



MEETING OF THE CABINET
12 APRIL 2010 - 11.00 AM – 11.26 AM

PRESENT:

Councillor Ray Auger
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith
Councillor Mike Taylor

Councillor Mrs. Linda Neal - Chairman

Chief Executive (Beverly Agass)
Interim Strategic Director (Tracey Blackwell)
Deputy Section 151 Officer (David Scott)
**Corporate Head Resources and Organisational
Development (Paul Stokes)**
Service Manager Assets and Facilities (Liz Banner)
Team Leader Assets and Facilities (Susie McCahon)
**Monitoring Officer/Legal Services Manager (Lucy
Youles)**
Cabinet Support Officer (Lucy Bonshor)

Non-Cabinet Members: Councillor Nick Craft
Councillor Stuart McBride

CO76. MINUTES

The minutes of the meeting held on 8th March were approved as a correct record.

CO77. DECLARATIONS OF INTEREST (IF ANY)

Both Councillors Mrs Cartwright and Auger declared personal interests in agenda item 4 (Lincolnshire Flood Risk and Drainage Management Framework). Councillor Mrs Cartwright as she lived in a flood risk area and Councillor Auger as he was SKDC's representative on the Welland and Deepings Drainage Board.

CO78. *LINCOLNSHIRE FLOOD RISK AND DRAINAGE MANAGEMENT
FRAMEWORK

DECISION:

To adopt the Lincolnshire Flood Risk and Drainage Management Framework on behalf of South Kesteven District Council, allowing for confirmation of details of representation on the partnership groupings by the framework Strategy Group on the understanding that any future financial commitment be considered separately.

Considerations/reasons for decision:

- (1) Report AFM0144 by the Portfolio Holder Healthy Environment.
- (2) The Pitt Review published in 2008, recommending significant changes to the way that flood risk is managed in England and Wales.
- (3) The Flood Risk Regulations 2009 and the Flood and Water Management Bill.
- (4) The Lincolnshire flood risk and drainage management framework is recognised as national best practice by the LGA and IDeA.
- (5) Comments made by Cabinet Members at the meeting.
- (6) Comments made by the Section 151 Officer within report AFM0144.

Other options considered:

Not to adopt the Flood Risk and Drainage Management Framework.

CO79. *ADDITION TO THE SKDC OFF STREET PARKING PLACES ORDER 2002
RESPONSE TO CONSULTATION

DECISION:

That Cabinet recommends to Council

- 1) That authority is granted to proceed with the proposed South Kesteven District Council Off-Street Parking Places Order 2009, following the consultation period.**
- 2) That the order is made.**

Considerations/Reasons for decision:

- (1) Report AFM0137 by the Portfolio Holder for Economic Development.
- (2) No objections received during the consultation period.
- (3) Letters of support in respect of the proposals from Lincolnshire Road Safety Partnership and Lincolnshire County Councils Highways Department.
- (4) Comments made by Cabinet Members at the meeting.
- (5) Comments made by the Monitoring Officer at the meeting.

Other options considered:

- (a) The Police verbally communicating with the people misusing the car parks and written communication with the people involved. Despite both the options being carried out, there are still recurrent problems.
- (b) Possession action can only be taken against the registered owner. The registered owner is not the person operating the car sales. Once proceedings have been started with vehicle has been sold or moved from the Council land and different vehicles are put in their place. Possession action in respect of each vehicle is not an effective remedy.
- (c) Although the DVLA have acquired powers to impound untaxed vehicles found both on and off the highway, they have been unable to take any action in respect of the car parks referred in report AFM0137. In any event some of the vehicles being left on Council car parks are taxed.

CO80. THE TRANSFER OF STAMFORD RECREATION GROUND TO STAMFORD TOWN COUNCIL

DECISION:

- (1) To grant authority to transfer the freehold ownership of Stamford Recreation Ground (“the Property”) shown edged red on the map attached to report AFM0142 to Stamford Town Council.**
- (2) The transfer of the freehold property to be at a nominal purchase price and the Property to be used for recreational purposes only subject to the Town Council paying the cost of transfer incurred by the District Council.**
- (3) The Property to be maintained to at least the present standard and a covenant to be included with a right of pre-emption in favour of the District Council in the event that the Property is not used for recreational purposes, all costs associated with a transfer back to the District Council to be incurred by Stamford Town Council.**

Considerations/reasons for decision:

- (1) Report AFM0142 by the Portfolio Holders for Assets and Resources and Healthy Environment.
- (2) Having due regard to the objections received during the consultation period regarding the transfer and the potential future use of the site.
- (3) Comments made by Cabinet Members at the meeting.
- (4) Comments made by the Monitoring Officer at the meeting.

Other options considered:

- a) To retain the Property in District Council ownership. All current maintenance would continue as a cost on the general fund;

- b) To sell this land on the open market. Part of the Property is bound by a restriction to use the land for recreational purposes. This use can be best achieved by the transfer to another public authority which has the power to own land for that purpose.

DATE DECISIONS ARE EFFECTIVE

Decisions CO78 & CO80 as made on 12 April 2010 can be implemented on 21 April 2010 unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political groups.

Decision CO79 stands referred to Council on 22 April 2010.

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