



MEETING OF THE CABINET
3 DECEMBER 2012 - 11.00 AM – 12.24 PM

PRESENT:

Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith
Councillor Mike Taylor
Councillor Teri Bryant

Councillor Mrs. Linda Neal - Chairman

Chief Executive (Bev Agass)
Strategic Director Corporate Focus (Daren Turner)
Strategic Director Development and Growth (Ian Yates)
Head of Development and Growth (Mark Williets)
Head of Finance (Richard Wyles)
Property Development Manager (Neil Cucksey)
Service Manager Planning Policy and Partnerships (Karen Sinclair)
Development Management Service Manager (Pat Reid)
Benefits Manager (Lee Sirdifield)
Assistant Conservation Officer (Kerry Walmsley)
Head of Legal and Democratic Services/Monitoring Officer (Lucy Youles)
Cabinet Support Officer (Lucy Bonshor)

Non-Cabinet Members : **Councillor Bob Adams**
 Councillor Nick Craft
 Councillor Helen Powell

CO25. MINUTES

The decisions from the meeting held on 15th October were agreed as a

correct record of the decisions taken.

CO26. DISCLOSURE OF INTERESTS (IF ANY)

Councillor John Smith disclosed an interest in connection with agenda item 4 as he was a Trustee of Bourne United Charities and left the meeting whilst the item was discussed. Councillor Linda Neal also disclosed an interest in agenda item 4 as she lived very near to the conservation area and felt that it would be better if she left the meeting whilst the item was discussed. Councillor Teri Bryant indicated that he had an interest in agenda item 6 but that it was not prejudicially bias and remained in the meeting.

(11.02am Councillor Linda Neal and Councillor John Smith left the meeting)

CO27. *BOURNE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN AND BOUNDARY REVIEW

Councillor Carpenter in the Chair

Decision:

Cabinet approves the following:

- 1) That the draft Bourne Conservation Area Appraisal and Management Plan be adopted.**
- 2) The recommended boundary changes.**
- 3) That authority is delegated to the Head of Development and Growth in conjunction with the Economic Development Portfolio Holder to approve minor amendments to the appraisal and appraisal maps if required.**

Considerations/reasons for decision:

- (1) Report PLA962 from the Portfolio Holder for Grow the Economy and Economic Development.
- (2) The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local Planning Authorities to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts, to consult the local community about the proposals and review the overall extent of designation in their areas regularly and if appropriate designate additional areas.
- (3) A minor amendment stating that Smiths was at 25 North Street, not 29

as shown in the appraisal;

- (4) Public representations received in response to the Bourne Conservation Area Appraisal and Management Plan including proposed boundary changes.
- (5) Comments made by Members at the meeting.

(11.10am – 11.18am the meeting was adjourned to look at an amendment put forward by Councillor Mike Taylor which members of the Cabinet had not seen. Although the amendment was proposed it did not receive a seconder and was subsequently lost.)

Other Options Considered:

As part of the Councils statutory duties under Section 72 of the 1990 Act local authorities must produce and publish character appraisals for their future management. Bourne was designated a conservation area in 1977 and this is the first comprehensive document that clearly defines its character and puts forward management proposals since designation. The previous document produced does not contain sufficient information to provide a basis for sustainable planning decisions which will preserve and enhance the character of the conservation area.

The alternative option would be not to amend the boundary. This would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and would not fully recognise, preserve and enhance the areas of Bourne which are of historic and architectural interest. It would constitute a missed opportunity to include areas which are of sufficient architectural quality to merit protection and to exclude detrimental areas. These alterations will ensure that the boundary is robust and justifies its status as an area of special historic and architectural importance.

(11.20am Councillor Linda Neal and Councillor John Smith returned to the meeting, Councillor Linda Neal received an urgent telephone call and left the meeting again returning at 11.25am)

CO28. *CAR PARKING STRATEGY

Decision:

- (1) That Cabinet approves the draft Car Parking Strategy as the key overarching document in the effective management of our off street car parks and for the strategic planning of car parking in the future.
- (2) To delegate authority to the Property Development Manager in conjunction with the Portfolio Holder for Grow the Economy and Economic Development to approve minor amendments to the car parking

strategy.

Considerations/reasons for decision:

- (1) Report PD004 from the Property Development Manager.
- (2) Parking availability for any type of vehicle is an important factor in determining how people travel and influences the vitality and viability of town centres and the attractiveness of residential areas.
- (3) Workshops held with the Communities Policy Development Group who also reviewed the Traffic Movement Study for Grantham and commissioned a parking review for Stamford. Both documents being taken into account in the formulation of the strategy. Following the Communities PDG the word ample on page 15 paragraph 8.7 to be changed to some.
- (4) The Strategy covers a five year period from 2012 to 2017.
- (5) Comments made by Councillor Powell and addressed by the Property Development Manager on car parking in towns.
- (6) Comments made by the Chairman of Resources PDG.
- (7) Comments made by the Portfolio Holder Housing and clarified by the Property Development Manger in connection with the residents parking scheme.
- (8) Comments made by the Portfolio Holder Governance and Communications with regard to the means of paying for parking.
- (9) Clarification of wording within the document.

CO29. *LOCALISATION OF SUPPORT FOR COUNCIL TAX BENEFITS POLICY

Decision:

1. **Cabinet recommends that Council adopts the proposed scheme for the localisation of council tax support as detailed in the local scheme rules. The scheme for working age customers to have the following characteristics:**
2.
 - i. **80% maximum eligibility for those who do not fall into a vulnerable group**

- ii. **100% maximum eligibility for vulnerable customers (as defined)**
- iii. **No restrictions based on size of property or council tax band Carer's, disabled and war pensioners protected**
- iv. **Inclusion of enhanced working disregards meaning that a certain amount of earnings is ignored in the calculation of support**

2. Cabinet also recommends to Council the following:

- i. **To adopt amendments to the council tax discount and exemption arrangements in relation to Class C (unoccupied and unfurnished) to provide a one month exemption followed by 25% discount for remaining 5 months.**
- ii. **To adopt amendments to the council tax discount and exemption arrangements in relation to Class A (in need of structural repair) to provide a 25% discount for 12 months.**
- iii. **To introduce a 100% charge for properties that have been empty for a period of between six months and two years.**
- iv. **To introduce an empty homes premium of 150% for those properties that have been empty for two years or more.**

Considerations/reasons for decision:

- (1) Report HOF211 and associated appendices from the Head of Finance including the amendments to Schedule 6 and Schedule 8 as circulated at the meeting and the Government changes to the welfare system in relation to Council Tax Benefit.
- (2) The eight week public consultation on the proposed scheme as well as consultation with major precepting authorities including Lincolnshire County Council and Lincolnshire Police Authority.
- (3) Technical changes to the Local Government Finance Act 1992 that allow local authorities discretion in the way that certain exemptions are administered.
- (4) Entitlement to council tax support to be based on a series of locally defined rules.
- (5) Clarifications made by the Head of Finance at the meeting to comments made by the Portfolio Holder for Housing.
- (6) Comments made by Councillor Mrs Linda Neal about what categories the District Council could look at.
- (7) Comments made by all Members thanking officers and their teams for the work done.

- (8) Comments made about the possibility that any changes to legislation following the autumn budget concerning the issue may require an extraordinary council meeting to change the Council's scheme accordingly.

Other options considered:

Report HOF205 contained details of various other models that had been considered prior to the proposed scheme being approved for consultation purposes. Since this work was completed, on 18 October 2012, the Department for Communities and Local Government published details of a one off additional £100m grant which has been described as transitional grant to aid adoption of local schemes. This would be made available to local authorities who developed schemes which met set criteria.

For the additional funding to be awarded the localised scheme would have to meet the following requirements:

- i. Those who would be entitled to 100% support under current council tax benefit arrangements pay between zero and no more than 8.5% of their net council tax liability;
- ii. The taper rate does not increase above 25%;
- iii. There is no sharp reduction in support for those entering work.
- iv. There is also a requirement for us not to significantly increase non-dependant deductions

If the local scheme adopted by South Kesteven met these requirements, a total of £20,082 of additional funding would be made available by the government to South Kesteven District Council. This additional funding would only be available for a one year transitional period.

From April 2014 funding levels would be reduced and the affordability of a scheme with the characteristics detailed above would be further brought into question. Additional consultation could be required and further changes to the scheme might lead to more confusion amongst customers about entitlements and as a result, a greater administrative burden being placed onto the Council.

Officers have remodelled the scheme to fit within the government's proposals by increasing the maximum eligibility for those of working age who are not protected by our scheme. In addition, a range of models have been produced that vary the level of non-dependant deductions, earnings disregards and rates for second adult rebate.

It has not been possible to design a scheme that would not require additional funding to be provided by the district or major precepting authorities. Both Lincolnshire County Council and Lincolnshire Police made it clear in their consultation responses that they would not make any additional funding available due to other pressures. The additional contribution required from

Lincolnshire County Council would be significant. It is recognised that with no additional funding being made available it would not be realistic or sustainable for South Kesteven District Council to fund the shortfall for them.

CO30. *FEES AND CHARGES PROPOSALS FOR 2013/14

Decision:

Cabinet approves the following fees and charges for inclusion into the budget framework proposals for 2013/14:

- **Car parking – no increase to current tariffs but approval of a review of the car parking charging strategy 6 months after the implementation of civil parking enforcement in the district. Penalty fines decreased in line with civilian parking enforcement rates**
- **Markets – no increase proposed**
- **Bus stations – no increase proposed**
- **Grantham cycle centre – no increase proposed**
- **Arts centres – inflationary increase only**
- **Corn Exchange – inflationary increase only and introduction of new charges for kitchen hire, bar hire and regular hirers**
- **Green waste collection – no increase proposed**
- **Licensing – increase in line with achieving service breakeven**
- **Environmental Health – inflationary increase only and introduction of 2 new charges (amendment or replacement of certificate and renewal of licence for houses of multiple occupation)**
- **Outdoor recreation – inflationary increase only**
- **Building Control – no increase to published fees but an increase of £5 to £45 be applied for the hourly rate charge for any other non-published services provided**
- **Grantham cemetery – inflationary increase to established charges and the introduction of new charges for single vault mausoleum plot and kerbed memorials**
- **Helpline – increase in line with achieving service breakeven for private sector customers**
- **The introduction of a new charging structure in with respect to planning advice**

Considerations/reasons for decision:

- (1) Report HOF209 from the Head of Finance
- (2) The work undertaken by the Resources PDG on reviewing fees and charges and the parallel work undertaken by Deloitte and officers on an income review benchmarking study which compared fees and charges across a number of east midlands councils.
- (3) The updated Fees and Charges Strategy approved by Cabinet on 1st

- October 2012.
- (4) The Council has the power to charge for the delivery of discretionary services in accordance with Section 93 of the Local Government Act 2003.
 - (5) Comments made about high lighting those fees that the Council is duty bound to impose.
 - (6) Comments made by the Portfolio Holder for Strategic Resources and the Chairman of Resources PDG thanking officers and Head of Sections for the work they had done.
 - (7) Comments made by the Leader thanking the Resources PDG for the work they did supporting the Cabinet Members.

DATE DECISIONS EFFECTIVE:

Decisions CO27, CO28, CO30 as made on 3rd December 2012 can be implemented by Wednesday 12th December 2012 unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political groups. CO29 stands referred to the Council meeting held on 13th December 2012.

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

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