGRAMME</u></b>				
	<b><u>HOUSING REVENUE ACCOUNT</u></b>				
1	New Build for Rent/Sale	150	1,750	-	-
2	Stock Improvements	4,175	5,264	5,395	5,524
3	Demolitions	25	27	29	30
4	Plant and Equipment	277	285	-	-
5	TOTAL - HOUSING REVENUE ACCOUNT	4,627	7,326	5,424	5,554
	<b><u>HOUSING GENERAL FUND</u></b>				
6	Renovation Grants	350	350	350	350
7	TOTAL - HOUSING GENERAL FUND	350	350	350	350
	<b><u>OTHER SERVICES</u></b>				
8	Capacity and Resources DSP	866	1,429	1,060	560
9	Community DSP	206	131	110	110
10	Economic and Cultural DSP	658	1,140	1,000	1,000
11	Environment DSP	1,303	500	-	-
12	TOTAL - OTHER SERVICES	3,033	3,200	2,170	1,670
13	<b>TOTAL - CAPITAL PROGRAMME</b>	8,010	10,876	7,944	7,574
	<b><u>FINANCED BY:</u></b>				
14	Supported Capital Expenditure	758	779	545	545
15	Capital Receipts	1,703	1,387	1,500	1,000
16	Capital Grants and Contributions	1,702	641	150	150
17	Direct Revenue Financing/Major Repairs Reserve	3,847	8,069	5,749	5,879
18	<b>TOTAL - CAPITAL PROGRAMME</b>	8,010	10,876	7,944	7,574



**CAPITAL PROGRAMME**

**HOUSING INVESTMENT PROGRAMME**

	Description	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000	2006/2007 Estimate Base £'000	2007/2008 Estimate Base £'000
	<b><u>HOUSING REVENUE ACCOUNT</u></b>				
	<b><u>New Build for Rent/Sale</u></b>				
1	Aire Road, Grantham	150	1,750	-	-
	<b><u>Stock Improvements</u></b>				
	Non Traditional Construction Dwellings:				
2	44 Cornish Units - Grantham	900	-	-	-
3	Cornish/Easiforms	20	847	870	-
4	Structural Repairs	35	113	116	119
	Energy Efficiency Initiatives:				
5	PVC-u Doors	1,000	1,131	1,160	-
6	Windows	-	226	231	237
7	Central Heating	110	283	290	298
8	Heating and Ventilation	-	226	230	238
	Refurbishment and Improvement:				
9	Miscellaneous Residual Properties	150	130	133	136
10	Re-roofing	500	509	520	534
11	Re-wiring	240	192	197	202
12	Kitchen Refurbishments	1,100	1,102	1,130	2,220
13	Bathroom Refurbishments	-	211	217	1,231
14	Communal Doors	-	181	185	190
15	Disabled Adaptations	120	113	116	119
		4,175	5,264	5,395	5,524
	<b><u>Demolition Works</u></b>				
16	Garages	25	27	29	30
	<b><u>Plant and Equipment</u></b>				
17	Tunstall Telecommunications System	277	285	-	-
	<b><u>HOUSING - GENERAL FUND</u></b>				
18	Renovation Grants	350	350	350	350
19	<b>TOTAL - HOUSING INVESTMENT PROGRAMME</b>	4,977	7,676	5,774	5,904

# CAPITAL PROGRAMME

## OTHER SERVICES

	Description	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000	2006/2007 Estimate Base £'000	2007/2008 Estimate Base £'000
	<b><u>CAPACITY AND RESOURCES DSP</u></b>				
1	Access to Services	571	571	500	-
2	IP Telephony	230	-	-	-
3	Provision for Existing Assets	-	800	500	500
4	Purchase of Pool Vehicles	65	58	60	60
		866	1,429	1,060	560
	<b><u>COMMUNITY DSP</u></b>				
5	Anti Social Behaviour-CCTV Cameras	50	25	-	-
	Purchase of Vehicles				
6	Care Services	19	26	30	30
7	Housing Maintenance	137	80	80	80
		206	131	110	110
	<b><u>ECONOMIC AND CULTURAL DSP</u></b>				
	Town Centre Development				
8	Town Centre Projects	-	1,000	1,000	1,000
9	Renewal of Play Equipment	33	-	-	-
10	Meres Leisure Centre Equipment	200	-	-	-
11	South Kesteven Sports Stadium-Improvements	-	140	-	-
	Capital Grants and Loans				
12	Thurlby Youth Hostel	125	-	-	-
13	Mirless Blackstone Social Club	300	-	-	-
		658	1,140	1,000	1,000
	<b><u>ENVIRONMENT DSP</u></b>				
14	Flood Prevention	50	-	-	-
	Public Conveniences				
15	Refurbishment of Red Lion Square, Stamford	164	-	-	-
16	Provision, Grantham	-	200	-	-
	Car Parking				
17	Wharf Road, Grantham	140	-	-	-
18	Wharf Road, Stamford	-	300	-	-
19	Cycle Paths	50	-	-	-
	Street Sweeping				
20	Purchase of Vehicles	64	-	-	-
	Recycling				
21	Refuse Freighters	360	-	-	-
22	Wheelie Bins	425	-	-	-
23	Depot Improvement Works	50	-	-	-
		1,303	500	-	-
24	<b>TOTAL - OTHER SERVICES</b>	3,033	3,200	2,170	1,670

## SCALE OF CHARGES

2005/06

SERVICE	COMMENT	2005/06 CHARGE
BUS STATION DEPARTURE CHARGES	Increased in 2004	No increase proposed in 2005/06
MARKETS	Increased in 2002 To be reviewed in the first quarter of 2005/06	No increase recommended by Market Service Review Group
CAR PARKS	Increased in April 2004	Policy of increase every two years
LAND CHARGE FEES	Increased in 2003	No increase proposed – full cost recovery being achieved
GRANTHAM CEMETERY	Increased in April 2004	Proposed charges in April 2005 to reflect increase cost increase on grounds maintenance
HELPLINE SERVICE	Increased in April 2004	Inflationary increase in 2005/06
LICENCES	Reviewed in 2003	Inflationary increase in 2005/06
HACKNEY CARRIAGE	Reviewed in 2003	Inflationary increase in 2005/06
PEST CONTROL	Reviewed in 2003	Full cost recovery required (category Z service)
AIR POLLUTION	Increased in 2003	Fees set by Dept of Environment
BUILDING CONTROL FEES		Increases proposed 2005/06
PLANNING FEES		Charges to be set by ODPM
ARTS CENTRES	Increased in 2004	Inflationary increase in 2005/06
BOURNE CORN EXCHANGE	Increased in 2004	Inflationary increase in 2005/06
FAIRS	Increased in 2004	Inflationary increase in 2005/06
LEISURE CENTRES (INC. STADIUM)	Increased in 2004	Inflationary increase in 2005/06 in accordance with management contract
OUTDOOR RECREATION	Increased in 2004	Inflationary increase in 2005/06
PEDAL PARK	Increased in 1999	No increase proposed due to poor usage

PARISH	BAND @ £	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Grantham	76.05	91.26	106.47	121.68	136.89	167.31	197.73	228.15	273.78
Stamford	83.20	99.84	116.48	133.12	149.76	183.04	216.32	249.60	299.52
Bourne	69.20	83.04	96.88	110.72	124.56	152.24	179.92	207.60	249.12
Deeping St James	71.90	86.28	100.66	115.04	129.42	158.18	186.94	215.70	258.84
Market Deeping	88.35	106.02	123.69	141.36	159.03	194.37	229.71	265.05	318.06
Allington	71.25	85.50	99.75	114.00	128.25	156.75	185.25	213.75	256.50
Ancaster	79.50	95.40	111.30	127.20	143.10	174.90	206.70	238.50	286.20
Aslackby & Laughton	68.55	82.26	95.97	109.68	123.39	150.81	178.23	205.65	246.78
Barholm & Stow	60.60	72.72	84.84	96.96	109.08	133.32	157.56	181.80	218.16
Barkston & Syston	66.05	79.26	92.47	105.68	118.89	145.31	171.73	198.15	237.78
Barrowby	75.60	90.72	105.84	120.96	136.08	166.32	196.56	226.80	272.16
Boston	62.40	74.88	87.36	99.84	112.32	137.28	162.24	187.20	224.64
Belton & Manthorpe	58.00	69.60	81.20	92.80	104.40	127.60	150.80	174.00	208.80
Billingborough	67.80	81.36	94.92	108.48	122.04	149.16	176.28	203.40	244.08
Bitchfield & Bassingthorpe	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Boothby Pagnell	58.70	70.44	82.18	93.92	105.66	129.14	152.62	176.10	211.32
Braceborough & Wilsthorpe	65.35	78.42	91.49	104.56	117.63	143.77	169.91	196.05	235.26
Burton Coggles	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Careby, Aunby & Holywell	58.75	70.50	82.25	94.00	105.75	129.25	152.75	176.25	211.50
Carlby	72.05	86.46	100.87	115.28	129.69	158.51	187.33	216.15	259.38
Carlton Scroop & Normanton	83.15	99.78	116.41	133.04	149.67	182.93	216.19	249.45	299.34
Castle Bytham	63.05	75.66	88.27	100.88	113.49	138.71	163.93	189.15	226.98
Caythorpe	71.50	85.80	100.10	114.40	128.70	157.30	185.90	214.50	257.40
Claypole	67.00	80.40	93.80	107.20	120.60	147.40	174.20	201.00	241.20
Colsterworth, Gunby & Stainby	73.00	87.60	102.20	116.80	131.40	160.60	189.80	219.00	262.80
Corby Glen	67.55	81.06	94.57	108.08	121.59	148.61	175.63	202.65	243.18
Counthorpe & Creeton	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Denton	66.30	79.56	92.82	106.08	119.34	145.86	172.38	198.90	238.68
Dowsby	72.95	87.54	102.13	116.72	131.31	160.49	189.67	218.85	262.62
Dunsby	59.35	71.22	83.09	94.96	106.83	130.57	154.31	178.05	213.66
Edenham	65.80	78.96	92.12	105.28	118.44	144.76	171.08	197.40	236.88
Fenton	59.75	71.70	83.65	95.60	107.55	131.45	155.35	179.25	215.10
Folkingham	70.90	85.08	99.26	113.44	127.62	155.98	184.34	212.70	255.24
Foston	68.90	82.68	96.46	110.24	124.02	151.58	179.14	206.70	248.04
Fulbeck	67.20	80.64	94.08	107.52	120.96	147.84	174.72	201.60	241.92
Greatford	63.95	76.74	89.53	102.32	115.11	140.69	166.27	191.85	230.22
Great Gonerby	68.30	81.96	95.62	109.28	122.94	150.26	177.58	204.90	245.88
Great Ponton	76.30	91.56	106.82	122.08	137.34	167.86	198.38	228.90	274.68
Haconby	56.80	68.16	79.52	90.88	102.24	124.96	147.68	170.40	204.48
Harlaxton	75.60	90.72	105.84	120.96	136.08	166.32	196.56	226.80	272.16
Heydour	64.00	76.80	89.60	102.40	115.20	140.80	166.40	192.00	230.40
Honington	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Horbling	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Hougham	64.25	77.10	89.95	102.80	115.65	141.35	167.05	192.75	231.30
Hough-on-the-Hill	67.20	80.64	94.08	107.52	120.96	147.84	174.72	201.60	241.92
Ingoldsby	60.85	73.02	85.19	97.36	109.53	133.87	158.21	182.55	219.06
Irnham	57.95	69.54	81.13	92.72	104.31	127.49	150.67	173.85	208.62
Kirkby Underwood	62.80	75.36	87.92	100.48	113.04	138.16	163.28	188.40	226.08
Langtoft	80.95	97.14	113.33	129.52	145.71	178.09	210.47	242.85	291.42

PARISH	BAND @ £	BAND A £	BAND B £	BAND C £	BAND D £	BAND E £	BAND F £	BAND G £	BAND H £
Lenton, Keisby & Osgodby	57.40	68.88	80.36	91.84	103.32	126.28	149.24	172.20	206.64
Little Bytham	66.10	79.32	92.54	105.76	118.98	145.42	171.86	198.30	237.96
Little Ponton & Stroxton	61.55	73.86	86.17	98.48	110.79	135.41	160.03	184.65	221.58
Londonthorpe & Harrowby Without	62.15	74.58	87.01	99.44	111.87	136.73	161.59	186.45	223.74
Long Bennington	67.85	81.42	94.99	108.56	122.13	149.27	176.41	203.55	244.26
Marston	66.95	80.34	93.73	107.12	120.51	147.29	174.07	200.85	241.02
Morton	63.70	76.44	89.18	101.92	114.66	140.14	165.62	191.10	229.32
North Witham	63.65	76.38	89.11	101.84	114.57	140.03	165.49	190.95	229.14
Old Somerby	63.55	76.26	88.97	101.68	114.39	139.81	165.23	190.65	228.78
Pickworth	65.75	78.90	92.05	105.20	118.35	144.65	170.95	197.25	236.70
Pointon & Sempringham	70.20	84.24	98.28	112.32	126.36	154.44	182.52	210.60	252.72
Rippingale	76.15	91.38	106.61	121.84	137.07	167.53	197.99	228.45	274.14
Ropsley, Humby, Braceby & Sapperton	63.20	75.84	88.48	101.12	113.76	139.04	164.32	189.60	227.52
Sedgebrook	66.15	79.38	92.61	105.84	119.07	145.53	171.99	198.45	238.14
Skillington	69.30	83.16	97.02	110.88	124.74	152.46	180.18	207.90	249.48
South Witham	79.70	95.64	111.58	127.52	143.46	175.34	207.22	239.10	286.92
Stoke Rochford & Easton	62.65	75.18	87.71	100.24	112.77	137.83	162.89	187.95	225.54
Stubton	63.60	76.32	89.04	101.76	114.48	139.92	165.36	190.80	228.96
Swayfield	63.30	75.96	88.62	101.28	113.94	139.26	164.58	189.90	227.88
Swinstead	65.80	78.96	92.12	105.28	118.44	144.76	171.08	197.40	236.88
Tallington	65.20	78.24	91.28	104.32	117.36	143.44	169.52	195.60	234.72
Thurlby	69.40	83.28	97.16	111.04	124.92	152.68	180.44	208.20	249.84
Toft, Lound & Manthorpe	56.00	67.20	78.40	89.60	100.80	123.20	145.60	168.00	201.60
Uffington	63.25	75.90	88.55	101.20	113.85	139.15	164.45	189.75	227.70
Welby	63.15	75.78	88.41	101.04	113.67	138.93	164.19	189.45	227.34
Westborough & Dry Doddington	61.15	73.38	85.61	97.84	110.07	134.53	158.99	183.45	220.14
West Deeping	66.65	79.98	93.31	106.64	119.97	146.63	173.29	199.95	239.94
Witham-on-the-Hill	63.30	75.96	88.62	101.28	113.94	139.26	164.58	189.90	227.88
Woolsthorpe	66.40	79.68	92.96	106.24	119.52	146.08	172.64	199.20	239.04
Wyville-cum-Hungerton	67.55	81.06	94.57	108.08	121.59	148.61	175.63	202.65	243.18

**BUDGET 2005/2006**  
**SECTION B - STATEMENT BY**  
**CHIEF FINANCIAL OFFICER**

**ROBUSTNESS AND ADEQUACY OF**  
**BUDGET AND RESERVES**

The purpose of this statement is to comply with the Local Government Act 2003. In presenting the budget to the Council the Executive must take account of the advice of the Director of Finance and Strategic Resources in relation to the robustness and adequacy of the budget and reserves.

For 2005/06 I can advise the Council that the budget presented to the Council is robust in its formulation and the level of reserves adequate for the organisation.

**Risks to the Budget**

In formulating my opinion the following risks and factors have been taken into account.

- (i) The Government will cap the level of increase for Local Authorities. The Government does have reserve capping powers and has indicated it will use them to reduce Council Tax bills in some areas. No criteria has been issued, but letters received from the Local Government Minister have been strongly worded.

South Kesteven is a low taxing Council being in the bottom 30 in the country. The proposed increase is 5% at Band D per annum in line with the Government target. Given no Government guidelines have been received for capping, any resultant capping could be found from balances. In considering my assessment I have taken account of the various consultation meetings and surveys that indicate the proposed increase is acceptable. The cost of rebilling if capping did occur would be £50,000

- (ii) The estimates assume that the Pest Control Service will be self financing. Given the charges likely to be charged, careful budget monitoring will be put in place, to take corrective action if required.
- (iii) The level of Supporting People Grant received in respect of the Warden Service in the Housing Revenue Account is under discussion with the Supporting People Team. If the required level of grant is not received corrective action may be required.

I have not received any other requests to assess alternative budget proposals and therefore any proposals have not been considered for adequacy and robustness.

J Blair  
Director of Finance and Strategic Resources



**SOUTH KESTEVEN DISTRICT COUNCIL**

**SECTION C - RESOLUTION FOR INCLUSION IN  
COUNCIL MINUTES OF 24 FEBRUARY 2005**

**COUNCIL TAX LEVIES FOR 2005/2006**

1. That the following amounts be now calculated by the Council for the year 2005/2006 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended):-
  - (a) the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act: £63,224,000
  - (b) the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act: £49,059,000
  - (c) the amount as calculated under Section 32(4) of the Act by which the aggregate at (a) above exceeds the aggregate at (b) above. £14,165,000
  - (d) the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of re-distributed non-domestic rates and revenue support grant increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) and 98(4) of the 1988 Act. £8,421,000
  - (e) the amount at (c) above less the amount at (d) above, all divided by 43,396.2 (the Council's tax base for 2005/2006) as recorded in Minute 83 of the meeting on 6 December 2004 being the basic council tax for the year. £132.36
  - (f) the aggregate of all special items referred to in Section 34(1) of the Act. £1,369,600
  - (g) the amount at (e) above less the result given by dividing the amount at (f) above by 43,396.2 (the Council's council tax base) in accordance with Section 34(2) of the Act being the basic amount of its council tax for the year.  
For dwellings in those parts of its area to which no special item relates £100.80
  - (h) the amounts, as recorded in Column B in the schedule below, given by adding to the amount at (g) overleaf the amounts of special items relating to dwellings in those parts of the Council's area specified in Column A of that schedule divided by the council tax base for the relevant part of the Council's area is recorded in Minute 83 of the meeting on 6 December 2004 being the base amounts of its council tax for the year for dwellings in those parts of its area to which special items relate:



Column AColumn BPart of the Council's area

Grantham	136.89
Stamford	149.76
Bourne	124.56
Deeping St James	129.42
Market Deeping	159.03
Allington	128.25
Ancaster	143.10
Aslackby & Laughton	123.39
Barholm & Stow	109.08
Barkston & Syston	118.89
Barrowby	136.08
Baston	112.32
Belton & Manthorpe	104.40
Billingborough	122.04
Boothby Pagnell	105.66
Braceborough & Wilsthorpe	117.63
Careby, Aunby & Holywell	105.75
Carlby	129.69
Carlton Scroop & Normanton	149.67
Castle Bytham	113.49
Caythorpe	128.70
Claypole	120.60
Colsterworth, Gunby & Stainby	131.40
Corby Glen	121.59
Denton	119.34
Dowsby	131.31
Dunsby	106.83
Edenham	118.44
Fenton	107.55
Folkingham	127.62
Foston	124.02
Fulbeck	120.96
Greatford	115.11
Great Gonerby	122.94
Great Ponton	137.34
Haconby	102.24
Harlaxton	136.08
Heydour	115.20
Hougham	115.65
Hough-on-the-Hill	120.96
Ingoldsby	109.53
Irnham	104.31
Kirkby Underwood	113.04
Langtoft	145.71
Lenton, Keisby & Osgodby	103.32
Little Bytham	118.98
Little Ponton & Stroxton	110.79
Londonthorpe & Harrowby Without	111.87
Long Bennington	122.13

Marston	120.51
Morton	114.66
North Witham	114.57
Old Somerby	114.39
Pickworth	118.35
Pointon & Sempringham	126.36
Rippingale	137.07
Ropsley, Humby, Braceby & Sapperton	113.76
Sedgebrook	119.07
Skillington	124.74
South Witham	143.46
Stoke Rochford & Easton	112.77
Stubton	114.48
Swayfield	113.94
Swinstead	118.44
Tallington	117.36
Thurlby	124.92
Uffington	113.85
Welby	113.67
Westborough & Dry Doddington	110.07
West Deeping	119.97
Witham-on-the-Hill	113.94
Woolsthorpe	119.52
Wyville-cum-Hungerton	121.59

- (i) the amounts given by multiplying the amounts at (g) and (h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act being the amounts to be taken into account for the year in respect of dwellings listed in different valuation bands for the parts of the Council's area is now scheduled:-

2. That it be noted that for the year 2005/2006 Lincolnshire County Council (LCC) and Lincolnshire Police Authority (LPA) have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Act for each of the categories of dwellings shown below:-

<u>Valuation Band</u>	<u>LCC</u> <u>Amount</u> <u>£</u>	<u>LPA</u> <u>Amount</u> <u>£</u>
A	599.88	
B	699.86	
C	799.84	
D	899.82	
E	1,099.78	
F	1,299.74	
G	1,499.70	
H	1,799.64	

**To be resolved on 28 February 2005**

3. That, having calculated the aggregate in each case of the amounts at 1(j) and 2 above, the Council in accordance with Section 30(2) of the Act hereby sets the following amounts at the amounts of Council Tax for the year 2005/2006 for each of the categories of dwellings in the following table:-

**To be resolved on 28 February 2005**

**PRUDENTIAL INDICATORS 2005/06**  
**SECTION D - CAPITAL FINANCE REPORT**

1. In accordance with the CIPFA - Prudential Code for Capital Finance in Local Authorities and the Local Government Act 2003, the following indicators meet the requirement.
2. The actual capital expenditure that was incurred in 2003/04 and the estimates of capital expenditure to be incurred for the current and future years that are recommended for approval are:-

Capital Expenditure					
	2003/04 £000 Actual	2004/05 £000 Estimate	2005/06 £000 Estimate	2006/07 £000 Estimate	2007/08 £000 Estimate
Housing General Fund	497	350	350	350	350
Capacity Resources DSP	253	866	1,429	1,060	560
Community DSP	38	206	131	110	110
Economic and Cultural DSP	441	658	1,140	1,000	1,000
Environment DSP	167	1303	500	-	-
Total Other Services	1,396	3,383	3550	2,520	2,020
Housing Revenue Account	3,336	4,627	7,326	5,424	5,554
Total Capital Programme	4,732	8,010	10,876	7,944	7,574

3. Estimates of the ratio of financing costs to net revenue stream for the current and future years, and the actual figures for 2003/04 are:-

Ratio of financing costs to net revenue stream					
	2003/04 Actual	2004/05 Estimate	2005/06 Estimate	2006/07 Estimate	2007/08 Estimate
Non-HRA	-1.62	-1.37	-1.19	-0.17	0.06
HRA	-0.56	-1.65	-1.81	-1.18	-0.77

The estimates of financial costs include current commitments and the proposals in this budget report.

4. Estimates of the end of year Capital Financing Requirement as at 31 March 2004 are:-

Capital Financing Requirement					
	31.03.04 £m actual	31.03.05 £m Estimate	31.03.06 £m Estimate	31.03.07 £m Estimate	31.03.08 £m Estimate
Non-HRA & HRA	8	6	5	5	5

5. The Capital Financing Requirement measures the authority's underlying need to borrow for a capital purpose. In accordance with best professional practice, South Kesteven District Council does not associate borrowing with particular items or types of expenditure. The authority has an integrated treasury management strategy and has adopted the CIPFA Code of Practice for Treasury Management in the Public Services. South Kesteven District Council has, at any point in time, a number of cashflows both positive and negative, and manages its treasury position in terms of its borrowings and investments in accordance with its approved treasury management strategy and practices. In day to day cash management, no distinction can be made between revenue cash and capital cash. External borrowing arises as a consequence of all the financial transactions of the authority and not simply those arising from capital spending. In contrast, the Capital Financing Requirement reflects the authority's underlying need to borrow for a capital purpose.
6. CIPFA's Prudential Code for Capital Finance in Local Authorities includes the following as a key indicator of prudence:-

"In order to ensure that over the medium term net borrowing will only be for a capital purpose, the local authority should ensure that net external borrowing does not, except in the short term, exceed the total of capital Financing Requirement in the preceding year plus the estimates of any additional Capital Financing Requirement for the current and next two financial years".

I report that the authority had no difficulty meeting this requirement in 2003/04, nor are any difficulties envisaged for the current or future years. This view takes into account current commitments, existing plans, and the proposals in this budget report.

7. In respect of the authorities external debt, it is recommended the Council approves the following Authorised Limits for its total external debt gross of investments for the next three financial years, and agrees the continuation of the previously agreed limit for the current year since no change to this is necessary. These limits separately identify borrowing from other long term liabilities such as finance leases. The Council is asked to approve these limits and to delegate authority to myself within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long term liabilities, in accordance with option appraisal and best value for money for the authority. Any such changes will be reported to the Council at its next meeting following the change.

Authorised limit for external debt				
	2004/05 £m	2005/06 £m	2006/07 £m	2007/08 £m
Borrowing	30	30	30	30

8. I report that these Authorised Limits are consistent with the authority's current commitments, existing plans and the proposals in this budget report for capital expenditure and financing, and with its approved treasury management policy statement and practices. I confirm that they are based on the estimate of most likely, prudent but not worst case scenario, with in addition sufficient headroom over and above this to allow for operational management, for example unusual cash movements. Risk analysis and risk management strategies have been taken into account; as have plans for capital expenditure, estimates of the Capital Financing Requirement and estimates of cashflow requirements for all purposes.
9. The Council is also asked to approve the following Operational Boundary for external debt for the same time period. The proposed Operational Boundary for external debt is based on the same estimates as the Authorised Limit but reflects directly my estimate of the most likely, prudent but not worst case scenario, without the additional headroom included within Authorised Limit, and equates to the maximum of external debt projected by this estimate. The Operational Boundary represents a key management tool for in year monitoring by myself. Within the Operational Boundary, figures for borrowing and other long term liabilities are separately identified, The Council is also asked to delegate authority to myself, within the total Operational Boundary for any individual year, to effect movement between the separately agreed figures for borrowing and other long term liabilities, in a similar fashion to the Authorised Limited. Any such changes will be reported to the Council at its next meeting following the change.

Operational Boundary for external debt				
	2004/05 £m	2005/06 £m	2006/07 £m	2007/08 £m
Borrowing	9	7	5	4

10. The Council's actual external debt as at 31 March 2004 was £9 million. It should be noted that actual external debt is not directly comparable to the Authorised Limit and Operational Boundary, since the actual external debt reflects the position at one point in time.
11. In taking its decisions on this budget report, the Council is asked to note that the Authorised Limited determined for 2005/2006 (see paragraph 7 above) will be statutory limit determined under section 3(1) of the Local Government Act 2003.
12. The Band D Council Tax that would result for South Kesteven District Council for 2005/06 from the totality of the capital and revenue plans recommended in this budget report is £100.80.

13. The estimate of the incremental impact of capital investment decisions proposed in this budget report, over and above capital investment decisions that have previously been taken by the Council are

(a) for the Band D Council Tax

<u>2005/06</u>	<u>2006/07</u>	<u>2007/08</u>
£ -	£ -	£ -

(b) for average Housing Rents

<u>2005/06</u>	<u>2006/07</u>	<u>£2007/08</u>
£ -	£ -	£ -

14. In considering its programme for capital investment, the Council is required within the Prudential Code to have regard to:-

- Affordability, eg implications for Council Tax.
- Prudence and sustainability, eg implications for external borrowing.
- Value for money, eg option appraisal.
- Stewardship of assets, eg asset management planning.
- Service objectives, eg strategic planning for the authority.
- Practicality, eg achievability of the forward plan.

15. A key measure of affordability is the incremental impact on the Council Tax, and the Council could consider different options for its capital investment programme in relation to their different impact on the Council Tax.

16. South Kesteven District Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Services.

17. It is recommended the Council sets an upper limit on its fixed interest rate exposures for 2005/06, 2006/07 and 2007/08 of 75% of its net outstanding principal sums.

18. It is further recommended that the Council sets an upper limit on its variable interest rate exposures for 2005/06, 2006/07 and 2007/08 of 25% of its net outstanding principal sums.

19. This means that I will manage fixed interest rate exposures within the range 70% to 80% and variable interest rate exposures within the range of 20% to 30%. This is a continuation of current practice.

20. It is recommended the Council sets upper and lower limits for the maturity structure of its borrowings as follows.

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate.

	Limit
Under 12 months	11%
12 months and within 24 months	11%
24 months and within 5 years	33%
5 years and within 10 years	16%
10 years and above	28%

21. The Council has agreed a policy on the investment of sums for periods longer than 364 days.





# **REPORT TO COUNCIL**

**REPORT OF:** Chief Executive

**REPORT NO.** CEX281

**DATE:** 24th February 2005

<b>TITLE:</b>	<b>2005/6 Review of Corporate Planning Arrangements</b>
<b>FORWARD PLAN ITEM:</b>	<b>Yes</b>
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	<b>May 2004</b>
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	<b>Yes</b>

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	<b>All</b>
<b>CORPORATE PRIORITY:</b>	<b>All</b>
<b>CRIME AND DISORDER IMPLICATIONS:</b>	<b>Detailed in the Report</b>
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	<b>None</b>
<b>BACKGROUND PAPERS:</b>	<b>Previous Reports to Council Minutes from meeting of the Local Area Assemblies and Development and Scrutiny Panels (DSPs)</b>

## **Introduction**

### **Corporate Planning Structure**

Over the last year the Council has developed the following Corporate Planning Structure:

1. A vision built around the concept of pride. Following the last CPA refresh this vision has been more clearly articulated to become a clear destination for the District to be reached by 2020. This has been achieved by breaking down the vision into the following work streams:
  - a) Performance and Priorities
  - b) Respect and recognition for diversity
  - c) Informing and Involving
  - d) Developing Communities
  - e) Empowering and enabling

A booklet has been produced, describing the key components for each of these “steps” on the path to pride. At the last round of Local Area Assemblies each assembly meeting was consulted in detail on one of these booklets. As a result of their considerations, amendments have been made to the booklets and updated versions are now available on the Council’s intranet.

The latest CPA guidance supports the Council’s approach in seeking to have a well-articulated vision for the community supported by priorities aligned to clear performance measures and resources by being explicit about non-priority services. However the guidance indicates that the best authorities will combine this with the adoption of “ambitions” which will link the Council priorities to the vision. In selecting these ambitions, it is suggested that authorities may wish to have regard to the shared priorities that have been agreed at national level between representatives from Local Government and the ODPM. These are:

Sustainable Communities and Transport  
Safe and Strong Communities  
Healthier Communities  
Older People  
Children and Young Persons

It is clear from the guidance that Council will be assessed on the extent to which it has delivered tangible outcomes in each of these areas. This can be seen in the extract enclosed as Appendix A, which is the proposed 2005 Key Lines of Enquiry for corporate assessment:

As is readily apparent these shared priorities have been designed to reflect the activities of Unitary Councils. In two-tier areas it is necessary to differentiate the responsibilities of the District and the County Councils. In addition it needs to be remembered that although the Council should consider these shared priorities, primary reliance should be placed upon determining ambitions, which reflect the desires and expectations of the residents of the District. These views were fairly clearly captured in the consultation process that was undertaken last year regarding the Council priorities.

## Proposed Ambitions

In view of this it is recommended that the Council adopt the following four ambitions, which will link the vision with the priorities:

1. Economic Development
2. Community Safety
3. Healthy Environment
4. Community Engagement

The following tables show each layer of our Corporate Planning Framework and explain its purpose. By this approach we can ensure that individual personal development plans are driven by the Council's vision and ambitions.

### **South Kesteven Corporate Planning Framework**

	<b>What's it for?</b>	<b>Component</b>	<b>What does it say?</b>
1	To describe the purpose of the Council.	Vision	It is based on the concept of pride, articulated by five steps (P,R,I,D,E)
2	To identify the key themes needed to achieve the vision.	Ambition	4 themes reflecting national, local and Council priorities.
3	The service priorities and performance targets	Priorities	Identifies both step-change (A) and incremental (B) priorities.
4	To explain what the Council will stop doing in order to invest in priorities	Non-Priorities	Non-priorities (Z) identified and targets set for financial savings.
5	Identifies the changes needed within the organisation to secure improvement.	Change Management Action Plan	Sets-out requirements by themes with target dates.
6	Corporate advice and direction for service managers	Corporate Strategies	Covers matters such as Human Resources, Risk, Finance, IT, Management development etc.
7	Identifies the key indicators and targets used to measure progress	Best Value Performance Plan.	Incorporates targets for each priority and programmes future Best Value reviews.
8	Sets the framework and measures for the management of each service	Service Plans	Translates priorities and into service targets and considers options for improvement.
9	Identifies the key development needs and targets for each employee	Personal Development Plans	Captures the outcome from the Personal Development Reviews for every employee.

The linkage between these new ambitions and our current priorities is demonstrated in the following table:

<b>Proposed Ambition:</b>	<b>Priorities that it incorporates</b>		<b>Shared national priorities that it reflects</b>
	<b>Category A</b>	<b>Category B</b>	
<b>Economic Development</b>	Town-centre regeneration.	Business Development. Planning	Sustainable Communities and Transport.
<b>Safer communities</b>	Anti-social behaviour.	Diversity. Vulnerable Persons. Housing Management. Affordable Housing.	Safer and Stronger Communities
<b>Healthier Environment</b>	Street Sweeping. Recycling.		Healthier Communities.
<b>Engagement</b>	Access.	Communications. LSP and Community Strategy.	Children and Young People. Older People

### **Cabinet Portfolios.**

In order to provide clear leadership, focus and accountability it is recommended that after the Council's AGM in May, the portfolios of the Cabinet Members are revised to accord with these new ambitions. This also enables the appointment of "Champions" for particular issues such as procurement or E-Government.

Assuming that the Cabinet remains composed of seven members, the new portfolios would have four that reflect the new ambitions:

Economic Development,  
Community Safety,  
Healthy Environment  
Community Engagement

And three that would be cross--cutting:

Resources and Assets (Champion for procurement and risk management)  
Organisational Development (Champion for leadership development)  
Strategic Partnerships (Champion for joined-up public services)

The responsibilities of a champion would be:

Championing a strategic approach to the issue by promoting and securing support for the vision  
Representing the Council at meetings with external agencies and partners  
Review systems  
Asking challenging questions especially about value for money and risk management  
Ensuring a systematic and effective approach to member engagement  
Monitoring performance  
Ensuring lessons learnt are captured for the benefit of the organisation  
Providing visible leadership to the community on this issue

Ensuring that robust systems are in place to consult with customers  
Ensuring that the capacity of the organisations and resources needs are assessed and reviewed  
Acting as a change agenda to drive forward improvement  
Ensuring sound understanding and communications

Under the Council's constitution the determination of the composition of the Cabinet and the allocation of responsibilities to Cabinet members is a matter for the Leader of the Council. In consultation with the leader, she has indicated that she would be minded to consider the following allocation of titles and responsibilities.

## **Economic Development**

Public conveniences  
Street furniture  
Car parks  
Conservation  
Markets  
Tourism  
Industrial estates  
Miscellaneous property  
Economic Development grants and assistance  
All planning services and policies  
Town centre development and partnerships  
Industrial development  
Agriculture and the rural economy  
Liaison with SSPs and TCMPs

## **Community Safety**

Crime and disorder  
CCTV  
Emergency Planning  
Watercourse and dykes  
Flood prevention  
Housing Management  
Private Housing  
Licensing  
Occupational Health and Safety  
Care services  
HRA management  
Enabling the provision of affordable housing  
Homelessness  
Housing repairs  
Property maintenance  
Home safety  
Energy advice  
Building control  
Footway lighting and maintenance  
Sustainable rural communities  
Police Service liaison

## **Healthy Environment**

Arts centres and development  
Community centres  
Fairs  
Leisure Centres  
Parks, Gardens and Recreation Grounds  
Playing fields and Play areas  
Grass cutting and grounds maintenance  
Sports development  
Health promotion  
Food safety  
Noise and pollution control  
Contaminated land  
Water supplies  
Waste management  
Street sweeping and litterbins  
Recycling  
Closed burial grounds  
Burial of the destitute  
Infectious disease  
Graffiti removal  
Dog fouling  
Animal health and control  
Pest control  
Rural environment  
Health Services liaison  
Environment Agency liaison

## **Access and Engagement**

E-Government  
ICT  
Customer Service and modernisation  
Communications  
Consultation  
Local Area Assemblies  
YELLS  
Elections  
Democratic Representation  
Register of Electors  
Freedom of information  
Data Protection  
Printing  
Dial-a-ride  
Public transport initiatives and concessions  
Bus stations  
Vehicle management  
Courier service  
Access to services for rural communities

## **Resources and Assets**

Council tax collection  
Non-Domestic rates  
Audit and accountability  
Special expense areas  
Grants and subscriptions  
Risk management  
Finance and accountancy  
Budget preparation and Council tax  
Procurement  
Liaison with ODPM on resources

## **Organisational Development**

Human resources  
Training and development  
Community Leadership  
Organisational development  
Performance management  
CPA and Best Value reviews  
Scrutiny arrangements  
Member's induction and development programme  
Liaison with IDEA

## **Strategic Partnerships**

Community Strategy  
Local Strategic Partnerships  
Annual Stakeholder Conference  
East Midlands Regional Assembly  
Lincolnshire Local Government Association  
Welland partnership  
Shared service partnerships

Clearly the determination of portfolio responsibilities is a matter for the Leader, however I have addressed it in this report since it has implications for the DSP remits.

## **Development and Scrutiny Panels**

Since the imposition of the new system the Council has sought a close alignment of DSP with Cabinet portfolios. This makes it easier for the DSP to exercise both its scrutiny and policy development roles. In order to continue this approach it is recommended that there are similar changes to the names and responsibilities of the DSPs. Assuming the number of DSPs remains at five, the names and responsibilities of the new DSPs that would be appointed at the AGM in May would be as follows:



<b>Development and Scrutiny Panel</b>	<b>Cabinet Portfolios</b>
Economic Development	Economic Development
Community	Community
Healthy Environment	Healthy Environment
Engagement	Engagement Strategic Partnerships
Resources	Resources and Assets Organisational Development

The responsibilities would be identical to that set out above for Cabinet members.

### **Review of Priorities**

In accordance with the timetable agreed by Cabinet on Monday the 7<sup>th</sup> of February, the priorities are currently being reviewed by Cabinet and will then be considered by the DSPs before being reported to Council for determination at the AGM on the 28<sup>th</sup> April.

### **Recommendation**

That the articulation of the Council's vision of pride as set out in the five booklets available on the intranet is approved.

That the Council approves in principle the new ambitions and consequential adjustments to DSP remits so that appointments to these panels can be made at the Council's AGM in April.

Duncan Kerr  
Chief Executive

## **APPENDIX A**

### **Extract from Key Lines of Enquiry for CPA 2005**

**“What has been achieved?”**

#### **Themes and key questions**

##### **Sustainable communities and transport**

**5.1.1** What has the council, with its partners, achieved in its ambitions for the economy and labor market?

**5.1.2** What has the council, with its partners, achieved in its ambitions and priorities for the local housing market?

**5.1.3** What has the council, with its partners, achieved in its ambitions for the local environment?

**5.1.4** What has the council, with its partners, achieved in its ambitions for and through transport?

##### **Safer and stronger communities**

**5.2.1** What has the council, with its partners, achieved in its ambitions for reducing and preventing crime and the fear of crime?

**5.2.2** What has the council, with its partners, achieved in its ambitions for reducing antisocial behavior (ASB)?

**5.2.3** What has the council, with its partners, achieved in its ambitions for reduction in the harm that drugs and alcohol cause to society?

**5.2.4** What has the council, with its partners, achieved in its ambitions for reducing accidents and making people feel safer?

**5.2.5** Is the council well prepared for internal or external emergency situations?

**5.2.6** What has the council, with its partners, achieved in its ambitions for building stronger communities?

##### **Healthier communities**

**5.3.1** What has the council, with its partners, achieved in its ambitions for the promotion of healthier communities and the narrowing of health inequalities and are these achievements recognized by the local population?

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##### **Older people**

**5.4.1** What has the council, with its partners and with older people, done to develop a strategic approach to older people as citizens that goes beyond health and social care and covers the areas that older people say are most important?

**5.4.2** What has the council, both corporately and with its partners, done to undertake meaningful engagement with older people and their representative groups on all aspects of the strategic approach to older people and service provision?

**5.4.4** What has the council, with its partners, achieved in its ambition to deliver a comprehensive, co-ordinated range of services to older people?

##### **Children and young people**

Normally (when the Joint Area Review (JAR) and corporate assessment are happening at the same time), the description and judgement of the Council's and its partners' contributions to the quality of outcomes for children and young people will be summarised from the JAR report. In the exceptional circumstances where the two processes do not take place at the same time, the Ofsted/CSCI annual performance assessment for

children and young people's services will form the basis of this section of the report."

## REPORT TO COUNCIL

**REPORT OF:** Leader of the Council and Chief Executive (Joint)

**REPORT NO.** CEX280

**DATE:** 24<sup>th</sup> FEBRUARY 2005

<b>TITLE:</b>	CHANGE MANAGEMENT ACTION PLAN
<b>FORWARD PLAN ITEM:</b>	NO
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	N/A
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	PFP

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	ALL
<b>CORPORATE PRIORITY:</b>	ALL
<b>CRIME AND DISORDER IMPLICATIONS:</b>	
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	NONE
<b>BACKGROUND PAPERS:</b>	Report CEX223 to Council 15 <sup>th</sup> January 2004 Report CEX249 to Council 2 <sup>nd</sup> September 2004

## **1. PURPOSE OF REPORT AND SUMMARY**

This report is to update members on the Council's Change Management Action Plan for the current year and request approval of the latest plan for 2005/06.

## **2. DETAILS OF REPORT**

Since the Comprehensive Performance Assessment (CPA) carried out in 2003 the Council has used a Change Management Action Plan (CMAP) to provide the corporate focus on the strategic tasks required as we have moved through our own period of change, and forward in line with the requirements of Central Government policy. The CMAP is also used as an on-going management and monitoring tool as it is regularly reviewed by Corporate Management Team and Cabinet, and overviewed by the independent Change Management Action Plan Monitoring Group.

### **a) CMAP 2004/05**

Council agreed the current plan in September 2004 which is attached as Appendix A. It contained some 24 high level requirements ranging from Completing the Prioritisation process, setting Corporate Service Standards, approving a Risk Management strategy to implementing Job Evaluation, identifying an E-Government Implementation Plan, improving the focus of the Community Strategy and Senior Manager & Member Development.

Of those areas, which were scheduled for completion in 2004/05, all but two have been actioned. Work around the Community Plan and on Procurement has been carried over into the proposed plan for 2005/06.

### **b) CMAP 2005/06**

Attached at Appendix B is the latest version of the Plan. It includes those items previously identified as requiring greater than one year to complete, e.g. Delivering the Council's Access and Modernisation agenda, attaining Level 2 of the Diversity and Equalities standard and Stock Option Appraisal. It also identifies new areas such as Promoting the Corporate Vision and Achieving savings in the non-priority areas.

Whilst this is the first version of the CMAP for 2005/06 as you would expect with any action plan it will be necessary to revisit it from time to time to ensure any new strategic tasks agreed by Council are added.

## **3. RECOMMENDATION**

Council are requested to approve the latest version of the Change Management Action Plan as summarised in Appendix B.

Linda Neal  
Leader of the Council

Duncan Kerr  
Chief Executive



SKDC Change Management Action Plan 2004/05					APPENDIX A		
Task Name		Duration	Start	Finish	Resource Names	S	
Cabinet approval of position statement		9 days	Wed 25/08/04	Mon 06/09/04			
Approval of strategy on formal market testing		4 days	Wed 01/12/04	Mon 06/12/04			
CMT approval of strategy		51 days	Wed 01/12/04	Wed 09/02/05			
Council approval		6 days	Thu 17/02/05	Thu 24/02/05			
Develop procurement training & expertise		83 days	Mon 10/01/05	Wed 04/05/05			
Workload Analysis - To review when priorities agreed		235 days	Mon 09/02/04	Fri 31/12/04	DK		
Review by each Director		229 days	Mon 09/02/04	Fri 24/12/04			
Report to CMT		1 day	Fri 31/12/04	Fri 31/12/04			
Financial Services - Review capacity to meet Council requirements & accounts approval		161 days	Wed 16/06/04	Wed 26/01/05	JB		
Report on Corporate Financial Structure to CMT		61 days	Wed 03/11/04	Wed 26/01/05			
Report on Operational Financial Services Structure to CMT and Unison		96 days	Wed 16/06/04	Wed 27/10/04			
Consult Auditors and LFOs		161 days	Wed 16/06/04	Wed 26/01/05			
Financial Reserves - Review appropriate level following 03/04 out-turn		171 days	Thu 01/07/04	Thu 24/02/05	JB		
Prepare report to C and A as part of MTFS		50 days	Thu 01/07/04	Wed 08/09/04			
Include in Budget Policy Framework		119 days	Mon 13/09/04	Thu 24/02/05			
Resource Allocation - Prepare medium term financial budgets reflecting agreed priorities		110 days	Fri 28/05/04	Thu 28/10/04	JB		
Incorporate all plans, impact assessments, disinvestments, timescales, limits on resources		86 days	Fri 28/05/04	Fri 24/09/04			
Liaison with DSP		51 days	Thu 22/07/04	Thu 30/09/04			
Report to Cabinet		16 days	Mon 20/09/04	Mon 11/10/04			
Approve MTFS by Council		12 days	Wed 13/10/04	Thu 28/10/04			
VFM - Assess for all services and report this and financial management to Councillors		151 days	Mon 12/07/04	Mon 07/02/05	JB		
Build robust model in consultation with C & R DSP		59 days	Mon 12/07/04	Thu 30/09/04			
Report to CMT on implementation		10 days	Thu 28/10/04	Wed 10/11/04			
Implementation		53 days	Wed 10/11/04	Fri 21/01/05			
Report to Cabinet		7 days	Fri 28/01/05	Mon 07/02/05			
Member Development - Identify key competencies required for Members		173 days	Wed 26/05/04	Fri 21/01/05	CS		
Competence matrix for executive members		61 days	Wed 26/05/04	Wed 18/08/04			
Consult members on competencies for non exec members		16 days	Thu 01/07/04	Thu 22/07/04			
Report to Cabinet		8 days	Thu 15/07/04	Mon 26/07/04			
360d appraisal for executive members		114 days	Tue 27/07/04	Fri 31/12/04			
Personal Development Plans for executive members		20 days	Mon 27/12/04	Fri 21/01/05			
High Performance Culture		193 days	Wed 07/04/04	Fri 31/12/04	CS		
Develop understanding of Leadership styles with Senior Managers and Cabinet		56 days	Wed 21/04/04	Wed 07/07/04			
Analysis of self assessed styles		11 days	Wed 07/04/04	Wed 21/04/04			
Feedback and consultation on preferred styles		1 day	Wed 07/07/04	Wed 07/07/04			

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SKDC Change Management Action Plan 2004/05						APPENDIX A	
Task Name	Duration	Start	Finish	Resource Names	S		
Devise protocols and guidance on preferred managerial style of SKDC	62 days	Wed 07/07/04	Thu 30/09/04				
Develop appropriate training programmes	48 days	Wed 27/10/04	Fri 31/12/04				
Limited Corporate Capacity below CMT - Assessment of gap on core competencies for Senior Managers	273 days	Wed 14/04/04	Fri 29/04/05	CS			
Tailor LRDL 360 degree model	96 days	Wed 14/04/04	Wed 25/08/04				
360 degree appraisal of all Senior Managers	66 days	Fri 27/08/04	Fri 26/11/04				
Feedback & action plans	90 days	Mon 30/08/04	Fri 31/12/04				
Provide support and development	150 days	Mon 04/10/04	Fri 29/04/05				
Performance Management Culture	293 days	Wed 14/01/04	Fri 25/02/05	DK			
Update and fully implement the Performance Management Framework	121 days	Wed 14/01/04	Wed 30/06/04				
Prepare service plans	6 days	Wed 21/07/04	Wed 28/07/04				
Cabinet approval of service plans	10 days	Tue 27/07/04	Mon 09/08/04				
Introduction of Fuji Film focus boards	178 days	Wed 23/06/04	Fri 25/02/05				
Clarify role of DSPs	26 days	Mon 04/10/04	Mon 08/11/04				
Service Standards - Set corporate service standards	197 days	Wed 10/03/04	Thu 09/12/04	IY			
Assessment of best practice standards	76 days	Wed 10/03/04	Wed 23/06/04				
CMT approval	6 days	Wed 04/08/04	Wed 11/08/04				
Consultation	34 days	Mon 16/08/04	Thu 30/09/04				
Cabinet approval	28 days	Thu 30/09/04	Mon 08/11/04				
Council approval of service standards	15 days	Fri 19/11/04	Thu 09/12/04				
Planning Performance - Determine structure and systems required to meet BVPP targets	239 days	Mon 03/05/04	Thu 31/03/05	SM			
Interim - targeted work to improve performance (May-Sept)	109 days	Mon 03/05/04	Thu 30/09/04				
Implement action plan for improvement	196 days	Tue 01/06/04	Thu 31/03/05				
BFI - Prepare action plan for meeting BFI standards	185 days	Mon 07/06/04	Fri 18/02/05	JB			
Implement plan and monitor against	185 days	Mon 07/06/04	Fri 18/02/05				
E-Government - Prepare and implement action plan to meet Dec 05 target	475 days	Mon 08/03/04	Fri 30/12/05	IY			
Evaluate preferred delivery strategies i.e. Welland vs. alternatives and gain approval from Cabinet	131 days	Mon 08/03/04	Mon 06/09/04				
Prepare and approve ICT strategy	175 days	Mon 28/06/04	Mon 28/02/05				
Implementation to reach IEG targets	392 days	Thu 01/07/04	Fri 30/12/05				
Diversity & Equalities - Attaining Level 2	475 days	Mon 08/03/04	Fri 30/12/05	CS			
Agreed action plan approved by DSP	119 days	Mon 05/04/04	Thu 16/09/04				
Preparation & capacity building with Equalities PMG	139 days	Mon 08/03/04	Thu 16/09/04				
Generic Equality scheme review by Council	147 days	Wed 04/08/04	Thu 24/02/05				
Implement & monitor through Equalities PMG	335 days	Mon 20/09/04	Fri 30/12/05				
Review HR responsibilities of managers	292 days	Wed 18/02/04	Thu 31/03/05	CS			
Transfer responsibilities within recruitment and discipline processes	74 days	Wed 18/02/04	Mon 31/05/04				

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SKDC Change Management Action Plan 2004/05					APPENDIX A	
Task Name		Duration	Start	Finish	Resource Names	S
Set date for transfer of salary budget & people management issues		16 days	Wed 25/08/04	Wed 15/09/04		
Action plan leading to appropriate management development		139 days	Mon 20/09/04	Thu 31/03/05		
<b>Staff motivation</b>		<b>375 days</b>	<b>Mon 24/11/03</b>	<b>Fri 29/04/05</b>	<b>CS</b>	
Action results of first staff survey		131 days	Wed 07/01/04	Wed 07/07/04		
Prepare second annual staff survey		85 days	Mon 20/09/04	Fri 14/01/05		
Action results from second staff survey		76 days	Mon 10/01/05	Mon 25/04/05		
Complete the implementation of job evaluation for core staff		142 days	Mon 24/11/03	Tue 08/06/04		
Implement JE for top senior managers		61 days	Tue 08/06/04	Tue 31/08/04		
Implement JE for Cleansing employees		149 days	Tue 08/06/04	Fri 31/12/04		
Implement JE for Craft staff		234 days	Tue 08/06/04	Fri 29/04/05		
<b>HR Strategy</b>		<b>178 days</b>	<b>Mon 10/05/04</b>	<b>Wed 12/01/05</b>	<b>CS</b>	
Prepare draft strategy (including Workforce Development Plan)		85 days	Mon 10/05/04	Fri 03/09/04		
CMT approval of draft Strategy		16 days	Wed 08/09/04	Wed 29/09/04		
Cabinet approval of Strategy		6 days	Mon 04/10/04	Mon 11/10/04		
<i>Council approval of the strategy</i>		14 days	Mon 11/10/04	Thu 28/10/04		
Research best practice for staff incentivisation scheme		40 days	Mon 05/07/04	Fri 27/08/04		
Prepare scheme - agree at CMT		73 days	Mon 04/10/04	Wed 12/01/05		
<b>Stock Option Appraisal</b>		<b>321 days</b>	<b>Fri 07/05/04</b>	<b>Fri 29/07/05</b>	<b>SM</b>	
Agree terms of reference, communication and consultation strategy		126 days	Fri 07/05/04	Fri 29/10/04		
Carry out consultation exercise		105 days	Mon 01/11/04	Fri 25/03/05		
Consider all options against SOA criteria		48 days	Fri 17/12/04	Tue 22/02/05		
CMT approval of options		11 days	Wed 23/02/05	Wed 09/03/05		
Seek agreement to identified option via DSPs		6 days	Thu 17/03/05	Thu 24/03/05		
Cabinet approval of option		31 days	Mon 28/03/05	Mon 09/05/05		
<i>Council approval of stock option appraisal</i>		13 days	Tue 10/05/05	Thu 26/05/05		
Seek GOEM acceptance of SOA		45 days	Mon 30/05/05	Fri 29/07/05		
<b>Peer Review - One year on from CPA</b>		<b>67 days</b>	<b>Wed 08/09/04</b>	<b>Thu 09/12/04</b>		
Prepare revised self assessment and scoring		16 days	Wed 08/09/04	Wed 29/09/04		
Seek CMT and Leader approval of revised assessment		5 days	Mon 04/10/04	Fri 08/10/04		
Peer review exercise by SOLACE		3 days	Tue 19/10/04	Thu 21/10/04		
Report initial findings to Cabinet		6 days	Mon 08/11/04	Mon 15/11/04		
Input of CMAP Monitoring Group		1 day	Mon 29/11/04	Mon 29/11/04		
Report to Annual Stakeholders Conference		11 days	Thu 25/11/04	Thu 09/12/04		

South Kesteven Change Management Action Plan 2005/06						APPENDIX B
ID	Task Name	Duration	Start	Finish	Resource Initials	
1	Priorities	128 days	Wed 02/02/05	Fri 29/07/05		
2	Agree action plans for Grantham as a SRC	83 days	Wed 02/02/05	Fri 27/05/05	JP 8	
3	Agree action plans for Street Scene	42 days	Wed 02/02/05	Thu 31/03/05	DK	
4	Agree action plans for Crime and Disorder	128 days	Wed 02/02/05	Fri 29/07/05	JP 13	
5	Annual review of Corporate Planning arrangements	45 days	Fri 25/02/05	Thu 28/04/05	DK	
6	Report to Cabinet on consultation findings/proposed priorities	7 days	Fri 25/02/05	Mon 07/03/05		
7	Consultation with DSPs	28 days	Fri 11/03/05	Tue 19/04/05		
8	Approval of Council on new planning arrangements/priorities	8 days	Tue 19/04/05	Thu 28/04/05		
9	Community Strategy and Development of the Local Strategic Partnership	131 days	Fri 01/04/05	Fri 30/09/05	JP 9	
10	Develop understanding with partners of local needs following area profiling	41 days	Fri 01/04/05	Fri 27/05/05		
11	Review guidance from GOEM	65 days	Fri 01/04/05	Thu 30/06/05		
12	Timetable for new community strategy	66 days	Fri 01/07/05	Fri 30/09/05		
13	Procurement	221 days	Fri 25/02/05	Fri 30/12/05	JB 12	
14	Capacity building training for members and officers	16 days	Fri 25/02/05	Fri 18/03/05		
15	IDeA Health check	2 days	Tue 05/04/05	Wed 06/04/05		
16	CMT approval of procurement strategy	1 day	Wed 17/08/05	Wed 17/08/05		
17	Council approval of procurement strategy	8 days	Tue 30/08/05	Thu 08/09/05		
18	Development of procurement training and expertise	196 days	Fri 01/04/05	Fri 30/12/05		
19	Introduce Corporate Energy Policy	86 days	Fri 01/04/05	Fri 29/07/05	SM 7	
20	Value for Money	65 days	Fri 01/04/05	Thu 30/06/05	JB 6	
21	Review for all services using service plans	65 days	Fri 01/04/05	Thu 30/06/05		
22	Organisational Development	261 days	Fri 01/04/05	Fri 31/03/06	CS 9	
23	360d appraisal for executive members	41 days	Fri 01/04/05	Fri 27/05/05		
24	Personal Development Plans for executive members	86 days	Fri 01/04/05	Fri 29/07/05		
25	Introduce and carry out Knowledge based training for all non executive members	261 days	Fri 01/04/05	Fri 31/03/06		
26	Review Senior Management Development and Knowledge based training	151 days	Fri 01/04/05	Fri 28/10/05	CS 7	
27	Set up Senior Manager development and contribution scheme programme	41 days	Fri 01/04/05	Fri 27/05/05		
28	Complete scoring exercise	108 days	Wed 01/06/05	Fri 28/10/05		
29	Promoting Corporate Vision	261 days	Fri 01/04/05	Fri 31/03/06	JP 12	
30	Campaign to promote corporate vision to reduce learning anxiety	86 days	Fri 01/04/05	Fri 29/07/05		
31	Monitor embedded ness of corporate vision	175 days	Mon 01/08/05	Fri 31/03/06		
32	Access & Modernisation	304 days	Tue 01/02/05	Fri 31/03/06		
33	Prepare and approve ICT strategy	21 days	Fri 01/04/05	Fri 29/04/05	IY 5	
34	Implementation to reach IEG targets	196 days	Fri 01/04/05	Fri 30/12/05	IY 19	

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## REPORT TO COUNCIL

REPORT OF: CORPORATE MANAGER, HUMAN RESOURCES  
AND ORGANISATIONAL DEVELOPMENT

REPORT NO: HR & OD 76

DATE: 24 February 2005

<b>TITLE:</b>	REVIEW OF COUNCIL'S GENERIC EQUALITIES SCHEME
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<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Councillor Linda Neal Leader
<b>CORPORATE PRIORITY:</b>	Equality and Diversity
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Reporting of racial incidents
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	
<b>BACKGROUND PAPERS:</b>	Generic Equality Scheme The Equality Standard for Local Government – Audit and Self- Assessment The Duty to promote Race Equality – A guide for Public Authorities – Commission for Race Equality

## **RECOMMENDATION**

1. I ask that the Council consider the Generic Equality Scheme noting that it has been pre-scrutinised by the Communications & Engagement DSP and approved by Cabinet. After consideration, I request the Council to adopt this Scheme.

## **BACKGROUND**

2. The Council has a statutory duty to publish a Race Equality Scheme. In March 2003, it chose to incorporate its Race Equality Scheme within a Generic Equality Scheme covering gender, people with a disability, race, religious belief and age. The Council is required to review the scheme at least every three years.
3. A completely new scheme is presented with this Report. Over and above the statutory duty of the Council to regularly review its Equality Scheme (minimum every three years), there are a number of other reasons why a comprehensive review is appropriate at this time. These include:-
  - (1) Diversity is a Category B priority.
  - (2) In order to comply with our legal responsibilities the scheme requires significant development particularly in relation to assessing impact of individual Council functions.
  - (3) Many people perceive that the demographic composition of our local population is rapidly changing. The Council needs to prepare by mainstreaming the issue of race equality into policy development and consultation processes.
  - (4) There has been some change in legislation since the last scheme was published.
  - (5) The Council has identified access to services as a Category A priority. This has great significance to groups such as those with a disability or those whose first language is not English etc.
4. In preparing this revised scheme I have concentrated upon the issues of race. Although we have chosen to produce a generic scheme there are very specific duties concerning race with which the Council is legally required to comply. Some of these are not covered in the current scheme.
5. The underlying purpose of a Generic Equality Scheme is to set out a framework for the development of equality and diversity issues in a systematic way. Though the need for this has been driven by the Race Relations (Amendment) Act 2000 the systematic approach is very appropriate to all equality and diversity issues.

**C J Sharp**  
**Corporate Manager**  
**Human Resources and Organisational Development**  
**February 2005**



**SOUTH KESTEVEN DISTRICT COUNCIL**

# **GENERIC EQUALITY SCHEME**

**Version 2**

**February 2005**

Document enhancement for the visually impaired or translation from English  
is available on request. Telephone 01476 406200 or e-mail  
[frontdesk@southkesteven.gov.uk](mailto:frontdesk@southkesteven.gov.uk)

**Any comments or suggestions about this scheme are welcome and  
should be addressed to Chris Sharp, Corporate Manager HR & OD,  
SKDC, St Peter's Hill, Grantham NG31 6PZ. Tel 01476 406132  
[c.sharp@southkesteven.gov.uk](mailto:c.sharp@southkesteven.gov.uk)**

## **FOREWORD**

The Council's overall vision is to ensure that the residents of South Kesteven are proud of their district. South Kesteven District Council recognises the benefits of having a diverse population and is keen not only to accept but also celebrate diversity as articulated in the Council's core values, the second of which is to respect all residents and recognise their particular needs. We are committed to ensuring that services are provided to all users fairly and equally irrespective of gender, race, disability, ethnic origin, age, religion or sexual orientation. The needs of all service users have to be taken into account when looking at the services, schemes and policies of the authority. The council also recognises its statutory obligations and responsibilities, in particular the requirements of the Race Relations (Amendment) Act 2000 to eliminate unlawful racial discrimination, promote equality of opportunity and promote good relations between persons of different racial groups.

Whilst required to produce a Race Equality scheme the council has decided to incorporate this within a Generic Equality Scheme to ensure that all equality and diversity issues are addressed. To achieve this, the council is working towards the Equality Standard for Local Government.

The Generic Equality Scheme will ensure that equality and diversity issues become an integral part of the Authority's work and are dealt with in a systematic way which will embed the issues in the delivery of services and the corporate functions of the authority.

**Leader of the Council**

**Chief Executive**

If you have any observations or suggestions for improvement of the scheme, please address them to:

Chris Sharp  
Human Resources & Organisational Development  
Council Offices  
St Peter's Hill  
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NG31 6PZ

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## **INTRODUCTION**

### **Context**

1. The Council first published a Generic Equalities Scheme in March 2003. That was South Kesteven District Council's first response to new statutory responsibilities placed upon it by the Race Relations (Amendment) Act 2000. This act places certain positive responsibilities on the Council in relation to race equality. In order to satisfactorily discharge our responsibilities arising from the Act the original scheme requires development hence the publication of this revised scheme.
2. The publication of a Race Equality Scheme in itself is a specific requirement of the Act. The Council has chosen to publish its Race Equality Scheme within a wider Generic Equality Scheme which includes fair treatment and equal access to services and employment regardless of race, disability, gender, religious belief and sexual orientation.
3. The Council also aspires not to discriminate on the basis of age. The current state of UK legislation however, prevents the Council from meeting an absolute undertaking not to discriminate on the basis of age in the provision of some of its services. The UK government is required by the European Directive to outlaw age discrimination in UK legislation.
4. The specific aim of this first review of the Council's equality scheme is to develop the Council's responsibility with respect to race equality and the promotion of good race relations. It also incorporates the Employment Equality Regulations 2003 relating to sexual orientation and religious belief which have come into operation since the last scheme was published.

## Content

5. The contents of this scheme are those required of a race equality scheme. This will form the strategic framework for the development of equalities. The scheme is laid out as follows:

<b>Introduction</b>	...	3
<b>Policy Statement</b>	...	5
<b>Definitions</b>	...	5
- Equality		
- Diversity		
<b>Legal Framework</b>	...	6
- Acts & Directive		6
- General Duty		
- Specific Duties		
<b>Policy Framework</b>	...	8
- The Council's Priorities		
- Employment Equal Opportunity Policy		
<b>Equality &amp; Diversity Aims and Objectives</b>	...	8
<b>How the Council will achieve its objectives</b>	...	10
- Roles and Responsibilities		
- Assessment of Functions for Relevance		
- Impact Assessment of Existing Functions		
- Assessment and Consultation on Proposed Future Policies		
- Three Year Action Plan		
<b>Monitoring and Scrutiny Arrangements</b>	...	12
<b>Consultation Arrangements</b>	...	13
- Race Equality Consultation Forum		
<b>Procurement</b>	...	14
<b>Training</b>	...	15
<b>Employment</b>	...	16
<b>Publicity and Access to Information</b>	...	17
- The Scheme		
- Results of Impact Assessments, Consultation & Monitoring		

- Appendix 1 Assessment of functions for relevance to race equality  
Appendix 2 Impact assessment of existing functions  
Appendix 3 Assessment & consultation on Proposed future Policies  
Appendix 4 Three year action plan

## POLICY STATEMENT

6. The council's overall vision is:

To ensure that the residents of South Kesteven are proud of their district and their Council.

7. To underpin our vision of a Council which is regarded with pride by all its stakeholders the Council's equality vision is:

**The Council aims to deliver services and employ people in such a way as to**

- (1) Avoid unlawful discrimination**
- (2) Promote equality of opportunity**
- (3) Promote positive relations between groups particularly different racial groups.**

## DEFINITIONS

8. It is useful to articulate exactly what the Council means by the terms 'equality and diversity'.
9. **Equality** means equal treatment irrespective of gender, race, disability, religious belief, sexual orientation and (aspirationally) age. Equal treatment does not necessarily mean the "same" treatment. It does mean treatment that will lead to the same outcome.
10. **Diversity** - an explanation of what we mean by diversity requires a more complex explanation.

Our society has always been made up of people who are different in one way or another - old and young, able bodied and those with a disability, men and women, poor and rich, differences in racial and ethnic origin, sexual orientation and religion among others. There are also those vulnerable people whose plight (or 'difference') remains hidden because of perceived stigma. Victims of domestic violence for instance.

Without meaning to do so it is likely that the council is providing better services for some groups than others. Perhaps even more importantly some groups feel included in our society whilst others feel excluded. It may be that access to services is likely to be better for the able-bodied than those with a disability, better for those who can speak English than those who cannot, better for those from a background attuned to

officialdom and form filling than those who are not, and increasingly better for those adept at utilising electronic communication than those who cannot. Additionally some minority groups of people tend to remain 'invisible' to the Council and other public agencies. In short, some feel 'included' and some feel 'excluded'.

In summary dealing with diversity involves:

- Recognising different groups which includes identifying those who are hard to reach
- Finding out how well we are serving their needs
- Ensuring our policies impact fairly on different groups
- Promoting good relations between groups particularly where difference is racial.

## **LEGAL FRAMEWORK**

### **Acts and Directives**

11. The Council's commitment to securing genuine equality of opportunity and anti-discriminatory practices is underpinned by the following legislation:-

#### Equal Pay Act 1970

To prevent discrimination between men and women in terms of their contract of employment, including pay.

#### Sex Discrimination Act 1975

It is illegal to discriminate directly or indirectly against men or women in selection for appointment, promotion or training.

#### Sex Discrimination Act Amendment 1999 – gender reassignment

It is illegal to discriminate against a person who is undergoing a gender reassignment in terms of employment or training.

#### Race Relations Act 1976

It is illegal to discriminate, directly or indirectly, on the grounds of colour, race, ethnic or national origin.

#### Race Relations (Amendment) Act 2000

All public bodies, including this Council, must eliminate unlawful racial discrimination; promote equality of opportunity; and promote good race relations. Local authorities have the specific duty to publish a Race Equality Scheme.

#### Disability Discrimination Act 1995

It is illegal to discriminate against disabled people (with physical or mental impairments) in employment, provision of goods and services and buying or renting of land or property. Employers and service providers are required to make reasonable adjustments to overcome barriers.

#### Human Rights Act 1998

Local authorities are legally required to consider the impact of people's human rights when setting policies and making decisions.

#### Freedom of Information Act 2000

The act introduced a general right of access to information that is held by a range of public bodies, including the Council, with the aim of ensuring decision-making is open and accountable.

#### Employment Equality (Sexual Orientation) Regulations and Employment Equality (Religion and Belief) Regulations 2003

The above regulations make it unlawful to discriminate against workers because of sexual orientation or religion or their beliefs.

### **General Duty**

12. Under the Race Relations (Amendment) Act 2000 the District Council has a general duty to have due regard to the need:-

- To eliminate unlawful discrimination
- To promote equality of opportunity
- To promote good relations between persons of different racial groups

### **Specific Duties**

13. Again under the Race Relations (Amendment) Act 2000 the Council has the following specific duties:-

- To prepare and publish a Race Equality Scheme with specific content
- To identify the relevance of their current and proposed functions and policies to the general duty to promote race equality
- To monitor for any adverse impact policies have on promoting race equality
- Make arrangements for assessing and consulting on the likely impact of proposed policies on promoting race equality
- Make arrangements for publishing the results of assessments, consultation and monitoring
- Make arrangements for ensuring people have access to information and services

- Make arrangements for training of staff on issues that are relevant to the general duty
- To comply with a number of responsibilities as an employer relating to race equality

## **POLICY FRAMEWORK**

### **The Council's Priorities**

14. The Council has recognised diversity as one of its priorities following the consultative exercise in examination of national priorities last year. It was significant that a well established ethnic minority group (the Grantham Chinese Association) chose diversity as their most important priority for the Council.
15. The Council has also established access to services as a priority. This is an important equality and diversity issue which will help prioritise the creation of strategies to improve access to services for hard to reach members of our community, people with a disability, people whose first language is not English etc.

### **Employment Equal Opportunity Policy**

16. The Council has an established Equal Opportunity Policy in its role as an employer. This policy underpins many of our corporate employment activities such as recruitment, provision of reasonable adjustments in the workplace, dealing with harassment, flexible working etc.

## **THE COUNCIL'S EQUALITY AND DIVERSITY AIMS AND OBJECTIVES**

17. The Council has the following equality and diversity aims:-  
(For the purposes of these aims 'relevant groups' are those based on gender, race, disability, religious belief, sexual orientation and age.)
  - i. To have a more representative workforce at all levels in the Council
  - ii. To have no significant differences in satisfaction among staff based on their race, gender, disability, religious belief, sexual orientation or age.
  - iii. To have no significant differences in public confidence in the Council based on people's race, gender, disability, religious belief, sexual orientation or age.

- iv. To have no significant differences in service outcomes between people of different race, gender, disability, religious belief, sexual orientation or age.
  - v. To have no significant differences in people's satisfaction with services based on their race, gender, disability, religious belief, sexual orientation or age.
18. To help achieve these aims the Council has a number of specific objectives: -
- i. To reach Level 2 of the Local Government Equality Standard by the end of December 2005
  - ii. To reach Level 3 of the Local Government Equality Standard by the end of December 2007
  - iii. To improve diversity performance indicators as set out in the Council's Best Value Performance Plan
  - iv. To have in place a well used and recognised process for consulting with minority ethnic and disability groups by December 2005
  - v. To demonstrate good relations within the rapidly changing demographic composition of South Kesteven
  - vi. To establish full single status as an employer by March 2006

## **HOW THE COUNCIL WILL ACHIEVE ITS EQUALITY AIMS AND OBJECTIVES**

### **Roles and responsibilities**

19. To ensure that the Council translates its objectives into actions it will ensure that relevant participants in the management of the Council are aware of their responsibilities in relation to equalities. The following responsibilities will be discharged as far as reasonably practicable.

#### **Elected Members will:**

- Be familiar with the Council's Generic Equality Scheme and understand the extent to which it has an impact on their role in the Council
- Observe and promote the Council's equality policies in the performance of their roles and duties
- Ensure adequate resources are available for the Council to meet its legal responsibilities concerning generic equality
- Contribute toward driving forward change and scrutinise activities to comply with our responsibilities where such actions are relevant to their role within the Council.

#### **The Chief Executive and Corporate Management Team will:**

- Serve as role models to the organisation and wider community
- Provide direction and create corporate policies and plans in relation to equalities
- Encourage the integration of equalities into all the services provided by the council
- Ensure that we fulfil our stated aims and responsibilities as an employer and service provider with respect to equalities
- Ensure that all policy amendment proposals carefully consider equality issues in the widest sense and highlight areas where the council may not comply with our equalities aims and objectives

#### **Service Managers will:**

- Carry out impact assessments, monitoring and reporting of outcomes in their service areas and in accordance with this scheme
- Reflect the council's equalities aims and objectives in service plans
- Ensure that all employment related issues are dealt with in accordance with the council's equal opportunity policy



- Identify specific training needs associated with equalities arising from appraisal meetings.
- Ensure that they carry out the council's procurement activities in accordance with the procurement strategy (relating to equalities).
- Ensure that all policy amendment proposals carefully consider equality issues in the widest sense and highlight areas where the council may not comply with our equalities aims and objectives.
- Act as or nominate a service champion to represent their section on the Equalities PMG and to champion equalities within the section.

**Staff will:**

- Be familiar with the Generic Equality Scheme and understand the extent to which it has a bearing on their role
- Demonstrate commitment to equalities by taking active steps to challenge discrimination and disadvantage
- Undertake appropriate training in equalities

**Assessment of Functions for Relevance**

20. The Council has a duty to identify its functions and policies that are relevant to the general duty relating to race equality. An assessment has been undertaken and is shown at Appendix 1. Functions were examined one by one against the following criteria:
- Could the duty to eliminate discrimination be relevant?
  - Could the duty to promote equality of opportunity be relevant?
  - Could the requirement to promote good race relations be relevant?
  - Is there evidence or reason to believe that some racial groups could be differently affected? (The answer to this question is "yes" where no measurement currently takes place.)
21. Functions are then categorised as being of high, medium or low relevance according to the following criteria:
- |                             |                                     |
|-----------------------------|-------------------------------------|
| Three or more "yes" answers | - HIGH relevance to race equality   |
| Two "yes" answers           | - MEDIUM relevance to race equality |
| One "yes" answer            | - LOW relevance to race equality    |
| No "yes" answers            | - No relevance                      |

**Impact assessment of existing functions**

22. For higher relevance functions further analysis was undertaken to develop a high level action plan to enable the functions to be assessed through monitoring and consultation. This involved identifying policies relevant to functions, identifying how consultation is undertaken currently, identifying

monitoring requirements and arriving at a high level simple action plan for each function in order to assess impact of the policy on equalities in the future and address any adverse impact that is found. The outcome of this exercise is shown at Appendix 2 and forms an important action plan for the development of equalities function by function.

### **Assessment and consultation on proposed future policies**

23. The Council is committed to assessing impact on equalities and properly consulting on proposed changes in policy or new policy. The results of this process will be recorded on the current standard template for report writing under equal opportunities. The process for carrying out such assessments is shown at Appendix 3.

### **Three year action plan**

24. This Generic Equality Scheme contains a number of corporate actions which need to be undertaken in order to carry out what we promise to undertake to achieve our equality aims and objectives. The action plan is an essential tool for monitoring and organising the Council's progress on equalities. It is shown at Appendix 4.

### **MONITORING AND SCRUTINY ARRANGEMENTS**

25. The Council is committed to implementing effective monitoring encompassing service equality measures (action and targets) and workforce recruitment. Monitoring will take place at different levels in the organisation as illustrated in the following chart.

<b>ACTIVITY TO BE MONITORED</b>	<b>BY WHOM</b>	<b>FREQUENCY</b>
Three-year action plan (incorporated into Change Management Action Plan).	CMT Cabinet Communications and Engagement DSP	Monthly 3 monthly  Annually
Service and employment targets and actions (within service plans).	Cabinet/CMT Head of Service Appropriate scrutiny panel	Bi-annually Quarterly  Annually
Equality Performance indicators	CMT/Cabinet Communications and Engagement DSP	Quarterly Annually

26. Service and employment monitoring is particularly important as it is at the cutting edge of equalities action. For each high relevant policy it will be necessary to:-
- Monitor its affect on different groups
  - Check whether there are any differences in its impact on different groups and
  - Assess whether these differences have an adverse impact on some groups. Where there are differences there will be a need to either review the Policy or review how the Policy is being applied.

## **CONSULTATION ARRANGEMENTS**

27. The Council has an agreed consultation strategy. The strategy gives guidance on how the Council will go about reaching people who may be under represented in consultation exercises including young people, people with disabilities and people from ethnic minority groups. Through the strategy the Council has developed the concept of a Local Area Assembly through which consultation can be undertaken with local representatives including those from groups identified by the local assembly as being hard to reach. The concept of youth consultation groups (YELLS) has also been introduced by the strategy.

### **Race Equality Consultation Forum**

28. Recently the Council has begun to develop a Race Equality Consultation Forum for the district. At its inception this forum intends to be simply a meeting of representatives from ethnic minority groups living within the District. Amongst other things this panel will be consulted on policies and functions which have a high relevance to race equality and race relations.
29. The Council is mindful that the setting up of consultation machinery, however helpful, may not achieve a desired level of inclusiveness because of the composition of consultative panels. Within the equalities three year plan the Council is committed to reviewing its consultation strategy not only to include the development of an ethnic minority forum within the strategy but also to include the composition of consultative groups with respect to gender, age, race and disability.

## **PROCUREMENT**

30. The Council is committed to identifying those of its functions provided by private companies or voluntary bodies that are relevant to the general duty. Where there is high or medium relevance found we shall ensure that future contracts include provision for race equality elements in accordance with this scheme and the Race Relations (Amendment) Act 2000. In cases where a contract already exists the Council will seek to amend those contracts in order that the function meets the general duty.
31. Within the National Procurement Strategy milestones the Council must develop a policy for dealing with small/medium-sized firms. The Council is committed to developing such a policy that will help facilitate equality of opportunity to such organisations. Ethnic minority organisations (as defined by the commission for Race Equality) are predominantly small/medium sized.
32. A number of actions have been identified for the procurement function contained in the impact action plan at appendix 2 (actions 10.1 – 10.4)

## TRAINING

33. Equal opportunity awareness already forms part of the Council's standard induction training for both staff and members. In order to fulfil the general duty required by statute a far deeper understanding of equalities is required by many staff. The following scheme outlines the different levels of training which will be provided by the Council.

<b>Training Need</b>	<b>Who</b>	<b>When</b>
General awareness	All staff and members	At induction and whole authority as soon as possible.
Managing assessment, consultation and monitoring of functions	Heads of section CMT equalities champion	Part of management development programme or upon appointment to post with periodic refreshers.
To develop an understanding of the general and specific duties and the introduction of equal opportunity policy in large organisations	Member champion CMT Member support staff	Upon appointment and a whole authority programme as soon as possible. Periodic refreshers.
Managing frontline issues including monitoring and consultation	Customer Services staff and specific relevant managers	As above
Planning for consultation with hard to reach groups and research into the changing demographics of the district	Relevant Cabinet/CMT members and policy authors	Following the outcome of research to be carried out in Lincolnshire sponsored by District Councils.
Equal opportunity issues relating to employment and recruitment monitoring and relevant legislation.	HR Staff	Already part of CIPD qualification and annual provision of employment law training.
Specialist equality training	CMT equalities champion	As required and identified through appraisal

## **EMPLOYMENT**

34. The Council will continue monitoring recruitment activities in relation to equality and report outcomes to Cabinet on an annual basis. Where significant differences are identified positive action plans are created and pursued. The Council also monitors workforce composition figures relating to gender, disability and race. The Council is committed to continuing positive action where workforce composition figures show an imbalance in composition of the workforce at different levels in relation to the demographics of the local population.
35. The Council is committed to achieving full single status for its staff and this has been achieved in all areas other than for craft employees.
36. The Council has a number of other employment initiatives designed to fulfil the specific duty relating to employment. Details of these are contained within the Council's approved HR Strategy.

## **PUBLICITY AND ACCESS TO INFORMATION**

### **The Scheme**

37. The scheme will be made available in both electronic and printed form. The Council is committed to giving the scheme as wide publicity as possible in order that it can reach all parts of our community. The scheme is available in Braille, large print, audio tape and languages other than English on request. Such requests are likely to take some days to fulfil.
38. The Council will utilise its consultation processes to keep this scheme under review.

### **Results of Impact Assessments, Consultation and Monitoring**

39. The Council is committed to open government and scrutiny. In developing new policies the results of the impact assessments and consultation will be made fully available.
40. Observations and suggestions for improvement to the scheme are welcome and should be addressed to:

Chris Sharp  
Corporate Manager  
Human Resources & Organisational Development  
South Kesteven District Council  
Council Offices  
St Peter's Hill  
Grantham  
Lincs  
NG31 6PZ

01476 406132  
c.sharp@southkesteven.gov.uk





ASSESSING FUNCTIONS OR POLICIES FOR RELEVANCE TO GENERAL DUTY

FUNCTION	RELEVANCE H, M, L	WHICH PART OF THE GENERAL DUTY DOES IT APPLY TO?				Is there evidence or reason to believe that some racial groups could be differently affected?	Is there any public concern that the function or policy is being carried out in a discriminatory way?
<b>Building Control</b>							
Building Control	H	Y	Y	N		Y	
Dangerous structures	N/R						
Demolitions	N/R						
Demolitions enforcement	M	Y	N	N		Y	
Land charges – Property Search	L	Y	N	N		N	
Land charges – personal search	M	Y	N	N		Y	
Statutory register – street naming	L	N	N	Y		N	
Street name plates	N/R						
<b>Business Management Services</b>							
Grants – recreation, voluntary and Leisure	H	Y	Y	Y		Y	

Car Parks	L	Y	N	N	N	N
Best Value Reviews and CPA	H	Y	Y	Y	Y	
Consultation	H	Y	Y	Y	Y	
Travel concessions <sup>1</sup>	H	Y	Y	Y	Y	
<b>Care Services</b>						
Warden service	H	Y	Y	Y	Y	
Helpline service	H	Y	Y	Y	Y	
<b>Cleansing and Contract Services</b>						
Refuse collection	L	N	N	N	N	Y
Recycling	L	N	N	N	N	Y
Street Cleaning	N/R					
Public conveniences	N/R					
Abandoned vehicles	N/R					
Commercial Waste – collection and disposal						
Removal of dead animals	N/R					
Fly tipping <sup>2</sup>	H	Y	Y	N	N	Y
Special collections (large items)	L	N	N	N	N	Y
Street litter bins	N/R					
<b>Community Services</b>						
Community Safety (Crime/Disorder)	H	Y	Y	Y	Y	Y
Public Relations and Media	H	Y	Y	Y	Y	N

Communications										
<b>Customer Services</b>										
Complaints	H		Y	Y		Y		Y	Y	
Customer Services	H		Y	Y		Y		Y	Y	
<b>Democratic &amp; Legal</b>										
CCTV	M		Y	N		Y		Y	N	
Civic Functions	N/R									
Member Services	L		Y	N		N		N	N	
Electoral registration and elections	H		Y	Y		Y		Y	Y	
Itinerant travellers	H		Y	Y		Y		Y	Y	
Public Rights of Way – footpath diversions and extinguishment orders	N/R									
Emergency planning	L		N	N				N	Y	
<b>Development Control</b>										
Pre application advice and guidance	H		Y	Y				Y	Y	
Processing planning applications	H		Y	Y				Y	Y	
Statutory register	N/R									
Appeals	N/R									
Enforcement of planning control <sup>2</sup>	H		Y	Y				Y	Y	
Investigating complaints <sup>2</sup>	H		Y	Y				Y	Y	

Statistical returns	N/R						
Archaeological excavations/surveys	N/R						
Decision notice register	N/R						
Tree Management	N/R						
<b>Direct Works Organisation</b>							
Housing Repairs	M	Y	N	N		Y	
<b>Environmental Health &amp; Licensing</b>							
Food Safety	H	Y	Y	Y		Y	
Infectious Disease Control <sup>2</sup>	L	Y	N	N		N	
Health Education and Home Safety <sup>3</sup>	H	Y	Y	Y		Y	
Water Quality	N/R						
Occupational Health, Safety and Welfare	H	Y	Y	Y		Y	
Animal Health and Welfare	M	Y	N	N		Y	
Alcohol & other licensing	H	Y	Y	Y		Y	
Air Pollution Control	H	Y	Y	Y		Y	
Noise Control	H	Y	Y	Y		Y	
Pest control	L	Y	N	N		N	
SKDC Health and Safety at Work	M	Y	N	N		Y	

Caravan Sites Standards	L	N	N	N	Y	
Dog Control and Warden	L	Y	N	N	N	
Hackney Carriages Registration	H	Y	Y	Y	Y	
<b>Financial Services</b>						
Accountancy	N/R					
Paymaster Services	L	Y	N	N	N	
Insurance	M	Y	N	N	Y	
Procurement	H	Y	Y	Y	Y	
<b>Housing</b>						
Homelessness	H	Y	Y	Y	Y	
Allocations	H	Y	Y	Y	Y	
Estate management	H	Y	Y	Y	Y	
Strategy	H	Y	Y	Y	Y	
Anti Social Behaviour	H	Y	Y	Y	Y	
Housing Management	H	Y	Y	Y	Y	
Private Sector	H	Y	Y	Y	Y	
New Developments	H	Y	Y	Y	Y	
Right to Buy	H	Y	Y	Y	Y	
Evictions	H	Y	Y	Y	Y	
Waiting list	H	Y	Y	Y	Y	
Domestic violence	H	Y	Y	Y	Y	
Safety inspections – HIMO's	H	Y	Y	Y	Y	
Squatters & unauthorised occupants	H	Y	Y	Y	Y	

[illegible]

Conservation grants and advice	M	Y	N	N	Y	Y
Planning policy (Allotments, Building and Landscape Design, Business, Environmental issues, Residential, Sites and Special Projects Policy, Transport, Zoning)	H	Y	Y	Y	Y	N
Property & Land Register	N/R					
Statutory Listed buildings	N/R					
Tourism	H	Y	Y	Y	Y	Y
Town Centre development <sup>6</sup>	H	Y	Y	Y	Y	Y
<b>Property Services</b>						
Closed churchyard	L	N	N	N	N	Y
Awarded water courses	L	N	N	N	N	Y
Home repair grants & renovation grants	H	Y	Y	Y	Y	Y
Bus shelters	N/R					
Disabled facilities grants	H	Y	Y	H	Y	Y
Council Housing (planned maintenance)	L	N	N	N	N	Y
Adaptations to council properties	H	Y	Y	Y	Y	Y

Cycle paths	N/R								
Property & Land Register	N/R								
Asset management	N/R								
Facilities management	N/R								
Rural minibus routes	N/R								
Street furniture	N/R								
Street lighting	N/R								
Street nameplates	N/R								
Housing repairs	H	Y	Y	Y	Y	Y	Y	Y	Y
<b>Revenues</b>									
Customer Services	H	Y	Y	Y	Y	Y	Y	Y	Y
Collection and Enforcement	H	Y	Y	Y	Y	Y	Y	Y	Y
Fraud & Overpayments	H	Y	Y	Y	Y	Y	Y	Y	Y
Council Tax	H	Y	Y	Y	Y	Y	Y	Y	Y
Benefits	H	Y	Y	Y	Y	Y	Y	Y	Y
Banking Hall	H	Y	Y	Y	Y	Y	Y	Y	Y
Area Offices	H	Y	Y	Y	Y	Y	Y	Y	Y

## **NOTES**

- 1 Getting information to hard to reach groups.
- 2 Enforcement
- 3 Opportunity to eliminate adverse impact
- 4 Festival recognition
- 5 Inclusiveness of consultation and leading group membership



**FUNCTION/POLICY EQUALITY IMPACT ACTION PLAN**  
**High Relevance Functions**

FUNCTION	POLICY		ACTION	BY WHOM	BY WHEN
BUILDING CONTROL	<ul style="list-style-type: none"><li>Building regulations</li><li>ODPM performance std</li></ul>	1.1 1.2 1.3	Review and implement monitoring arrangements. Review need to provide guidance notes/marketing information in other formats/languages. Review handling of third party complaints some of which have been judged to be racially motivated.	SV SV SV	Mar 05 Jun 05 Feb 05
	<ul style="list-style-type: none"><li>Grants to voluntary bodies</li><li>Best Value Reviews</li><li>Consultation</li><li>Travel concessions – bus pass national policy</li></ul>	2.1 2.2 2.3 2.4 2.5 2.6 2.7 2.8	Review and implement monitoring arrangements Consult on current policy with minority groups and review policy  Review tool kit to ensure sufficient challenge is made to impact upon equality. Review approved consultation strategy to incorporate the operation of an ethnic minority consultation forum. Ensure that all surveys gather information on gender, disability and race. Review application form to gather equality information. Monitor take up of vouchers Assess for equal impact	IY IY IY IY IY IY IY IY	Mar 05 Oct 05 Apr 05 Apr 05 Jan 05 Mar 05 Mar 05 Dec 05
	CARE SERVICES Wardens Service	<ul style="list-style-type: none"><li>Allocations Policy/Sheltered Housing SK document</li></ul>	3.1 3.2 3.3	Implement monitoring arrangements Review for equal impact Implement new complaints procedure and include in process relevant equality information	SC SC SC
Helpline Service	<ul style="list-style-type: none"><li>Helpline Service Information Booklet</li></ul>	3.4 3.5	Review application for service form to include equality information Include equality information in satisfaction survey	SC SC	Mar 05 Jan 05
CLEANSING & CONTRACT SERVICES Flytipping	<ul style="list-style-type: none"><li>Statute</li></ul>	4.1 4.2	Review and implement monitoring arrangements Assess impact	GK GK	Mar 05 Mar 06
COMMUNITY SERVICES	<ul style="list-style-type: none"><li>Community Plan</li><li>Public Relations and Media Communications</li></ul>	5.1 5.2	Ensure that the objectives of the approved Generic Equalities Scheme are reflected in the Local community Plan. Utilise information of local diversity in order to enable the Council to more effectively communicate with all sectors of our community.	JP JP	July 05 On-going

## FUNCTION/POLICY EQUALITY IMPACT ACTION PLAN

### High Relevance Functions

FUNCTION	POLICY		ACTION	BY WHOM	BY WHEN
<b>CUSTOMER SERVICES Complaints</b>	<ul style="list-style-type: none"> <li>Complaints Procedure</li> <li>Reporting racial incidents</li> </ul>	6.1	Review complaints procedure and ensure equality data collected.	JM	May 05
		6.2	Annual satisfaction survey of complaints handling – gather equality information.	JM	May 05
	<ul style="list-style-type: none"> <li>Customer Services Standard</li> </ul>	6.3	Examine information devised from monitoring for impact.	JM	Mar 06
		6.4	Develop customer relations management (CRM) system to incorporate equality data	JM	Dec 05
		6.5	Analyse monitoring outcomes	JM	Mar 06
		6.6	Review procedure for reporting racial incidents.	JM	Mar 05
		6.7	Widely publicise procedure.	JM	Mar05
<b>DEMOCRATIC &amp; LEGAL Electoral Registration &amp; Elections</b>	<ul style="list-style-type: none"> <li>Statute</li> </ul>	7.1	Review customer satisfaction processes.	NG	Mar 05
		7.2	Develop monitoring for equalities associated with complaints management.	NG	Sept 05
<b>Itinerant Travellers</b>	<ul style="list-style-type: none"> <li>Statute on trespass</li> </ul>	7.3	Monitor impact of policy.	NG	Mar 05
		7.4	Assess outcome of monitoring.	NG	Mar 06
<b>DEVELOPMENT CONTROL Pre-application advice</b>	<ul style="list-style-type: none"> <li>Approved plans</li> </ul>	8.1	Review how customer satisfaction measures could be sought.	RE	June 05
		8.2	Introduce customer satisfaction survey (include equalities monitoring).	RE	Mar 05
	<ul style="list-style-type: none"> <li>Agreed processes</li> </ul>	8.3	Review outcome of survey in terms of equalities.	RE	Mar 06
		8.4	Review how customer satisfaction measures could be sought.	RE	Jun 05
	<ul style="list-style-type: none"> <li>Statute</li> </ul>	8.5	Review for potential racially inspired complaints	RE	Jun 05
<b>ENVIRONMENTAL HEALTH &amp; LICENSING Food Safety</b>	<ul style="list-style-type: none"> <li>Food framework agreement.</li> </ul>	9.1	Add information relevant to equalities to monthly customer satisfaction survey.	RH	Dec 05
		9.2	Review outcome of monitoring	RH	Dec 06
		9.3	Review provision of information in different formats and languages.	RH	Apr 05

<b>FUNCTION</b>	<b>POLICY</b>		<b>ACTION</b>	<b>BY WHOM</b>	<b>BY WHEN</b>
<b>Occupational Health and Safety</b>	<ul style="list-style-type: none"> <li>•</li> </ul>	9.4	Develop written policy giving consideration to any equality issues.	RH	Jul 05
<b>Alcohol Licensing</b>	<ul style="list-style-type: none"> <li>• Licensing Policy</li> </ul>	9.5 9.6	Develop customer satisfaction surveys incorporating equalities Carry out customer surveys and act on outcomes.	RH RH	Mar 06 Jun 06
<b>Noise Control</b>	<ul style="list-style-type: none"> <li>• Noise control procedures</li> </ul>	9.7	Develop monitoring arrangement for complainants and those complained against.	RH	Mar 05
<b>Hackney Carriage Registration</b>	<ul style="list-style-type: none"> <li>• Appropriate procedures</li> </ul>	9.8 9.9 9.10	Review outcomes Monitor origin of applicants in current drivers. Review testing arrangements for adverse impact.	RH RH	Mar 06 Ongoing Apr 05
<b>FINANCIAL SERVICES Procurement</b>	<ul style="list-style-type: none"> <li>• Procurement Strategy</li> </ul>	10.1 10.2 10.3 10.4	Review standard conditions of contract to ensure race equality elements are specifically outlined. Review existing contracts for race equality compliance Develop a specific policy for procuring from small/medium sized firms. Identify contractors by ethnicity following the guidance provided by the guide for public authorities published by the Commission for Racial Equality.	LY JB JB JB	Mar 05 Jun 05 Sep 06 Sep 05
<b>HOUSING Homelessness</b>	<ul style="list-style-type: none"> <li>• Statute</li> </ul>	)			
	<ul style="list-style-type: none"> <li>• Homelessness Strategy</li> </ul>	)			
<b>Allocations &amp; waiting list</b>	<ul style="list-style-type: none"> <li>• Allocations Policy</li> </ul>	)11.1 )	Include equality monitoring in customer satisfaction surveys. Review and develop monitoring for equalities for housing applicants, complainants and those complained against.	PD PD	Mar 05 Mar 05
<b>Estate management</b>	<ul style="list-style-type: none"> <li>• Tenants handbook</li> </ul>	)11.3 )	Analyse monitoring outcomes from 11.1 and 11.2.	PD	Mar 06
	<ul style="list-style-type: none"> <li>• Tenancy Agreement</li> </ul>	)11.4 ) )	Liaise with housing associations on monitoring information to be provided for those applicants allocated properties via housing associations, following nomination by the authority.	PD	Mar 05

Strategy	<ul style="list-style-type: none"> <li>• Housing Strategy</li> </ul>	)			
Antisocial behaviour	<ul style="list-style-type: none"> <li>• Housing Services Anti-Social Behaviour Policy</li> </ul>	)11.5 ) )	Analyse monitoring outcomes from 11.4.	PD	Mar 06
Private sector housing	<ul style="list-style-type: none"> <li>• Private Sector Renewal Strategy</li> </ul>	)11.6 ) )	Review need to provide guidance/information/application forms in other languages/formats.	PD	Jun 05
New developments	<ul style="list-style-type: none"> <li>• Section 106 Agreement</li> </ul>	)11.7 ) ) )	Develop consultation mechanisms and encourage representation from ethnic minority groups eg tenants compacts, Landlords forum.	PD	Dec 05
Evictions	<ul style="list-style-type: none"> <li>• Appropriate procedures</li> </ul>	)11.8 ) ) ) ) )	Monitor ethnic representation on tenant compacts.	PD	Mar 06
Houses in multiple occupation inspections	<ul style="list-style-type: none"> <li>• Statute</li> </ul>	)			

FUNCTION	POLICY		ACTION	BY WHOM	BY WHEN
<b>LEISURE &amp; CULTURAL SERVICES</b> <b>Arts Centres</b>  <b>Arts education/outreach</b>  <b>Play schemes</b>  <b>Leisure Centre &amp; Sports Facilities and Sports Development</b>  <b>Community Activities</b>  <b>Bourne Corn Exchange</b>	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.1 12.2 12.3	Develop equality monitoring into interactive booking process. Assess for access to service. Ensure equalities data is collected through any customer satisfaction survey. Monitor participants in workshops by ethnicity, disability and gender. Promote development of a social impact team.	JS JS JS	Mar 05 Jun 05 Mar 05
	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.4	Monitor participants in workshops by ethnicity, disability and gender.	JS	Mar 05
	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.5	Promote development of a social impact team.	JS	Sept 05
	<ul style="list-style-type: none"> <li>Play Strategy</li> </ul>	12.6 12.7	Review customer satisfaction processes Specifically consult hard to reach groups	JS JS	May 05 May 05
	<ul style="list-style-type: none"> <li>Contract to supply leisure services.</li> <li>Sports Strategy</li> </ul>	12.8 12.9 12.10 12.11	Encourage gender, disability and racial mix in user groups. Ensure monitoring of customer satisfaction collects equality data Introduce ethnicity into customer database in order to monitor access. Develop social impact team.	JS JS JS JS	May 05 April 05 Mar 05 Mar 05
	<ul style="list-style-type: none"> <li>Play Strategy</li> </ul>	12.12	Extend consultation to ethnic minority consultation forum.	JS	May 05
	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.13 12.14	Ensure that any customer satisfaction survey includes equalities monitoring. Ensure any potential adverse impact is reviewed.	JS JS	Mar 05 Mar 06
		13.1	Business Survey to incorporate ethnicity of organisation. "Ethnicity" determined by reference to guidance offered by the Commission for Racial Equality	MS	Jul 05
		13.2	Ethnicity to be included on application form.	MS	Mar 05
<b>PLANNING POLICY</b> <b>Business Advice/Business Support</b>  <b>Business Development Grants</b>					

<b>FUNCTION</b>	<b>POLICY</b>		<b>ACTION</b>	<b>BY WHOM</b>	<b>BY WHEN</b>
<b>Community Strategy</b>	<ul style="list-style-type: none"> <li>Community Strategy</li> </ul>	13.3	Develop specific actions on equality and diversity issues for the community in the forthcoming review of the community strategy.	MS	Jun 05
		13.4	Consider commissioning research into the composition and needs of minority groups in the district should the ODPM Capacity Bid for Lincolnshire fail.	MS	April 05
		13.5	Encourage multi-agency working on equalities and diversity issues in the partnership.	MS	Ongoing
		13.6	Ensure consultation on the revised strategy reaches ethnic minority groups, disability groups and organisations representing vulnerable people (e.g. victims of domestic violence).	MS	May 05
<b>Planning Policy</b>	<ul style="list-style-type: none"> <li>Land Use Planning Policies</li> <li>Policies relating to use of land</li> <li>Statement of community involvement</li> <li>Tourism Strategy</li> <li>Town Centre Development Plans</li> </ul>	13.7	Utilise statement of community involvement to promote good race relations.	MS	Jun 05
		13.8	Extend consultation to Race Equality Consultation Forum.	MS	Jun 05
		13.9 13.10	Incorporate equality monitoring into customer satisfaction surveys Review outcome of monitoring	MS MS	Mar 05 Mar 06
		13.11 13.12	Encourage representation on management groups from ethnic minority representatives Encourage consideration of equality issues in development plans	MS MS	Ongoing Ongoing
<b>PROPERTY SERVICES</b> <b>Home repair grants</b>	<ul style="list-style-type: none"> <li>Private Sector Renewal Strategy</li> </ul>	14.1 14.2	Introduce equality monitoring into complaints process. Review outcome of monitoring	PS PS	Mar 05 Mar 06

<b>FUNCTION</b>	<b>POLICY</b>		<b>ACTION</b>	<b>BY WHOM</b>	<b>BY WHEN</b>
<b>Housing Repairs</b>	<ul style="list-style-type: none"> <li>Tenant Handbook</li> </ul>	14.3 14.4	Gather equality data from quality check questionnaires. Review outcome of monitoring.	PS PS	Mar 05 Mar 06
<b>Renovation Grants</b>	<ul style="list-style-type: none"> <li>Tenant Handbook</li> </ul>	14.5 14.6	Gather equality data from quality check questionnaires. Review outcome of monitoring	PS PS	Mar 05 Mar 06
<b>Disabled Facilities Grant</b>	<ul style="list-style-type: none"> <li>Private Sector Renewal Strategy</li> </ul>	14.7 14.8	Review marketing of grant availability for equal access Introduce equality monitoring into customer satisfaction questionnaires following grant application.	PS PS	May 05 Mar 05
		14.9	Review outcome of monitoring	PS	Mar 06
<b>REVENUES</b>					
<b>Customer Services</b>	<ul style="list-style-type: none"> <li>Statute</li> <li>Office Notes and Procedures</li> </ul>	) ) )			
<b>Collection &amp; Enforcement</b>	<ul style="list-style-type: none"> <li>Statute</li> <li>Office Notes and Procedures</li> </ul>	) ) )			
<b>Fraud and Overpayments</b>	<ul style="list-style-type: none"> <li>Statute</li> <li>Office Notes and Procedures</li> </ul>	)15.1 )15.2	Develop consultation process Develop customer relations management system (CRM).	KL KL	Apr 05 Dec 05
<b>Council Tax &amp; Benefits</b>	<ul style="list-style-type: none"> <li>Statute</li> <li>Office Notes and Procedures</li> </ul>	)15.3 ) )	Review the need to publish leaflets in other languages and formats	KL	Jun 05
<b>Banking Hall and Area offices</b>	<ul style="list-style-type: none"> <li>Statute</li> <li>Office Notes and Procedures</li> </ul>	)15.4 ) )	Review accessibility	KL	Apr 05

## APPENDIX 3

### ASSESSING AND CONSULTING ON PROPOSED POLICIES

1. The Policy is subject to examination of relevance to equality by applying the procedure shown at Appendix 2 of the Scheme.
2. Where a Policy is considered **high relevance** then a full impact assessment should be carried out consisting of the following steps.
  - (1) Identifying the aims of the Policy and how it will work.
  - (2) Examining the data and research available.
  - (3) Assessing the likely impact on race/gender/disability equality.
  - (4) Considering other ways of achieving the same policy goals.
  - (5) Consulting people who are likely to be affected by the policy.
  - (6) Making arrangements to monitor and review the policy and its impact.
  - (7) Publishing the results of the assessment.
3. Where **medium relevance** is found a partial impact assessment should be undertaken. As follows:-
  - (1) Estimate potential unequal impact.
  - (2) Supplement the estimate of impact by seeking advice from experts and interested groups.
4. Where **low relevance** is found it will be sufficient to carry out an initial estimate of potential unequal impact based on current data.



# APPENDIX 4

## THREE YEAR ACTION PLAN

ACTION		BY WHOM	YEAR 1	YEAR 2	YEAR 3
<b>1 Consultation</b>					
1.1 Consult widely through the Local Area Assemblies and YELLS on equalities issues.		HR & OD	✓	✓	✓
1.2 Consult widely with community and stakeholder groups on service issues and priorities highlighting potential diversity and equality issues.		EQUALITIES PMG	✓	✓	✓
1.3 Develop a Race Equality Consultation forum for the district.		HR & OD	✓		
1.4 Develop consultation forums to deal with issues of gender, age and disability.		HR & OD	✓		
1.5 Review equality content of the Community strategy.		CMT	✓		
1.6 Monitor results of annual survey (general survey) to assess views of residents from minority groups about equal treatment and satisfaction with council's services.		CMT	✓	✓	✓
<b>2 Service review</b>					
2.1 Undertake impact assessments on all policies and procedures where the function has been identified as having <b>high</b> relevance to race equality.		EQUALITIES PMG	✓		
2.2 Undertake impact assessments on all policies and procedures where the function has been identified as having <b>medium</b> relevance to race equality.		EQUALITIES PMG		✓	
2.3 Undertake impact assessments on all policies and procedures where the function has been identified as having <b>low</b> relevance to race equality.		EQUALITIES PMG			✓

ACTION		BY WHOM	YEAR 1	YEAR 2	YEAR 3
2.4	Develop service planning template to further accommodate assessment of policies and functions against equality objectives.	HR & OD	✓		
2.5	Develop service level equality objectives and targets.	CMT/SECTION HEADS	✓	✓	✓
<b>3 Monitoring</b>					
3.1	Implement monitoring arrangements as shown in paragraph 25 of Generic Equality Scheme.	SEE PARA. 25	✓		
3.2	Develop guidance on monitoring.	HR & OD	✓		
3.3	Develop monitoring and information systems.	HR & OD	✓		
3.4	Monitor service level equality objectives and targets on a monthly basis.	CMT	✓	✓	✓
3.5	Review monitoring undertaken by sections.	CMT	✓	✓	✓
<b>4 Publishing outcomes</b>					
4.1	Review publishing arrangements.	HR & OD		✓	
4.2	Publish equalities objectives and outcomes through the Council's Freedom of Information process and the Performance Plan.	BUSINESS MANAGEMENT SERVICES	✓	✓	✓
4.3	Report to Cabinet annually on profile of job applicants.	HR & OD	✓	✓	✓
4.4	Report to Cabinet annually on workforce profile.	HR & OD	✓	✓	✓

ACTION		BY WHOM	YEAR 1	YEAR 2	YEAR 3
<b>5 Training</b>					
5.1 Undertake training as per schedule in paragraph 33 of the Generic Equality Scheme.		HR & OD	✓	✓	✓
5.2 Review training and development in relation to equal opportunities.		HR & OD	✓	✓	✓
<b>6 Access to services</b>					
6.1 Complete service specific action plan.		SECTION HEADS	✓	✓	
6.2 Review telephony arrangements for equal access.		ICT SERVICES	✓	✓	✓
6.3 Review SKDC website for accessibility.		ICT SERVICES	✓	✓	✓
6.4 Audit SKDC buildings for compliance with the Disability Discrimination Act.		PROPERTY SERVICES	✓	✓	✓
<b>7 Employment</b>					
7.1 Carry out equal pay audit (to also include ethnic origin, disability and age).		HR & OD		✓	
7.2 Carry out Local Labour Market assessment.		HR & OD	✓	✓	✓
7.3 Consult with staff via staff satisfaction survey on their satisfaction with the council and monitor outcomes in terms of equalities.		HR & OD	✓	✓	✓
7.4 Monitor recruitment and selection process in terms of equality.		HR & OD	✓	✓	✓
7.5 Introduce Local Government JE scheme to Cleansing and Direct Works Organisation.		HR & OD	✓		

ACTION		BY WHOM	YEAR 1	YEAR 2	YEAR 3
7.6	Review recruitment procedures to ensure the council does not unfairly restrict range of applicants.	HR & OD	✓	✓	✓
<b>8</b>	<b>Procurement/partnership</b>				
8.1	Ensure that the equality policy and objectives are incorporated in 'partnership' arrangements/Public Service Agreements.	SOLICITOR TO THE COUNCIL	✓		
8.2	Amend current contracts to comply with the general duty.	SOLICITOR TO THE COUNCIL	✓		
8.3	Ensure future contracts include provision for race equality elements in accordance with the Equality Scheme and the Race Relations Amendment Act 2000.	SOLICITOR TO THE COUNCIL	✓		
8.4	Review joint working practices with other partnership agencies through the LSP e.g. Health Authority, Police service, with regard to duties under the Act	CMT	✓		
8.5	Develop policy to facilitate equality of opportunity for small and medium sized firms.	CORPORATE DIRECTOR FINANCE & STRATEGIC RESOURCES		✓	
8.6	Monitor and review outcomes for procurement.	HR & OD		✓	

ACTION		BY WHOM	YEAR 1	YEAR 2	YEAR 3
<b>9 Racial incident reporting</b>					
9.1	Complete service specific actions 6.6 and 6.7.	CUSTOMER SERVICES MANAGER	✓		
9.2	Ensure harassment on grounds of disability, gender, age, sexual orientation and religious belief are treated in the same way as racial harassment both for service users and employees.	HR & OD	✓	✓	✓
9.3	Review racial incidents and consider service impacts.				
		CMT/SECTION HEADS	✓	✓	✓
<b>10 Development of the Generic Equality Scheme</b>					
10.1	Extend the Generic Equality Scheme to other areas of equality e.g gender, age, disability, sexual orientation and religious belief.	HR & OD	✓		
10.2	Achieve level 3 of Local Government Equalities standard.	COUNCIL			✓
10.3	Review published scheme.	COUNCIL			✓

## REPORT TO COUNCIL

REPORT OF: NICK GODDARD

REPORT NO. DLS 17

DATE: 24<sup>th</sup> FEBRUARY 2005

<b>TITLE:</b>	AMENDMENT TO REGULATION OF INVESTIGATORY POWERS ACT POLICY
<b>FORWARD PLAN ITEM:</b>	N/A
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	N/A
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	AMENDMENT TO EXISTING POLICY

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	TERL BRYANT COMMUNITY AFFAIRS
<b>CORPORATE PRIORITY:</b>	CORPORATE GOVERNANCE
<b>CRIME AND DISORDER IMPLICATIONS:</b>	SIGNIFICANT IN THAT IT POTENTIALLY ASSISTS IN INVESTIGATIONS GENERALLY
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	SUCH IMPLICATIONS LIKELY TO BE SUBJECT TO STATUTORY EXEMPTIONS
<b>BACKGROUND PAPERS:</b>	RIPA AND STATUTORY GUIDANCE

## 1. INTRODUCTION

The Council's Investigatory procedures have been subject to the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA) since its commencement in late 2000. Part 1 Chapter II (section 21 –25 of RIPA) came into force on 5<sup>th</sup> January 2004. It regulates the acquisition and disclosure of communications data and provides powers for the Council to gain communications information when carrying out investigations. It also regulates information previously gained without regulations, which now has to be authorised.

This report is returned to the Council for consideration as at its last meeting on 27<sup>th</sup> February it resolved that it should be returned for reconsideration to a future meeting and should include Appendix 1 being a complete set of authorisation forms. These are now included.

## 2. DETAILS OF REPORT

Due to the introduction of Part 1 Chapter II it has been necessary to revise the previously approved RIPA policy. These revisions have been the subject of internal consultation with relevant enforcement sections of the Council. A revised Draft Policy and Compliance Procedures is enclosed for approval by the Council. The significant changes relate to paragraph 2 of the policy document attached.

Attention should be drawn to pages 8 to 13 of the document. The Council is restricted to subscriber and service use data and even then only for the purpose of preventing or detecting crime and disorder. For example a benefit fraud investigator may be able to get access to an alleged fraudster's mobile phone bills.

The word 'data' in relation to a postal item means anything written on the outside such as an address. Officers at the Council have previously been able to apply for the new address of a person that they were investigating, that is the redirection details. A request form was completed and the post office supplied the information. This activity is now regulated and authorisation needs to be gained.

## 3. RECOMMENDATIONS

Following the preparation of the amended policy it is now recommended that this is adopted and used for all Council investigations where an authority under the Regulation of Investigatory Powers Act 2000 is required.

## 4. FINANCIAL IMPLICATIONS

There are no direct financial implication.

## 4. CONTACT OFFICERS

Nick Goddard, Monitoring Officer

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# **REGULATION OF INVESTIGATORY POWERS ACT 2000**

## **POLICY PRACTICE AND COMPLIANCE PROCEDURES** **FOR** **SOUTH KESTEVEN DISTRICT COUNCIL**

### **COVERT SURVEILLANCE:**

#### **1. PURPOSE OF THIS POLICY**

- 1.1 To assist investigating officers of the South Kesteven District Council in providing a procedure which is compliant with the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA).
- 1.2 This policy will be revised from time to time and should be read in conjunction with the Council's Human Rights Policy, current Enforcement Policies and CCTV operation Code of Practice plus any internal training materials produced in relation to RIPA and the Human Rights Act 1998 (HRA) that may be provided to relevant staff from time to time.

#### **1.2. ACTIVITIES COVERED BY THIS POLICY**

- 1.2.1 Since initial RIPA training in December 2001 and published guidance by Legal Services and Environmental Health Services, an audit of Council activities covered by RIPA has been carried out to identify those areas which could involve "directed surveillance" and "covert investigations" and could lead to the obtaining of "private information" about a person, the subject of the investigation and advertently or inadvertently forming part of that investigation. These specific concepts are explained, and guidance provided, in paragraph 3 below.
- 1.2.2 The following areas are considered to be the main Council functions requiring RIPA compliance:-
  - a) Housing Services – in particular tenant and neighbour disputes and/or antisocial behaviour investigations which might cover Council house tenants and their visitors.
  - b) Benefits Investigations – such as fraudulent claims which may require investigation of claimants which may reveal private information as defined in RIPA.
  - c) The Closed Circuit Television Services – whilst this is generally an overt system with signage indicating that CCTV monitoring is in operation there may be instances where the positioning of a camera to observe the subject of an investigation or the use of a

mobile camera for the same purpose may require a specific RIPA authorisation. This may be at the behest of one of the Council's own services or may originate from one of our partners such as the Police or Trading Standards.

- d) Planning Enforcement – particularly involving investigations concerning the use of residential property which may reveal private information about a person.
- e) Various licensing functions – such as taxi operations which may require investigations that reveal private information regarding a person and/or a licence holder.
- f) Environmental Health Enforcement – concerning noise monitoring where prior notification may be required to ensure RIPA compliance if monitoring tests are to be carried out that could produce private information regarding a person.

### **1.3. IS RIPA AUTHORISATION REQUIRED?**

1.3.1 An authorisation will be required if an investigation into an alleged regulatory breach of a Council function amounts to “directed surveillance” or is likely in carrying out the investigation to provide “private information” about a person either the subject of the investigation or forming part of the investigation and obtained either advertently or inadvertently. An authorisation can only be obtained from the Authorising Officers listed in paragraph 6 below.

1.3.2 “Directed surveillance” is defined by Section 26 (2) of the Act as covert surveillance undertaken:-

- (a) For the purpose of a specific investigation or a specific operation.
- (b) In such a manner as is likely to result in the obtaining of “private information” about a person (whether or not identified for the purposes of the investigation) and
- (c) Otherwise by way of an immediate response to events occurring and as such it is not reasonably practical to obtain an authorisation.

1.3.3 “Private information” is defined by Section 26 (10) of the Act as “in relation to a person includes any information relating to his private or family life.”

1.3.4 “Covert surveillance” is defined by Section 26 (9) of the Act as “if it is carried out in a manner that is calculated to ensure that persons who are the subject to the surveillance are unaware that it is or may be taking place.”

1.3.5 A RIPA authorisation will also be required if in order to investigate an alleged regulatory breach it requires the use of a “covert human intelligence source.” A covert human intelligence source occurs if an investigating officer uses either an informant or poses as an undercover officer and does not make clear to those he or she is investigating that he/she is an investigating officer of the Council and in posing as a covert human intelligence source attempts to maintain a relationship to obtain further information.

1.3.6 The Council does not, under any circumstances, have the power to undertake what is defined as “intrusive Surveillance”.

Direct surveillance turns into intrusive surveillance if it is carried out on residential premises or any private vehicles and involves the presence of someone on the premises or in the vehicle or is carried out by means of a (high quality) surveillance device.

If the device is not on the premises or in the vehicle, it is only intrusive surveillance if it provides information of the same quality and detail as from a device actually present on the premises or in the vehicle.

1.3.7. The provisions of the 2000 Act are not intended to apply in circumstances where members of the public volunteer information, as part of their normal civic duties, or to contact numbers set up to receive information

CCTV cameras that are readily visible are not governed by RIPA. However, if the cameras are used as part of an operation to observe a known individual or group it is very likely that RIPA will apply and an appropriate authorisation will be required. Should an organisation such as the police request direct surveillance then the police authorise the action.

**IF IN ANY DOUBT AS TO WHETHER A COURSE OF ACTION REQUIRES AUTHORISATION – GET IT AUTHORISED.**

#### **1.4. KEY QUESTIONS TO CONSIDER AT THE OUTSET OF AN INVESTIGATION**

1.4.1 Does the investigation require some form of surveillance of a person or persons? If so is that surveillance likely to result in the obtaining of “private information” about a person?

1.4.2 Is the person being investigated unaware that the investigation or surveillance is taking place?

1.4.3 Is the investigation or surveillance an immediate response to events occurring or happening in front of you or a pre-planned operation?

- 1.4.4. If the answers to 4.1 or 4.2 are “yes” and the investigation is pre-planned then almost certainly an authorisation will be required before the investigation can commence.

## **1.5. WHEN SHOULD AN INVESTIGATION BE OVERT RATHER THAN COVERT?**

- 1.5.1. In the majority of investigations carried out by the Council it is likely that the person being investigated will receive a letter at the commencement of the investigation confirming that a complaint has been received and that it is being investigated.
- 1.5.2 Unless you and your officer in charge of the investigation consider that a covert investigation is required then it should be normal practice to continue to write to the person being investigated setting out the nature of the complaint and the form of investigation that will follow.
- 1.5.3 In relation to noise investigations and complaints this procedure is particularly relevant. The person complained of should be informed of the nature of the complaint and the type of investigation including the noise monitoring that will be carried out and whether or not it will be time limited.
- 1.5.4 At the end of the investigation a letter should be sent to the person investigated advising them that the investigations are completed and either specific action or no further action will be taken in regard to the particular complaint.

## **1.6. AUTHORISATION PROCEDURE**

An authorisation under RIPA will only be given if work is:  
“for the purpose of preventing or detecting crime or of preventing disorder”

Prior to making an application for authorisation the investigator should first consider:-

- (a) the possibility of a less intrusive method of investigation
- (b) whether the surveillance could be done overtly and
- (c) would the impact of direct surveillance justify the result?

- 1.6.1 An authorisation for a “directed surveillance” or “covert investigation” can be obtained from the following Authorising Officers:-

Chief Executive – Duncan Kerr  
Monitoring Officer – Nick Goddard  
Deputy Monitoring Officer – Lucy Youles  
Housing Services – Phillip Doughty  
Benefits – Kevin Legg  
CCTV – Nick Goddard  
Planning – Mike Sibthorp

In the absence of a specified officer, any of the other officers can be contacted. The authorisation procedure should be a two person process so that the necessity for authorisation of an investigating officer can be tested and challenged by an Authorising Officer.

- 1.6.2. An application for an authorisation must be on one of the relevant forms which are annexed to this guidance. These forms are obtained from the Home Office website.
- 1.6.3 When making an application for an authorisation the investigating officer should seek a meeting with their authorising officer as soon as possible and provide a full explanation of the reasons why a “covert investigation/directed surveillance” is required in respect of the particular investigation. In deciding whether to grant an authorisation, the Authorising Officer must consider every application on its own merits and apply the tests of necessity and proportionality in relation to the Human Rights implications of the surveillance/investigation proposed as referred to in paragraph 8 below before deciding whether or not to grant an authorisation. This will include an assessment of the risk of collection of collateral information and/or third party information.
- 1.6.4 If an authorisation is granted then a copy of the authorisation must immediately be forwarded to Nick Goddard, Monitoring Officer who maintains a central record of all authorisations, each having a unique reference number.
- 1.6.5 If CCTV monitoring is required, they must be provided with a copy of the relevant authorisation whether it be internal or from an external agency to determine and abide by its terms and duration.
- 1.6.6 Authorisations must be cancelled as soon as they are no longer required, and, in any event, on or before the expiry date of the authorisation.

A written authorisation to use a Covert Human Intelligence Sources expires after 12 months from the date of last renewal or;

In all other cases (i.e. directed surveillance) 3 months from the date of their grant or latest renewal.

- 1.6.7 For urgent grants or renewals, oral authorisations are acceptable, but should be followed up with a written application as soon as possible thereafter. Urgent grants are those where authorisation would be needed but the circumstances are such that to obtain prior written authorisation would result in a missed opportunity for the gathering of information.

Any authorisation granted or renewed orally, (or by a person whose authorisation was confirmed to urgent cases) expires after 72 hours, this period beginning with the time of the last grant or renewal

## **1.7. REVIEW OF AUTHORISATIONS**

- 1.7.1 The Authorising Officer should ensure that the authorisation is reviewed on a three monthly basis and that the outcome of each review is reported to Nick Goddard and retained for retention in the central record to ensure that authorisations are cancelled as soon as possible and are not maintained longer than is necessary nor proportionate for the investigation.

## **1.8. HUMAN RIGHTS ACT IMPLICATIONS**

- 1.8.1 This policy acknowledges that any investigations undertaken by the Council should be subject to the Human Rights Act 1998 and Article 8 concerning a persons right to respect for private and family life.
- 1.8.2 This has been defined in the Courts to include the right to establish and to develop relationships with other human beings. Furthermore the Courts have now confirmed that the term “private life” must not be interpreted restrictively but as widely as possible. This policy aims to balance the rights of those persons within the Council’s jurisdiction afforded by Article 8 by ensuring that the investigation proposed is in relation to a lawful function of the Council. This will be the first consideration in determining whether to grant an application by an Authorising Officer.
- 1.8.3 Before issuing any authorisation, the Authorising Officer will then consider every case in accordance with the tests of necessity and proportionality in relation to the specific investigation proposed. This will take account of the circumstances of the investigations proposed and any relevant current Enforcement Policy of the Council. This will then be balanced against the necessity of a covert investigation to establish that an offence has or has not been committed. Likewise the same tests and procedure will be considered in carrying out a review and cancellation of any authorisation already granted.

## **1.9. THE USE OF CCTV FOR COVERT INVESTIGATIONS**

- 1.9.1 If it is proposed to use the Council’s CCTV service for a covert investigation or directed surveillance and it is likely that in using the CCTV cameras that private information about a person may be obtained then an authorisation will be required. Furthermore any use of the Council’s CCTV Service must be subject to the existing Code of Practice which is attached to this policy document.

## **1.10. AGENCY ARRANGEMENTS**

- 1.10.1 Some investigations may be shared with other agencies such as the Environment Agency, the Health and Safety Executive, the Police or other District Councils. If the investigation requires “directed surveillance” or a “covert investigation” to be carried out then the party that is the principal investigating authority will be required to obtain the authorisation. The investigating officer of this authority should obtain a copy of that authorisation which should be kept on file by the Authorising Officer and a copy sent to Nick Goddard for central recording purposes. If CCTV is involved then as indicated at 6.5 the CCTV control room also require a copy.

## **2. RIPA PART 1 CHAPTER II – THE ACQUISITION AND DISCLOSURE OF COMMUNICATIONS DATA**

### **2.1 INTRODUCTION**

Part 1 Chapter II (sections 21 – 25 of RIPA) came into force on 5<sup>th</sup> January 2004. It regulates the acquisition and disclosure of communications data. It provides powers for the Council to gain communications information when carrying out investigations. It also regulates information previously gained without regulations, which now has to be authorised.

The process is similar to that of the authorisation of directed surveillance and CHIS, but has extra provisions and processes.

The purpose of the introduction is the same, that is, to protect people's human rights. The effect of not gaining authorisation when needed is the same. The Council leaves itself open to a challenge under the Human Rights Act 1998 and the evidence gained without authorisation may not be admissible in court.

RIPA specifies that the only purpose for which the Council can gather communication data is in the:

‘Prevention and detection of crime or preventing disorder’

There is a draft Code of Practice. It can be found at Appendix 2, on the public drive under RIPA and as an Appendix to the Policy and Guidance on the Intranet. It is also available on the Home Office website by clicking on this hyperlink.

[www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

**Staff should refer to the Home Office Codes of Conduct for supplementary guidance**

The Code does not have the force of Statute but are admissible in evidence in any criminal and civil proceedings.

### **2.2 WHAT IS COMMUNICATIONS DATA?**

The definition of communications data includes information relating to the use of a communications service but it does not include the contents of the communication itself. It is broadly split into 3 categories:-

- Traffic data – where a communication was made from, to who and when
- Service data – the use made of a service by any person e.g itemised telephone records
- Subscriber data – any other information held or obtained by an operator on a person they provided a service to



The Council is restricted to subscriber and service use data and even then only for the purpose of preventing or detecting crime and disorder. For example a benefit fraud investigator may be able to get access to an alleged fraudster's mobile phone bills.

The word 'data' in relation to a postal item means anything written on the outside such as an address. Officers at the Council have previously been able to apply for the new address of a person that they were investigating, that is the redirection details. A request form was completed and the post office supplied the information. This activity is now regulated and authorisation needs to be gained.

**THE CODE DOES NOT COVER THE INTERCEPTION OF COMMUNICATIONS (I.E. THE CONTENTS OF ANY COMMUNICATIONS INCLUDING THE CONTENT OF AN E-MAIL, OR INTERACTION WITH WEBSITES).**

## **2.3 AUTHORISATIONS, NOTICES, RENEWALS AND DURATION**

### **2.3.1 AUTHORISATIONS AND NOTICES**

The Code states that a 'designated person', must decide whether authorisation is necessary and proportionate to the action to be taken. The designated person is in effect the Authorising Officer. The designated persons at this Council are Nick Goddard, Dave Marvin, Kevin Legg, Bob Hadfield, Richard Edwards, David Price, Mike Smith and Phillip Doughy.

There are two ways to authorise access to communications data:-

- (a) Authorisation under 22(3). This allows the authority to collect the data itself. This may be appropriate where:
  - The postal or telecommunications operator is not capable of collecting or retrieving the communications data;
  - It is believed that the investigation may be prejudiced if the postal or telecommunications operator is asked to collect the data itself;
  - There is a prior agreement in place between the relevant public authority and the postal or telecommunications operator as to the appropriate mechanisms for the disclosure of data.
- (b) By a notice under section 22(4). A notice is given to a postal or telecommunications operator and requires that operator to collect or retrieve the data and provide it to the authority.

The designated person decides whether or not an authorisation should be granted.

The designated person must take account of the following points when deciding whether to authorise the application or not:-

- Is the accessing of data for the prevention or detection of crime or disorder?
- Why is obtaining the data necessary for that purpose?
- Is obtaining access to the data by the conduct authorised proportionate to what is being sought to be achieved? That is what conduct are you authorising and is it proportionate?
- Is the accessing of the data likely to result in collateral intrusion? If so, is the access still justified?
- Is any urgent timescale justified?

The designated person will make a decision whether to grant the authorisation based upon the application made. The application form should subsequently record whether or not the application was approved or not, by whom and the date. A copy of the application must be kept by the officer until it has been inspected by the Commissioner.

If the application is authorised and the notice needs to be served, then only the notice is served upon the postal or telecommunications officer.

The application form and the authorisation itself are not served upon the holder of the communications data.

The postal or telecommunications service can change for providing the information.

### **2.3.2 PROVISIONS OF RIPA**

#### **Single Point of Contact (SPOC)**

Notices and authorisations for communications data should be channelled through a SPOC. The Code states that this is to provide an effective system in that the SPOC will deal with the postal or telecommunications operator on a regular basis. Jeanette Strutt has been allocated the role of the SPOC. The SPOC will advise the Authorising Officer/designated person on whether an authorisation and/or notice is appropriate.

The single point of contact should be in a position to:-

- Where appropriate, assess whether access to communications data is reasonably practical for the postal or telecommunications operator;
- Advise applicants and designated persons on the practicalities of accessing different types of communications data from different postal or telecommunications operators;
- Advise applicants and designated persons on whether communications data falls under section 21(4)(a), (b) or (c) of the Act. That is traffic, service or subscriber data;
- Provide safeguards for authentication;
- Assess any cost and resource implications to both the public authority and the telecommunications operator.

## **Oral Authority**

An oral application and approval can only be made on an urgent basis for the purpose set out in 22(2)(g) of the Act. That is:-

“for the purpose, in emergency, of preventing death or injury or any damage to a person’s physical or mental health, or of mitigating any injury or damage to a person’s physical or mental health”

That is not a purpose under which the Council is able to collect communications data and therefore oral authorisations are not possible.

## **Duration**

Authorisations and notices will only be valid for one month beginning from when it was granted. If the information can be collected in a shorter time period then that should be specified. This would accord with the proportionality element of the decision-making.

The postal or telecommunications operator need only comply with the request if it is reasonably practicable to do so.

## **Renewal**

An authorisation or notice can be renewed at any point during the month that it is valid by following the same procedure as in obtaining a fresh authorisation.

## **Cancellations**

The duty to cancel falls on the designated person who authorised it. The notice shall be cancelled as soon as it is no longer necessary or is no longer proportionate to what is being sort to be achieved.

Authorisations should also be cancelled.

In the case of a section 22(4) notice, the postal or communications operator shall be informed of the cancellation.

## **Retention**

Applications, authorisations and notices will be retained by the authority until they have been audited by the Commissioner. The authority should also keep a record of the dates that the notices and authorisations were started and cancelled. A copy of each form should be kept by the Investigating Team and the originals kept in the Central Register. It shall be the responsibility of the designated person to ensure that the records are accurate and kept up to date.

## Combined Authorisations

Applications for communications data may only be made by persons in the same authority as a designated person. There cannot, therefore, be any combined authorisations.

## Errors

Where any errors have occurred in the granting of authorisations or the giving of notices, a record should be kept and a report and explanation sent to the Commissioner as soon as practical.

## 3. BENEFITS OF OBTAINING AUTHORISATIONS UNDER RIPA

**Authorisation of surveillance, human intelligence sources and the acquisition and disclosure of communications data.**

RIPA states that:

“if authorisation confers entitlement to engage in a certain conduct and the conduct is in accordance with the authorisation, then it shall be “lawful for all purposes”.

However, the opposite is not true – i.e. if you do not obtain *RIPA* authorisation it does not make any conduct unlawful (e.g. use of intrusive surveillance by local authorities). It just means you cannot take advantage of any of the special RIPA benefits and you may have to justify infringing a person’s Human Rights and any evidence you place before the courts may be subject to challenge in respect of the processes used to obtain the evidence (s78 Police and Criminal Evidence Act 1984).

RIPA states that a person shall not be subject to any civil liability in relation to any conduct of his which –

- a) is incidental to any conduct that is lawful by virtue of an authorisation; and
- b) is not itself conduct for which an authorisation is capable of being granted under a relevant enactment and might reasonably be expected to have been sought in the case in question.

However **IF YOU ARE IN ANY DOUBT** about whether a course of action requires an authorisation, **GET IT AUTHORISED**. (If you are unable to secure an authorisation it is likely that your application does not comply with the law).

## 4. SCRUTINY AND TRIBUNAL

*RIPA* set up the Office of the Surveillance Commissioner to regulate the conduct of public bodies and to monitor their compliance with *RIPA*. The

Chief Surveillance Commissioner will keep under review, among other things, the exercise and performance of duties, imposed in *RIPA* by the persons on whom those duties are conferred or imposed. This includes authorising directed surveillance and the use of covert human intelligent sources.

A tribunal has been established to consider and determine complaints made under *RIPA* if it is the appropriate forum. Persons aggrieved by conduct, e.g. directed surveillance, can make complaints. The forum hears application on a judicial review basis. Claims should be brought within one year unless it is just and equitable to extend that period.

The tribunal can order, among other things, the quashing or cancellation of any warrant or authorisation and can order destruction of any records or information obtained by using a warrant or authorisation, and records of information held by any public authority in relation to any person. The Council is, however, under a duty to disclose or provide to the tribunal all documents they require if:

- A Council officer has granted any authorisation under *RIPA*.
- Council employees have engaged in any conduct as a result of such authorisation.
- A disclosure notice requirement is given.

## **5. AUTHORISATION FORMS**

Authorisation forms can be found at Appendix 1 and should be used in conjunction with this Policy but will be updated as necessary from time to time.

January 2005  
SG/COR 09796

# **Code of Practice for the management and operation of The South Kesteven District Council CCTV Monitoring System**

**Chief Executive – Duncan Kerr (Responsible Officer)**

**Nick Goddard**  
**Corporate Manager Democratic & Legal Services**

**CCTV Manager- Mark Jones**

**Cabinet Portfolio Holder – Councillor Teri Bryant (Community Affairs)**

**Democratic and Legal Services  
South Kesteven District Council  
Council Offices  
St Peters Hill  
Grantham  
Lincolnshire  
NG31 6PZ**

**Date; May 1997  
Amended June 2001  
August 2004**

**Tel 01476 406080**

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## **1. INTRODUCTION**

### **1.1 The purpose of this code of practice**

This Code of Practice is based upon the model code of practice and principles set out by the Local Government Information Unit in its publication "A Watching Brief" and the Information Commissioners Code of Practice for CCTV. The code governs the operation of the Closed Circuit Television Scheme within South Kesteven, all partner areas and the associated control room.

It sets out the rules that are to be observed by the councils staff, its members, partner organisations, contractors, the Police and any other party or organisation involved in the administration or operation of the scheme.

### **1.2 Revision**

The responsible officer and the CCTV Manager will review this code annually.

### **1.3 Supplementary Documentation**

This code will be supplemented by the following documents; they contain instructions and guidance to ensure that the objectives and principles set out in this code of practice are achieved.

The CCTV operations Manual (Restricted Access)  
CCTV operator aide memoir (Restricted access)

### **1.4 Ownership of the Scheme**

South Kesteven District Council owns the scheme and the responsible officer is the Chief Executive, this responsibility is delegated to the Corporate Manager Democratic and Legal Services

## **2. SYSTEM AIMS AND OBJECTIVES**

The CCTV system in the town centres, Council housing areas and car parks of Grantham, Stamford, Bourne, Market Deeping, Deeping St James and other participating partner areas have been established to: -

Protect areas and premises used by the general public;

Detect and deter crime;

Assist in the identification of offenders leading to their arrest and successful prosecution;

Reduce anti-social behaviour;

Reduce the fear of crime;

Assist with the management of the town centres, car parks, housing estates and leisure facilities;



Maintain and enhance the commercial viability of the district and to encourage continued investment;

Detect unauthorised access to restricted areas and report any transgression to the Police immediately.

Provide assistance to the emergency services

ANY UNAUTHORISED USE OF THE CCTV SYSTEM FOR ANY PURPOSE WHATSOEVER WILL RESULT IN THE INSTANT DISMISSAL OF THE CCTV OPERATOR.

## **2.1 Mobile CCTV**

A mobile unit will be used within the South Kesteven area and will routinely be deployed to monitor areas without a current CCTV system and also to bolster the camera coverage at existing locations

## **2.2 Covert Cameras**

Covert cameras will not be accepted into South Kesteven District Council's CCTV system. Furthermore the South Kesteven District Council will ensure that:-

- (i) Signs advertising the presence and operation of CCTV will be predominantly displayed at key points both within and at the periphery of each scheme.
- (ii) Information on the signs shall be sufficient to ensure that members of the public will be in no doubt that CCTV cameras are in operation and will give some indication of the extent of CCTV coverage.

The South Kesteven District council will clearly identify that it is the owner of the scheme and will provide a contact telephone number

## **2.3 Private Areas**

The purpose of the scheme is to provide surveillance of public areas only. Wherever possible the cameras will be sited and configured to view just public areas and not overlook private dwellings or other areas where privacy is expected. However, it will not always be possible to achieve this and certain cameras may have the capability of viewing private locations i.e. through the zoom facility. All control room staff are made aware of these facts and are trained not to use the cameras to look in to the interior of any premises or other area where an infringement of privacy may occur. Any such breach of this condition will be dealt with as a breach of contract.

### **3. CONTROL ROOM OPERATION**

- (a) The control room will operate 24hrs a day 365 days a year, the control room will be staffed by at least one operator at all times.
- (b) Supervisory visits take place on at least four occasions per month without pre-warning the operator of the visit.

#### **3.1 Operational Management**

An appointed CCTV Manager manages the scheme on a day-to-day basis

The CCTV Manager will: -

- (a) Manage and supervise the CCTV system on behalf of South Kesteven District Council and other members of the CCTV partnership which include any local authorities and organisations who join the CCTV system in accordance with item 9 of this Code of Practice.
- (b) Liase with the Police and other agencies and partners.
- (c) Arrange for the viewing of recordings of incidents, which, in his judgement, may be so, viewed.
- (d) Ensure the adequacy of procedures for the transfer of images, which are to be used in evidence to other parties, and in particular to ensure those procedures preserve the continuity of evidence.
- (e) Advise on the operational use of the system.
- (f) Receive and decide upon all requests from statutory enforcement agencies wishing to utilise the system to carry out surveillance.
- (g) Ensure that effective monitoring and evaluation of the system takes place in accordance with the guidelines contained in this Code of Practice.
- (h) Ensure that effective repair and maintenance of all parts of the system (including system updates) is undertaken.
- (I) Ensure that CCTV operators are properly trained and supervised.
- (j) Regularly audit the operation of the scheme and this Code of Practice and will in particular examine: -
  - (i) Control room records
  - (ii) The contents of recording medium (on a spot check basis)
  - (iii) Equipment performance
- (k) Ensure the destruction of old data is effected in a controlled and secure manner and environment.

## **3.2 Documentation**

### **(i) Visitors Book**

All visitors to the control room will be required to sign in the visitors' book, together with the times of arrival and departure and the reason for the visit

### **(ii) Video stills register**

A video stills register will be kept at the review suite and an entry must be made upon the production of each still.

### **(iii) VTAS**

A video tracking and administration system (VTAS) is in use at the control room and is used to:

- Track the movements of all recording media in use
- Enter the details of incidents that have been monitored by control room staff
- Enter requests made by the police
- Enter general admin records on the daily log
- Log system faults and failures
- Log evidence movements

## **4. PERSONNEL ISSUES**

### **4.1 Screening**

All control room staff are employed by South Kesteven District Council and are employed subject to approved vetting procedures, to ensure suitability for the sensitive nature of the work involved.

### **4.2 Health**

Control room staff must confirm to health employment procedures and may be required to undergo medical checks to confirm that all requirements are met.

### **4.3 Confidentiality**

The standard SKDC contract contains a confidentiality clause and disciplinary action will be taken against any individual found to be in breach of this. The installation of a Police communications system has also meant that all control room staff have been made aware of their responsibilities under the official secrets act.

### **4.4 Requirement to Give Evidence**

All staff are made fully aware that they may be called upon to give evidence in a court of law relating to evidential material that they have exhibited, or incidents they have witnessed whilst carrying out their duties.

## **5. CONTROL ROOM ACCESS**

### **5.1 Authority for Access**

The Corporate Manager Democratic and Legal Services or his/her nominee is authorised to decide on behalf of the authority who has access to the control room. This will include:-

- (i) All control room staff
- (ii) Police officers during the course of their investigations and all follow up action i.e. image reviewing, evidence seizure, taking written statements.
- (iii) Authorised representation of statutory enforcement agencies
- (iv) Approved maintenance contractors
- (v) Accompanied visitors by prior arrangement with the Corporate Manager Democratic and Legal services.

**Duty control room staff will check the identity of all visitors**

### **5.2 Control Room Security**

A CCTV camera monitors the primary point of entry to the CCTV unit, with a live video feed to the control room, a door access control system restricts unauthorised entry.

## **6. OPERATOR TRAINING**

The authority will ensure that all operators are trained to a proficient level before they are allowed to take up a solo position within the control room: -

Training will include:

- District Council induction
- Use of all control room equipment
- Basic CCTV terminology
- Basic control room duties
- System aims and objectives
- Familiarisation with the areas monitored by CCTV cameras
- Camera patrolling
- Evidence and statement preparation
- The Video Tracking Administration System
- Overview of all control room logs
- Management of recording medium
- Radio/Telephone procedures
- Airwave System- Operating procedure and data protection issues
- Incident reporting procedures
- Relevant governing legislation
- The South Kesteven District Council's CCTV Code of Practice
- Actions in the event of an emergency

An experienced operator will provide all CCTV specific training; the authority will also ensure that technological, procedural and legislative update training is carried out as required. The CCTV Manager will ensure that training records are maintained for each member of staff employed at the control room.

## **6.1 Operational Procedures**

A manual containing operational procedures will be available in the control room and will contain detailed advice on the following topics: -

- Alternative telephone/communications.
- Emergency procedures.
- Emergency contacts.
- Telephone bomb warnings or suspect packages.
- Fire precautions.
- Equipment - maintenance logs.
- Camera locations.
- Incident report procedures.
- Recorded image review procedures
- Health and safety hazards
- First aid equipment
- Accident/personal injury
- Operator's duties
- Access control
- Special instructions
- Temporary instructions
- Confidentiality of information

## **7. IMAGE AND RECORDING MEDIUM ADMINISTRATION**

### **7.1 Ownership of Copyright**

The images captured by the recording system and transferred to videotape, still image or CD-R remain the property of South Kesteven District Council.

### **7.2 Image Retention**

Recorded images will be retained for no longer than Thirty-One days, unless seized by an authorised person.

### **7.3 Digital Storage**

Digital recording devices will be checked on a weekly basis to ensure that the correct amount of archive images is being stored.

### **7.4 CD-R Storage**

CD-R's will be stored in the facilities provided for that purpose, and will be booked out of the control room by the duty operator at the time of seizure.

A designated member of the control room staff will carry out an audit of the CD-R stock on a Monthly basis

## 7.5 Tape Storage

Tapes will be stored in the facilities provided for the purpose and will be filed in a logical order to facilitate identification of tapes. Tape reference numbers will be unique and should assist in identifying the following information from the tape label:-

The recorder in which it was used  
Whether multiplexed or incident tape  
The date on which it was used  
The time at which it was used  
The number of times it has been used

The labels displayed on the videotape will be sufficient to ensure swift retrieval of appropriate information as and when required.

Duty control room staff will electronically clear each videotape prior to each use and before it is disposed of.

A designated member of the control room staff will carry out a videotape audit on a Monthly basis

## 7.6 Reviews Of Recorded Images

Requests from the Police for a videotape review may be carried out by the police officer concerned without reference to the CCTV Manager. Requests for a videotape review from any other source must be referred to the CCTV Manager and should only be carried out on that officer's specific authority.

The investigating officer upon completion of each viewing must complete a viewing proforma.

**CCTV control room staff will not carry out reviews of recorded images on behalf of police officer**

## 7.7 Video Tapes

The only occasions on which recordings of images can be removed from the control room without reference to the CCTV Manager is when a police officer wishes to seize the images to be used as evidence. Operators must strictly adhere to the following procedure:-

- (i) A seizure request must be received from the Police, signed by the requesting officer and authorised by an officer of the rank of sergeant or above prior to any recording medium being prepared for seizure. It must detail the cameras required, date, time, and brief description of the incident.
- (ii) When an incident has been recorded and the Police request seizure of the recorded images for evidential purposes, the duty operator shall follow the relevant procedure as detailed in the operational manual.

- (iii) A copy of the statement and the seizure request is copied and is filed at the control room.

## **7.8 Photographs**

Control room staff will maintain the photograph log.

Photographs will not be taken without sufficient reason for doing so and the operator taking the photograph should bear in mind that the existence of such photographs must be capable of justification.

Photographs may be taken of live incidents but the taking of such photographs must be recorded in the photograph log. Similarly, photographs may be taken from video recordings but the taking of such photographs must also be recorded in the photograph log.

All photographs obtained from the CCTV system will remain the property of South Kesteven District Council. A written record will be maintained in the photograph log of the destination of all photographs and any which are permitted to leave the control room may only do so under signature of the recipient.

Photographs taken from the system and retained in the control room will be filed by date and only retained for as long as is operationally necessary. The photographs will then be destroyed by the CCTV Manager who will record the destruction in the photograph log.

A designated member of the control room staff will carry out a still photograph audit on a monthly basis

## **8. DIRECTED SURVEILLANCE**

Requests from either the police, statutory enforcement agencies or departments within the council, to use the system to carry out directed surveillance upon specific individuals or locations, will require authorisation under the Regulation of Investigatory Powers Act 2000 (RIPA). Requests must be made in writing and submitted to the CCTV manager, the following guidelines apply.

Police- Requests must be authorised by an officer of at least the rank of Superintendent or equivalent and will remain valid for up to 3 Months. In the event of an urgent need, an officer not below the rank of superintendent or equivalent may give oral authority. This authority is valid for 72 hrs and must be supplemented by a written authority within 4 hours of the oral authority being made.

Local Authority- Requests for directed surveillance submitted by department heads must be authorised by a senior officer of the council, as outlined in paragraph 6 of the Policy Practice and Compliance Procedures For south Kesteven District Council in relation to the Regulation of Investigatory Powers Act 2000.

## **9. DISCLOSURE OF DATA**

Ownership of all recorded video images remains with the South Kesteven District Council's CCTV Unit. Any recordings that are removed from the control room in accordance with this Code of Practice must be returned to the South Kesteven District Council's CCTV Unit as soon as reasonably practical after court proceedings are concluded or their use is not required.

Any recorded material shall only be used for the purposes set out at item 2 of this Code of Practice.

Representatives of the Police and statutory enforcement agencies may view images recorded from the CCTV system without prior authorisation from the CCTV Manager

## **9.1 Subject Access Disclosure**

Where a named subject requests to view data obtained by the CCTV system, then subject access disclosure will be provided subject to the payment of an initial fee of £10 for any search of data, and that the named subject provides sufficient and accurate information about the date, time and place to the Head of Democratic and Legal Services, South Kesteven District Council. A subject access request form can be obtained by either writing to the address on the front of this document or alternatively a copy can be downloaded from the councils website – [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

Legal representation of individuals may also apply for access to information on behalf of their clients by following the procedure in item 8.1 of this code

The Corporate Manager of Democratic and Legal Services will verify that a valid request has been received from a named subject or the legal representation of that subject. If the request is found to be valid, either (a) a copy of the requested material may be made available to the named subject or (b) a viewing of the specified images will be arranged between the data subject or legal representation and the CCTV Manager

## **10. PARTNERSHIPS**

Local partnership agreements will be concluded where third party CCTV systems wish to join South Kesteven District Council's scheme. Such agreements will incorporate the following subjects:-

- (i) Acceptance of this Code of Practice.
- (ii) The primary objectives of the CCTV system at a particular site.
- (iii) Operational methods to be utilised on that particular site.
- (iv) Methods of receiving regular reports within the partnership on matters relating to the Code of Practice and management of the scheme.
- (v) Safeguards for and relating to police operations.



## **10.1 Police**

South Kesteven District Council will conclude an agreement with the Police, which will incorporate: -

- (i) Acceptance of the Code of Practice.
- (ii) The primary objectives of the CCTV system at a particular site.
- (iii) Operational methods to be utilised on the particular site.
- (iv) Methods of receiving regular reports between the South Kesteven District Council and the Police on matters relating to the Code of Practice and management of the scheme.
- (v) Safeguards for and relating to police operations.
- (vi) Police intentions regarding the monitoring and audit of their involvement in the scheme.
- (vii) A named police officer as the point of contact.

## **11. ACCOUNTABILITY**

Lines of accountability are as follows: -

### **11.1 Elected Members**

Responsibility for the CCTV system lies with the South Kesteven District Council Cabinet's Community Affairs portfolio holder.

### **11.2 Internal System Evaluation**

The cabinet member responsible for community affairs will receive annual reports on the activities of the CCTV system from the Corporate Manager Democratic and Legal Services. Copies of such reports will be made available to the South Kesteven District Council's partners.

### **11.3 Annual Review**

The Corporate Manager Democratic and Legal Services will report an annual review of the activities of the CCTV system to the South Kesteven District Council.

### **11.4 Day to Day Management**

Management responsibility has been devolved to the CCTV Manager. The Corporate Director Democratic and Legal Services may delegate this responsibility to other officers of the South Kesteven District Council or may allocate specific tasks.

### **11.5 Publication of the Code of Practice**

A copy of the Code of Practice will be made available for public perusal at the locations below:

Council offices at Grantham, Stamford and Bourne

Police stations at Grantham, Stamford, Bourne and Market Deeping

Public Libraries in the South Kesteven area

South Kesteven District Council's website-[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

## **12. COMPLAINTS PROCEDURE**

South Kesteven District Council will ensure that its complaints procedure is applicable to the CCTV system and will publish information about the manner in which an individual may make a complaint about the administration of the scheme.

### **12.1 Legal Requirements**

At all times and without exception, all staff employed at the CCTV Unit will comply with the relevant sections of the following legislation: -

Human Rights act 1998

Freedom of information act 2000

Data Protection Act 1998

Regulation of Investigator Powers Act

## **13. SYSTEM EVALUATION/ASSESSMENT**

In addition to the ongoing internal evaluation of the CCTV system, South Kesteven District Council will carry out independent evaluations on the following basis: -

**13.1** The South Kesteven District Council accepts responsibility for ensuring that effective independent evaluation of the scheme will be undertaken. It is accepted that without such evaluation no assessment can be made of the overall operation of the scheme or of its impact on the problems that it is intended to address.

**13.2** Evaluation of the scheme will include the following topics as a minimum requirement: -

(i) Assessment of the scheme's impact upon crime.

(ii) Public views.

(iii) The performance of the CCTV operators and observance of the Code of Practice.

(iv) The South Kesteven District Council's observance of the Code of Practice.

(v) Whether the scheme's aims are still valid.

**13.3** Any item, in addition to the above, within the guidelines being established by the Association of Chief Police Officers, and the Local Government Information Unit, will also be included.

A comprehensive report will be submitted by the independent evaluators to the Corporate Manager Democratic and Legal Services who will make the report available in its entirety to elected members and the South Kesteven District Council's partners.

## **APPENDIX 1 APPLICATION FORMS**

### **DIRECT SURVEILLANCE:**

- **Application for authorisation to carry out direct surveillance**
- **Review of directed surveillance authorisation**
- **Application for renewal of a directed surveillance authorisation**
- **Cancellation of a directed surveillance authorisation**

### **COVERT HUMAN INTELLIGENCE SOURCE (CHIS):**

- **Application for authorisation of the use or conduct of a CHIS**
- **Review of a CHIS authorisation**
- **Application for renewal of a CHIS authorisation**
- **Cancellation of an authorisation for the use or conduct of a CHIS**

### **SINGLE POINT OF CONTACT (SPOC):**

- **Notice under section 22(4) of the RIPA 2000 Communications Data to be obtained and disclosed**
- **Application for communications data (to be filled in when requesting communications data and sent to the SPOC)**
- **Cancellation form (to be completed when cancelling a request for data and kept internally)**
- **Cancellation of notice form (to be sent to the communications provider when cancelling a request)**
- **Designated person's consideration form (to be completed by the designated person in consideration of an application for data)**
- **SPOC rejection form (to be completed by the SPOC if rejecting an application for data)**

The application forms referred to above can be obtained via the link  
<http://www.homeoffice.gov.uk/crimpol/crimreduc/regulation/forms.html>

**PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT  
(RIPA) 2000**

**APPLICATION FORMS**

**COPIES OF THE FORMS REFERRED TO AT APPENDIX 1 CAN BE  
OBTAINED BY ACCESSING THE FOLLOWING HOME OFFICE LINK**

**[www.homeoffice.gov.uk/crimpol/crimreduc/regulation/forms/index.html](http://www.homeoffice.gov.uk/crimpol/crimreduc/regulation/forms/index.html)**

## REPORT TO COUNCIL

REPORT OF: John Blair

REPORT NO: FIN227

DATE: 14<sup>th</sup> February 2005

<b>TITLE:</b>	Members Allowances
<b>BACKGROUND PAPERS:</b>	<b>FIN211 – 13 January 2005</b> <b>Welland Remuneration Panels report on Members Allowances</b>

### Introduction

Members will recall the decision regarding remuneration following the recommendations of the Welland Remuneration Panel contained in Report FIN211

### Details of Report

The purpose of this report is to clarify the amount of travelling and subsistence allowances which can be claimed by members.

The Welland Remuneration Panels report on Members Allowances refer to travel and subsistence allowances being the same as staff employed under the National Joint Council (NJC) conditions of service.

In compiling this report, the Panel were not aware locally agreed expenses were in place.

The amount of travelling and subsistence allowance which can be claimed are detailed below:

Travelling Allowance                      at a rate of 40 pence per mile.

Subsistence Allowance	Breakfast	£5.00
	Lunch	£6.90
	Tea	£2.70
	Evening Meal	£8.50

Appendix one shows the Members Remuneration payable from the Council AGM.

### Contact Officer

John Blair, Director of Finance and Strategic Resources  
01476 406202  
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# SOUTH KESTEVEN DISTRICT COUNCIL

## MEMBERS ALLOWANCE SCHEME

FROM 28<sup>th</sup> April 2005

**BASIC ALLOWANCE** – Payable to every Councillor £3,512 per annum

### **SPECIAL RESPONSIBILITY ALLOWANCES**

Leader of the Council	£12,758 per annum
Deputy Leader of the Council	£9,114 per annum
Cabinet Member	£7,290 per annum
Regulatory Committee Chairman	£2,916 per annum
Vice Chairman of Regulatory Committee	£976 per annum
Standards Committee Chairman	£1,866 per annum
Standards Committee Vice-chairman	£1,262 per annum
Opposition	£3,817 per annum
Development and Scrutiny Panel Chairman	£2,333 per annum
Development and Scrutiny Panel Vice Chairman	£779 per annum
Constitution and Accounts Committee Chairman	no payment
Constitution & Accounts Committee Vice Chairman	no payment

Any member entitled otherwise to more than one special responsibility allowance shall only be entitled to take one such allowance.

### **Travelling expenses**

40 pence per mile irrespective of the cc of the car

Travelling expenses are payable for the following:

1. Full Council meetings
2. Cabinet, Committee or sub Committee meetings of which a member or has been invited to attend such meeting. If not a member on the committee or not invited to attend such a meeting **no** travel expenses are payable.

3. Outside bodies to which the Council makes nominations/appointments (but not representation on school governing bodies) and has been 'sent' as a nominee of the Council.
4. Meetings in effect 'set-up' by the Council, such as working groups provided membership includes **more than** one political group or group leaders meetings.
5. Meetings of the various tiers of the Local Government Association.
6. Planning site visits as a rostered member of the Development Control Committee, not as a local representative pursuing constituency interests.
7. Seminars, conferences and similar informal meetings at the behest of Committees.
8. Other meetings 'for the Council' such as staff appointments, training seminars and meetings with officers in connection with a member's portfolio (not normal constituency business).
9. Duties which are undertaken in connection with being a Cabinet Portfolio holder, Chairman/Vice Chairman of a Policy Development Committee such as briefing meetings, visits & opening tenders.

### **Subsistence expenses**

Reimbursement of **actual costs incurred to a maximum of;**

Breakfast Allowance-

An absence of at least 4 hours before 11 am                      -£5.00

Lunch Allowance-

An absence of at least 4 hours including the whole of noon to 2pm   -£6.90

Tea Allowance-

An absence of at least 4 hours including the whole of the period 3pm to 6pm -£2.70

Evening Meal Allowance-

An absence of at least 4 hours ending after 7pm                      -£8.50

Overnight Absence-

In the case of an absence overnight from the usual place of residence                      -full cost of  
reasonable & necessary expenses

#### Additional Guidance for Subsistence Entitlement;

1. Entitlement for Subsistence applies the same as travelling expenses when claiming for duties outside the District.
2. Entitlement for Subsistence when attending the main Council offices or within the district should only be when attending **two separate** meetings (as defined at travelling expenses numbers 1 to 8). Note number 9 duties undertaken in connection with being Cabinet portfolio holder or chairman/vice chairman of a PDC such as briefing meetings etc **do not** count for the purposes of entitlement to subsistence.
3. **In the case of an absence overnight from the usual place of residence full cost of reasonable and necessary expenses are payable. With regard to meals claimed reference will be made to the normal allowances, taking account of any unavoidable captive charges. The Director of Finance & Strategic Resources will make a decision on any dispute on 'reasonable and necessary' expenses.**



## REPORT TO COUNCIL

REPORT OF: Corporate Manager, Democratic & Legal Services

REPORT NO. DLS25

DATE: 24<sup>th</sup> FEBRUARY 2005

<b>TITLE:</b>	<b>REPRESENTATIVES ON OUTSIDE BODIES: INTERNAL DRAINAGE BOARDS</b>
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	N/a – Matter reserved to full Council under Council procedure rule 1.2

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Democratic Representation Cultural Portfolio – Councillor Mrs F. Cartwright
<b>CORPORATE PRIORITY:</b>	Community Leadership
<b>CRIME AND DISORDER IMPLICATIONS:</b>	None
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	None
<b>BACKGROUND PAPERS:</b>	DLS file reference C.1/7

## **1. INTRODUCTION OR SUMMARY**

The purpose of this report is to ask the Council to make nominations for District Council representation on the three Internal Drainage Boards which cover the district of South Kesteven.

## **2. RECOMMENDATIONS**

**To nominate:**

- (i) one representative to serve on the Black Sluice Internal Drainage Board;**
- (ii) two representatives to serve on the Upper Witham Internal Drainage Board;**
- (iii) five representatives to serve on the Welland and Deepings Internal Drainage Board.**

## **3. DETAILS OF REPORT**

The District Council pays a yearly precept to the internal drainage boards (IDBs) where there are watercourses on land within South Kesteven. The Council makes the payments on behalf of the district rather than the individual parishes being charged. There are three IDBs covering South Kesteven: Black Sluice IDB, Upper Witham IDB, and the Welland and Deepings IDB.

The number of Council nominated representatives on each IDB is based upon the amount each Lincolnshire district pays. Their term of office is for a three year period. The current representatives' term of office expires at the end of March 2005. They are:

Black Sluice IDB	Councillor Kirkman
*Upper Witham IDB	Councillors Craft; Kerr; Norman Radley
Welland & Deepings IDB	Councillors Auger; Joynson; Helyar; Howard; Pease

\*This Council shares a "half" representative with North Kesteven District Council. Past practice has been for the two councils to alternate the whole appointment i.e. from April 2002 to March 2005 we have had three representatives and North Kesteven District Council has had two. From April 2005 to March 2008, we will revert to two representatives and North Kesteven will again have three. North Kesteven District Council is agreeable to this practice continuing.

## **4. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

None

## **5. CONTACT OFFICER**

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