

MEETING OF THE COMMUNITIES POLICY DEVELOPMENT GROUP

THURSDAY, 22 NOVEMBER 2012 2.30 PM



GROUP MEMBERS PRESENT

Councillor Kelham Cooke	Councillor Mrs Jean Taylor
Councillor Breda Griffin	Councillor Jeff Thompson (Vice-Chairman)
Councillor Charmaine Morgan	Councillor Raymond Wooten
Councillor John Nicholson (Chairman)	

PORTFOLIO HOLDER

Councillor Teri Bryant (Portfolio: Good Housing)
Councillor Paul Carpenter (Portfolio: Governance and Communication)
Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy - Economic Development)
Councillor Mike Taylor (Portfolio: Strategic Resources – Well Run Council)

OFFICERS

Strategic Director (Tracey Blackwell)
Head of Finance (Richard Wyles)
Head of Legal and Democratic Services (Lucy Youles)
Head of Housing and Neighbourhoods (Ian Richardson)
Property Development Manager (Neil Cucksey)
Planning Policy and Partnerships Service Manager (Karen Sinclair)
Benefits Manager (Lee Sirdifield)
Community Engagement and Policy Development Officer (Carol Drury)
Principal Democracy Officer (Jo Toomey)
Technical Support Officer (Krissy Fountain)

32. MEMBERSHIP

The PDG was notified that Councillor Morgan would be substituting for Councillor Dilks until the next annual meeting of the Council.

33. APOLOGIES

An apology for absence was received from Councillor Smith.

34. DISCLOSURE OF INTERESTS

No interests were disclosed.

35. ACTION NOTES FROM THE MEETING HELD ON 6 SEPTEMBER 2012

The action notes from the meeting held on 6 September 2012 were noted.

36. UPDATES FROM PREVIOUS MEETING

Residents' parking scheme – Stamford

One Councillor highlighted concerns that had been raised in Stamford about a recent media release offering season tickets to residents for the Council's car parks until residents' parking schemes could be set up. The information was initially released on the Council's website without forewarning local councillors. Members of the PDG expressed concern about the way information was communicated; the article on the Council's website was published in advance of a release to Councillors and the Stamford Mercury while posters would also be displayed. Officers noted that the preferred method of communication would have been via Stamford town council.

Rural Broadband

The Community Engagement and Policy Development Officer reported that Broadband Delivery UK (BDUK) had completed the audit requirements and British Telecom was tendering as sole supplier. The BDUK superfast broadband rollout was scheduled to commence in April 2013. OnLincolnshire had asked local communities, businesses and residents to register their support for the campaign; PDG members were informed of the number of registrations from within the district.

The new exchange boxes being put into Bourne, would affect all properties fed by that exchange. Subject to contention ratios, broadband users within that area should receive a faster broadband.

37. QUESTIONS REFERRED BY COUNCIL

A question on biodiversity was put to Council on 13 September 2012:

To: Councillor John Smith: Green, Healthy and Arts Portfolio Holder

From: Councillor Charmaine Morgan

Given the significant level of activity by North Kesteven District Council in complying with relevant Legislation to protect and enhance biodiversity, how are SKDC meeting their statutory Biodiversity Duty?

Where is SKDC's Biodiversity Evidence Base kept for reference by relevant parties including councillors, council officers, members of the public and developers?

What budget has been set aside in relation to this activity?

The Planning Policy and Partnerships Service Manager circulated a briefing note and explained that the biodiversity duty was introduced for all public bodies in 2006. It stipulated that they should have regard to biodiversity in undertaking their particular functions and taking it into account by incorporating biodiversity in strategies and plans. The Council took a strategic level view of biodiversity issues in the preparation of its Local Plan and the affect of growth proposals on important wildlife sites and habitats. The duty was not intended to constitute a significant burden but raise the profile of biodiversity. Planning Policy had put forward a growth bid of £35k for a study of local wildlife sites in the district. If the growth bid was successful, the study would take place in 2013/14.

The Councillor who put the question at Council raised concerns that the Council had not been formally represented on the Lincolnshire Biodiversity Action Group. She also highlighted that the Department for Environment, Food and Rural Affairs (DEFRA) required every local authority to complete local wildlife site assessments. She also expressed concerns over the protection of biodiversity in respect of the Grantham Growth Developments, citing particularly the Southern Quadrant and the River Witham Corridor.

PDG members noted that it was the responsibility of a developer bringing forward an application to provide the appropriate wildlife studies at their expense.

The Service Manager for Planning Policy and Partnerships reassured members that work had been undertaken to minimise the impact of development on important corridors, noting specifically the River Witham Corridor. A high level assessment of issue was included as part of the Council's Core Strategy, however this had been further developed as part of additional planning documents, for example the Wind Energy Supplementary Planning Document.

The PDG was advised that measures which the council was statutorily required to take in cognisance of biodiversity were in place and that, if successful, this work would be enhanced and supported by the growth bid.

38. LOCALISATION OF COUNCIL TAX BENEFIT - COUNCIL TAX SUPPORT SCHEME

The Benefits Manager gave a brief presentation to the PDG which updated them on the introduction of a local council tax benefit support scheme. He reminded members that the Council was required to develop and introduce its own council tax support scheme following the abolition of council tax benefit. The local scheme would need to take account of a 10% reduction in funding from government.

A draft scheme was developed based on the following principles:

- Most people (of working age) should pay something towards their council tax
- Those with disabilities should be protected from any reduction in support
- Those with caring responsibilities should be protected from any reduction in support
- War pensioners should be protected from any reduction in support
- The scheme should make work pay
- The scheme should be available to all those who pay council tax, regardless of the size of property in which they live
- Second adults living in the property should contribute
- Benefits should not be paid to those with capital above set limits
- Benefits can be paid based on the income of a second adult with a low income
- Those with relatively more income should pay more than those with less income

At a meeting on 20 August 2012 the Cabinet agreed a scheme that would be consulted on. Initial consultation was undertaken with the major precepting authorities (Lincolnshire County Council and Lincolnshire Police Authority) who both agreed with the principles of the proposed scheme and stated that they were unwilling to make further financial contribution to the scheme above the government grant that would be provided. Parish and town councils were not consulted as precepting authorities; there were no statutory requirements and the collection of parish precepts would not be affected.

An initial equality analysis was carried out on the proposed scheme before it was put out to public consultation for 8 weeks.

As part of public consultation on the scheme 5,219 postal surveys were issued from which 832 responses were returned (15.9%). Analysis of these showed broad agreement with the principles. A number of consultation events were held across the district; 6 people in total attended these sessions. A calculator was put onto the website which enabled people to compare their entitlement under the proposed scheme to council tax benefit. 353 people accessed a specific webpage and a number of people completed a web survey. A dedicated telephone helpline, which was used by 44 people, was available

throughout the consultation period and would remain open for further queries until the scheme was in place.

Feedback from the public consultation informed a stage 2 equality analysis, which would form part of the report Cabinet would consider on 3 December 2012. The proposed scheme was scheduled to go to Council on 13 December 2012 for a decision. If the Council had not adopted a local scheme by 31 January 2013 it would fall to a default scheme which would mean that the Council would not achieve the required savings and would have to supplement the funding of the scheme.

Some concern was expressed about the impact of the proposed scheme on low income families and whether the consultation provided sufficient opportunity for members of the public to raise their concerns. Officers explained that the consultation questions were designed to allow comparison of responses across a range of demographic profiles and characteristics. Analysis identified common trends amongst different groups. The work recognised that the changes were part of wider welfare reform and would be reviewed on an ongoing basis.

In response to a question about whether there was a common scheme in Lincolnshire, councillors were advised that there were local variations however the schemes were based on the same principles. In preparing the South Kesteven Scheme, officers took part in Lincolnshire-wide and regional workshops and forums.

39. COMMUNITY RIGHT TO BID

The Heads of Finance and Legal and Democratic Services gave a presentation to PDG members about the Community Right to Bid which provided a broad overview and summarised the broad principles.

Provisions gave local groups a right to nominate a building or other land for listing by the local authority as an asset of community value, which is designed as: “an actual or current use of the building or other land that is not ancillary use, furthers the social wellbeing or social interests of the local community, and it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further the social wellbeing or social interests of the local community”. Exemptions included residential properties including gardens, outbuildings and other associated land and residential caravan land.

When a listed asset was put forward for sale, local community groups would be given a fair chance to make a bid to buy it on the open market. Nothing further would happen unless the owner decided to dispose of the asset. Assets would remain listed for a 5-year period.

Parishes, community organisations and constituted neighbourhood forums could nominate assets to go on the list. On receipt of a nomination form the

local authority would have 8-weeks to make a judgement about whether the asset met the definition as set out in the Act. If the asset was nominated then the local authority must place the asset on a list and notify all parties. The owner of the asset would have a right to appeal through an internal review process led by officers who did not take part in the decision to list the asset. If the local authority did not agree that the asset should be listed, it would be placed on a list of assets called 'nominated but not listed'. These lists were required to be published publically.

If the owner decided to dispose of a listed asset, they would be required to notify the local authority of their intention. Following receipt of this notice, there would be a 6-week period to allow community interest groups to make a written request to be treated as a potential bidder. If no community groups were to come forward the owner could sell at the end of the 6-week period. If a request was forthcoming a 6-month moratorium would begin during which the owner could continue to market but could not exchange contracts (unless to a community group). After the moratorium period the owner would be free to sell to whomever they chose and at whatever price.

Councillors were asked to make recommendations in respect of a number of questions in report LDS082. The proposed form on which assets should be nominated was attached as appendix A to the report. Councillors were keen to ensure that applications were made by genuine local groups and to prevent spurious applications. They agreed that parish meetings and the Grantham Charter Trustees should be able to put forward applications. Within the legislation an unincorporated group required 21 people who were on the electoral register for the district. Councillors felt this number was too high and suggested that consideration should be given to a lower number, taking account of the informal nature of an unincorporated group and the number of residents in some of the smaller villages.

Conclusion:

- 1. That the community groups as defined in legislation should be able to nominate assets, together with parish meetings and the Grantham Charter Trustees.**
- 2. Consideration should be given to decreasing the number of people required to constitute an unincorporated group from 21 people on the electoral register for the district.**

Members of the PDG considered the process through which nomination applications should go. It had been proposed that forms should be considered by the Heads of Finance and Legal and Democratic Services and the Property Development Manager with any review being undertaken by a Strategic Director. One Councillor suggested that there should be Member input in taking decisions on whether assets should be listed. The group considered the role of elected members in supporting their local communities putting forward nominations and whether it was a technical decision that could be taken by

officers within parameters agreed by Councillors.

Conclusion:

- 1. That nominations for community assets should be considered by officers against criteria approved by Councillors.**
- 2. That the definition of community assets should be taken from the legislation.**

Following recommendations from the PDG, a report would be presented to the Constitution Committee on 6 December 2012 and referred on to full Council on 13 December 2012 for consideration.

Recommendation:

That the provisions in respect of the Community Right to Bid proposed in report number LDS082 should go forward to the Constitution Committee and Council subject to the inclusion of parish meetings and the Grantham Charter Trustees as bodies eligible to put forward nominations and that further consideration should be given to the number of people required to form an unincorporated group.

40. TENANCY STRATEGY

The Head of Housing and Neighbourhoods provided a brief summary of the housing programme of work and associated timelines.

The PDG agreed to hold a special meeting on Thursday 13 December 2012 at 10:00am to consider the draft Tenancy Strategy which needed to be adopted by January 2013.

41. CAR PARKING STRATEGY

A copy of the draft car parking strategy had been circulated to members of the PDG; this was based on the deliberations of the PDG working group. Councillors raised and discussed a number of points in the draft:

- Page 13 – the sentence which read “At the present time there is ample on street free parking available to support current levels of activity...” should be amended to read: “At the present time there is some on street free parking...”
- Page 9 – concern was expressed about proposals to put a multi-storey car park at Greyfriars which would be accessed via Sankt Augustin Way. If this development was to go ahead it would need to form part of a sequence of improvements attached to other infrastructure.
- Page 10 – the document included a paragraph on Watergate car park.

Councillors felt the location of this car park was of particular importance because of its proximity to Vine Street Surgery and St. Wulfram's Church. It was proposed that the paragraph should be amended to include: any development on this site should incorporate public car parking. Discussion ensued on whether this insertion was too specific for a strategic document. The proposal was not seconded. The PDG voted instead to leave the wording of the paragraph.

Councillors felt that the strategy document was a good reflection of the work put in by the PDG and recommended its adoption by Cabinet subject to the amendment made in respect of page 13 (as noted above).

Action Point:

The Property Development Manger to recirculate the draft car parking strategy including changes made at Cabinet briefing for the information of Councillors.

Recommendation:

That the Cabinet adopt the draft car parking strategy for South Kesteven (as amended at the meeting).

42. WORK PROGRAMME

Noted.

43. ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASONS OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT

Following recent reports in a local newspaper, the Strategic Director clarified for Councillors the situation following the findings of the Planning Inspector on the Grantham Area Action Plan. The media article reported that growth plans for Grantham were in limbo or no longer in place, however Councillors were advised the Council was the only authority in Lincolnshire to have a Core Strategy in place and was one of the earlier councils to produce specific plans. She reassured members that strategic plans for the urban extension areas and the relief road were in place and applications for development were starting to come forward for Poplar Farm.

44. CLOSE OF MEETING

The meeting was closed at 17:23.