



MEETING OF THE CABINET
9 MAY 2005 - 10.30 AM – 12.55 PM

PRESENT:

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

Councillor Mrs. Linda Neal – Leader / Chairman

**Chief Executive
Director Of Finance & Strategic Resources
Director of Regulatory Services
Director of Community Services
Corporate Manager, Democratic & Legal Services
Head of Planning Policy & Economic Regeneration
Head of Property Services (Design)
Care Services Manager
Business Services Manager
Member Services Manager
Senior Planning Officer (Policy)**

**Stock Option Appraisal Commission
Tenant representatives : Anne Clark ;
Barrie Cox ; Derek Glover ; Gillian Tressider**

**Non cabinet members : Councillors Howard ;
Kerr ; G. Taylor ; G. Wheat ; Wilks**

CO1. MINUTES

The minutes of the Cabinet meetings held on 4th and 11th April 2005 were confirmed as correct records.

CO2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

CO3. TOWN CENTRE MANAGEMENT PARTNERSHIP STRUCTURES

DECISION:

- (1) To endorse the exercise to explore the creation of a Charitable Company Limited by Guarantee associated with Stamford Vision, and that subject to a satisfactory outcome to those discussions, District Council representatives be invited to become members or Directors (as appropriate) of any company so formed;**
- (2) That as and when circumstances arise, similar arrangements be deployed in relation to the Town Centre Management Partnerships.**

Considerations/Reasons for Decision:

- (1) Report number DCS22 by the Director of Community Services outlining the need to review the organisational structures of the Town Centre Management Partnerships (TCMPs) in order to respond to changing circumstances;
- (2) The establishment of Charitable Companies Limited by Guarantee behind the established TCMP structures creates an appropriate framework to deliver projects, secure and manage funding from external organisations, invest (and carry over from one financial year to the next) funds, and own assets. It represents a mechanism to support and underpin the work of TCMPs without diminishing or undermining the Partnership principles upon which they are founded;
- (3) TCMPs are increasingly becoming the originators and sponsors of bids to funding bodies such as the Sub Regional Strategic Partnerships. For example, Stamford Vision has been successful in securing considerable funding (over £300,000) through the Welland SSP to deliver a major public realm enhancement project in the middle of Stamford. As presently constituted, the TCMPs have no specific legal status or powers and funding is generally channelled through the District Council;
- (4) Advice from the Corporate Manager, Democratic & Legal Services on the creation of a Charitable Company limited by Guarantee and

possible implications in terms of conflict of interests for a Councillor who is appointed to the Board.

Other Options considered and assessed

It is likely that without District Council participation in this exercise, steps will be taken to establish a company as delivery vehicle for the Gateway project. It is considered desirable and beneficial to be involved in this exercise from its inception and to contribute to the identification of an appropriate governance model.

CO4. MULTI-STOREY CAR PARK, WHARF ROAD, GRANTHAM

DECISION:

- (1) To approve the virement of £75,000 from the existing assets general provision in order to finance the additional work required for a new waterproof protective coating to the upper two levels of the Wharf Road car park in Grantham;**
- (2) The acceptance of the lowest tender for the work to be the subject of a non key decision by the Economic Portfolio Holder;**
- (3) The Resources & Assets Portfolio Holder to consider the assets general provision having regard to any other future projects which might have call on that budget.**

Considerations/Reasons for Decision::

- (1) Report number PRO443 by the Head of Property Services (Design) giving details of additional works required to the multi-storey car park in Grantham following an earlier non key decision taken on 18th August 2004 to rectify problems resulting from the failure of the existing protective coating. The approved budget of £140,000 was thought to be sufficient for the repairs based upon preliminary investigation and advice from contractors licensed to install the specialist waterproof membrane proposed;
- (2) Subsequent work has identified a number of additional repairs and improvements that are now recommended for inclusion in the project and the cost of these together with the inflationary effects on tender prices during the last year has increased the total project cost to £215,000;
- (3) Tenders were invited from three specialist contractors licensed to install the proposed TRIFLEX surfacing system and the lowest received is from Matrix Solutions Ltd of Bristol in the sum of £205,865.00;
- (4) Advice from the Director of Finance and Strategic Resources that sufficient funds exist with the current assets general provision to enable a virement for the additional sum.

Other Options considered and assessed.

Further delays in providing a new waterproof deck coating will accelerate the possibility of long term deterioration of the concrete deck due to the ingress of water and aggressive road salts. Further deterioration could result in closure of the car park with a subsequent loss of income to the Council, in addition to increasing remediation costs.

There are various proprietary surfacing systems available but many rely entirely upon the elasticity of the deck coating to accommodate movement in the structure. This has been shown to be insufficient by the failure of the current surfacing applied in the late 1990's. The TRIFLEX system now proposed includes for a substantial reinforcing layer bonded into the material and has an established track record of performance at similar sites across the country.

CO5. HOUSING STOCK OPTION APPRAISAL

DECISION: That the Cabinet endorses the Stock Option Appraisal recommendation to identify large-scale voluntary transfer as the preferred option for the following reasons:

- (1) to provide the opportunity to secure investment for tenant priorities;**
- (2) to also provide an opportunity to invest in improving housing services;**
- (3) to provide opportunities for enhanced tenant involvement;**
- (4) to provide the opportunity for investment in affordable housing;**
- (5) to provide the ability for the Council to focus on its strategic housing function.**

Considerations/Reasons for Decision:

- (1) Report number DRS14 by the Director of Regulatory Services detailing the recommendations of the Stock option Appraisal Commission (SOAC) which has carried out a work programme as approved by the Council on 28th October 2004. The Council is required to obtain Government Office sign off of this process by July 2005;
- (2) Noting a presentation by the tenant representatives of the SOAC and that the appraisal process undertaken by the Commission was subject to a consultation process during which it considered various sources of evidence and data provided by the Council, Independent Tenant Advisors and other external consultants who have validated both the financial position and the stock condition assumptions;
- (3) Noting the work undertaken by the SOAC was subject to pre-decision scrutiny by a combined meeting of the Community and Capacity &

- Resources DSPs, and the resultant unanimous conclusion drawn from that meeting on 8th April 2005;
- (4) The contents of the draft final report from Beha Williams Norman Limited circulated to the Cabinet on 6th May 2005;
 - (5) Further explanations given at the meeting by the Director of Regulatory Services and Director of Finance and Strategic Resources in response to questions from Cabinet members on the tenants aspirations, legal implications of stock transfer to a registered social landlord, use of capital receipts, how the Tenants Charter would be dealt with under any transfer, and consultation with tenants;
 - (6) The Cabinet's acknowledgement of the significant amount of work carried out by the SOAC and its expressed confidence that this work had been carried out appropriately and effectively.

Other Options considered and assessed

Throughout the Stock Option Appraisal, the Commission was required to consider the most appropriate option for the future management and ownership of the Council's Housing Stock against four defined options. The reasons for not supporting the remaining three options are detailed in the report by the Council's lead consultants Beha Williams Norman Ltd., copies of which have been made available to all members of the Council.

CO6. SUPPORTING PEOPLE: 5 YEAR STRATEGY

DECISION: That the Cabinet recommends the Council formally endorses the Supporting People Five Year Strategy.

Considerations/Reasons for Decision::

- (1) Report number DCS21 by the Director of Community Services which referred to the Supporting People partnership between service users, service providers and service commissioners. In accordance with the Memorandum of Understanding previously agreed by the Cabinet, one of the functions of the Commissioning Body is to prepare and agree a strategy for Supporting People;
- (2) All Supporting People schemes within the country must submit strategies to the ODPM as this is a condition of the Supporting People Grant;
- (3) Noting that the five year strategy will have an impact on the Provider Service provided by South Kesteven. The Council will need to ensure a robust service can be delivered within the resources available by working closely with those developing the Strategic Vision for Supporting People. The Council is currently reviewing its Housing Strategy and will need to ensure that there are good linkages with the Lincolnshire Supporting People Strategy 2005-2010 to facilitate a joined up service partnership approach, particularly as funding for those support services will be dependent on the financial strategies of

the Commissioning Body.

CO7. CONSULTATION AND ENGAGEMENT WITH YOUNG PEOPLE:
PROGRESS REPORT

DECISION:

- (1) To note the work undertaken to develop a Youth Forum (YELL) in partnership with the Police in Stamford and to consider the issues identified in the appendix to report DCS23;**
- (2) That the outcomes to achieve through engagement with young people be driven by the Portfolio Holder for Access & Engagement;**
- (3) To note that to develop this initiative may require additional skills and resources, and that the Director of Community Services bring forward proposals about how resources may be allocated to this work following discussions with the County Council;**
- (4) To agree that member representation on YELLS will be through the Portfolio Holder for Access & Engagement.**

Considerations/Reasons for Decision:

- (1) Report number DCS23 by the Director of Community Services referring to that component of the Council's adopted Consultation Strategy which provided for a specific mechanism for engagement with young people. The report set out what progress had been made to date with various activities involving various Council Services, local schools and young people in order to try and provide an opportunity for young people to influence the authority;
- (2) Noting that supporting young people to participate in local decision making is relatively new and the need for Councils to be clear about what it is hoping to achieve by engaging with young people. Particular skills are required for success and resources will need to be allocated to this work if progress is to be made. This could be achieved in partnership with the County Council's Youth Service in order to seek practical advice about developing engagement with young people through YELLS.

CO8. LOCAL DEVELOPMENT SCHEME (MARCH 2005)

DECISION:

- (1) To note and welcome the Government Office's letter of 11th April 2005 confirming that the Secretary of State does not intend to issue a direction under Section 15(4) of the Planning and Compulsory Purchase Act 2004;**

- (2) That the Local Development Scheme (as appended to report PLA498) come into immediate effect and be formally dated 11th April 2005 in line with the Government Office's letter of approval. The LDS to then be formally published on the Council's website with copies placed in the district offices and libraries for information;
- (3) To accept the terms of the initial Service Level Agreement and delegate formal acceptance of this agreement to the Head of Planning Policy and Economic Development.

Considerations/Reasons for Decision:

- (1) Report number PLA498 by the Head of Planning Policy and Economic Regeneration referring to confirmation received that the Secretary of State will not issue a direction to change the Council's LDS. It can therefore be assumed that the LDS as modified in February and March and submitted to the Government Office for the East Midlands has been accepted by GOEM;
- (2) The Town and Country Planning (Local Development)(England) Regulations 2004 (11) requires that the LDS should be formally brought into effect by the Local Planning Authority and should specify the date from which the scheme shall have effect. Regulation 12 requires that copies of the documents are available for inspection.

CO9. DRAFT BEST VALUE PERFORMANCE PLAN AND BEST VALUE REVIEW PROGRAMME 2005/06

DECISION:

- (1) To approve the Council's three year performance targets against the national BVPIs (as approved by the Cabinet on 7th March 2005);
- (2) To recommend to Council the approval of the draft Best Value Performance Plan for 2005/06; and
- (3) To delegate authority to the Chief Executive, in consultation with the Organisational Development Portfolio Holder, to make any minor changes to the draft Plan that may be necessary following its approval by the Council on 26th May 2005 and before its publication at the end of June 2005.

Considerations/Reasons for Decision:

- (1) Report number DOS280 by the Director of Operational Services referring to the obligation upon the Council under best value legislation (Section 6 of the Local Government Act 1999) to produce and approve a best value performance plan (BVPP) by 30th June each year;
- (2) Some of the 2004/05 out-turn performance data is subject to final verification and therefore the delegated authority to the Chief

- Executive and the appropriate portfolio holder is to allow minor amendments post Council approval of the plan;
- (3) The content of the draft plan satisfies the statutory requirements under the Government's best value legislation. The BVPP will be subject to a compliance audit carried out by the District Audit Service later in the year.

CO10. MEMBER DEVELOPMENT FORUM ON 23RD JUNE 2005

DECISION:

- (1) The agenda for the Members' Development Forum on 23rd June 2005 to focus on the Council's ambition and the implications this has for the role of executive and non executive members;**
- (2) That the event be well publicised and all members strongly encouraged to attend.**

Considerations/Reasons for Decision:

- (1) Report number CEX290 by the Chief Executive inviting the Cabinet to consider proposals for the annual training session;
- (2) Given that the session is limited to the morning (as a full Council meeting is proposed to take place at 3pm) the best use of members' time would be to focus on the broad theme of ambition.

CO11. LAND AT HIGH STREET, MARKET DEEPING

DECISION:

- (1) To approve the principle that steps be taken to secure land situated between High Street, Market Deeping and the River Welland currently being marketed for sale on the basis that it offers potential for use as a public amenity;**
- (2) To agree in principle to the land being secured utilising funds retained from the Section 106 Agreement from the Tesco development at Godsey Lane, Market Deeping subject to an upper limit of £25,000 for delivering the site to an acceptable open space standard.**

Considerations/Reasons for Decision::

- (1) Report number PLA492 by the Head of Planning Policy & Economic Development which referred to a parcel of land situated on the south side of High Street in Market Deeping which is being marketed for

- sale;
- (2) The land has in the past been identified as an important open space within the Market Deeping Conservation Area and the recently commissioned Market Deeping Health Check similarly recognised the importance of the space and the benefits of improving public access to the riverside;
 - (3) The recently reformed Town Centre Management Partnership have requested that steps be taken to secure this land as a public amenity, utilising funds secured for town centre enhancements from the Tesco Godsey Lane development. The securing of this land for public access would be consistent with the objectives of the Section 106 agreement and represent a positive enhancement to the amenities of the town centre and the conservation area as a whole;
 - (4) Representations received at the meeting from a local ward member and spokes person for the Market Deeping Town Council confirming that the Town Council was willing to design, refurbish and maintain the land;
 - (5) The acquisition of the site to be on the basis of the issues outlined on paragraph 2 of report PLA492 and that the final decision on which option to pursue to acquire the site rest with the Economic Portfolio Holder as a non key decision.

Other options considered and assessed

There is some indication that the site, through marketing, has attracted interest from other purchasers, some of which would not provide for public use of the space. Market Deeping Town Council would be interested in securing the site, although the timing would be likely to preclude this, 2005/6 precepts having been set. It is considered that prompt intervention is therefore required to secure this land for the public benefit of the community. The consequence of not doing so, would be to preclude the future creation of this space as a public amenity.

CO12. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

(1) Councillor Peter Martin-Mayhew: Portfolio – Community Safety

Decision: To accept the lowest tenders received from T Littlewood of Spalding for the following External Painting contracts for the locations listed:

Contract 43 - £20,822.00 – Bourne Town - 126 dwellings

- 6 communal areas
- 1 community centre
- 11 garages

Contract 44 - £42,982.00 – Stamford Town - 187 dwellings

- 6 communal areas
- 1 community centre
- 14 garages
- 1 complex

Contract 45 - £22,692.00 – Stamford Town - 125 dwellings

- 2 communal areas
- 39 garages

[Decision made 09.05.05]

Decision: To accept the lowest tender submitted by Promaintain Ltd of Donington, Lincs in the sum of £14,867.04 for the internal refurbishment and external improvements of 24 High Street, Colsterworth.

[Decision made 09.05.05]

(2) Councillor John Smith: Portfolio - Economic

Decision: That approval be given to the following names in order to provide new postal addresses for new developments within the district:

FARM CLOSE for the development adjacent to Highfield Farm, Foston;
 NORTH END CLOSE for the development at North End Farm, Foston;
 BRITAINS LANE for the lane between West Road and Pethley Lane, Pointon;
 TRINITY MEWS for the development at Eton Street/Cambridge Street;
 BELLWOOD GARDENS for the development to the rear of 18 New Beacon Road, Grantham;
 SUMMERFIELD CLOSE for the Meadows Development of Main Street, Dry Doddington.

[Decision made 09.05.05]

Decision: That the District Council agrees to administer the repairs to historic buildings grant scheme on behalf of Lincolnshire County Council.

[Decision made 09.05.05]

Decision: That, following negotiations between Combined Energy Solutions and Property Services, Combined Energy Solutions' contract be extended for a further 3 months up to and including 3 July 2005 to allow for thorough investigation/analysis of the 2 lowest tenders following the tendering process.

[Decision made on 25.04.05]

DATE DECISIONS EFFECTIVE:

Decisions at minutes CO5, CO6 and CO9 are policy framework proposals and therefore stand referred to the Full Council on 26th May 2005. Other key and non key decisions made on 9th May 2005 can be implemented on 18th May 2005 unless subject to call-in by the relevant Development and Scrutiny Panel.

**South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham,
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