



MEETING OF THE CABINET
11 OCTOBER 2004 - 10.30 AM – 12.46 PM

PRESENT:

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

Councillor Mrs. Linda Neal – Leader / Chairman

Chief Executive
Director of Finance & Strategic Resources
Director of Community Services
Corporate Manager, HR & Organisational Development
Head of Environmental Health & Licensing
Member Services Manager
Training Manager
Elections & Electoral Registration Manager
Environmental Health Manager (Environment)
Public Relations Consultant

Non-Cabinet Members : Councillors Mrs D. Dexter ;
N. Dexter ; G. Taylor ; G. Wheat ; J. Wilks

CO50. URGENT ITEM: REPRESENTATIONS FROM RESIDENTS OF COLSTERWORTH

The Leader stated that a letter requesting to speak had been received from Mr. Chris Townson of 33 High Street, Colsterworth. Mr Townson wished to address the Cabinet on the issue of placing homeless people in dwellings

adjacent the properties occupied by many very elderly residents in Newton Court, Colsterworth. The Leader exercised her discretion and sought the Cabinet's agreement to acceding to this request under urgent business having regard to the strength of feeling and concern amongst the local community.

The Cabinet, with the exception of Councillor Martin-Mayhew, agreed to allow Mr. Townson to speak. Mr. Townson was permitted to address the meeting for five minutes during which he stressed the fear and concern of local elderly residents, some of whom were in their eighties, concerning the placing of homeless people in Newton Court properties. Such people often had a history of personal and social problems and these issues should be taken into consideration before placing them in close proximity to elderly and vulnerable residents. He referred to advice from the Government's Housing Minister that homeless cases should not be housed next to vulnerable people and mentioned lack of police resources to enforce additional anti-social behaviour orders.

Mr. Townson was constrained from completing his presentation by the five minute time limit. He was therefore invited to submit his written notes to the Cabinet to be considered after the meeting.

CO51. APOLOGIES

Apologies for absence were received from Councillor John Smith.

CO52. MINUTES

The minutes of the meeting held on 6th September and the special meeting held on 20th September 2004 were confirmed as a correct record.

CO53. DECLARATIONS OF INTEREST

There were no declarations of interest.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972 it was resolved that the public be excluded because of the likelihood in view of the nature of the business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 7 and 9 of Part 1 of Schedule 12A of the Act. With the public excluded, the following item was considered.

CO54. STAR LANE TOILETS

[Decision to declare the site surplus to requirements taken by Councillor Peter Martin-Mayew: Portfolio – Housing Services. Decision on the disposal taken by the Leader.]

DECISION:

- (1) That the Star Lane toilets in Stamford are surplus to the Council's requirements;**
- (2) That the site now proceed to disposal to the highest bidder;**
- (3) To acknowledge the request from the Stamford Town Council regarding refurbishment and costs allocated to a Special Expense Area and to explain the reasons why this is not considered a feasible option.**

Considerations/Reasons for Decision:

- (1) Report number CEX256 by the Chief Executive [**exempt report by virtue of paragraphs 7 and 9 of Schedule 12A of the Local Government Act 1972**] on the receipt of tenders for the disposal of the public toilets at Star Lane, Stamford;
- (2) The Cabinet does not wish to compromise the Council's existing policy of one high quality attended facility at each town;
- (3) The highest tender received meets the evaluation criteria.

Other option considered and assessed: Request from Stamford Town Council to refurbish the toilets and the cost allocated as a Special Expense Area for Stamford.

Reasons for refusal:

- (1) The size of the facility would mean that the only redevelopment option would be for three uni-sex toilet cubicles
- (2) With the knowledge of the relative unpopularity of the automatic public conveniences, such a facility may not be popular enough to justify the capital and future revenue costs. Unattended facilities present a significant risk of vandalism which is both costly and presents a poor image of the town to visitors and residents. The Council has a duty of care to members of the public using the facilities, having regard to past experience of abuse and misuse of public toilets;
- (3) The allocation of costs to a Special Expense Area could have capping implications for the District Council;
- (4) The Stamford Town Council has not presented sufficient evidence to indicate that the majority of Stamford Council Tax payers would be prepared to pay an additional amount on their Council Tax bill for this facility.

CO55. *PEOPLE MANAGEMENT & WORKFORCE DEVELOPMENT STRATEGY

DECISION: That the Cabinet

- (1) endorses the People Management Vision underpinning the draft documents: *"People feel valued and their full potential is harnessed through recognising them as human beings and not simply a resource. People are proud of the organisation and choose to work for its success"*;
- (2) agrees that Human Resources be positioned within the organisation as illustrated on page three of the People Management Strategy i.e. to move towards a more strategic role and become less interventionist by the end of 2005/06;
- (3) agrees the overall structure of the Strategy document and the contents of both the Strategy and the Workforce Development Plan and commends these documents to the Council for formal adoption at its meeting on 28th October 2004.

Considerations/Reasons for Decision:

- (1) Report number HR&OD71 by the Corporate Manager Human Resources & Organisational Development and appended draft People Management & Workforce Development Strategy. The Strategy is a base document on which the Workforce Development Plan is based;
- (2) The People Strategy concerns the management and development of members (as leaders) and employees;
- (3) These documents are linked to the Council's corporate planning arrangements and to the Local Government Pay and Workforce Strategy. The strategy includes issues of importance which have been identified locally.

CO56. *BUDGET CONSULTATION 2005/06 AND MEDIUM TERM FINANCIAL STRATEGY

[Decision taken by the Cabinet collectively]

DECISION:

- (1) To endorse the Medium Term Financial Strategy and to build in a 6% Council Tax increase and to re-coup Special Expense Area expenditure over three years into the budget preparation process;
- (2) The Director of Finance & Strategic Resources to request the County Treasurer considers holding the joint budget consultation

meeting at a venue outside Grantham this year.

Considerations/Reasons for Decision:

- (1) Report number FIN208 by the Director of Finance & Strategic Resources which considers the updated medium term financial strategy (MTFS) for the period 2005/06 to 2009/10 and examines the main influences on the budget preparation for 2005/06;
- (2) The main issues facing the Council in terms of preparing the current MTFS. Progress was made in all these areas within a 6.2% rise in Council Tax which did not attract capping from the Government;
- (3) An assessment of the Council's position relative to its current financial strategies;
- (4) The complexities of assessing future levels of government grant; the Director's recommendation that an annual figure of 2% increase on a like for like basis is a prudent assumption for financial planning;
- (5) Estimated budget requirements for 2005/06 to 2009/2010, including Special Expense Area expenditure;
- (6) The following assumptions: Government grant increase – 2% per year; Tax base – 1% increase per year; Council Tax - 3% increase per year;
- (7) The need for estimated budget requirements to deliver the resources for stepped improvements in the Council's identified priorities. The assumption is that the identified costs associated with the non-prioritisation of services will be realised. If not, the budget requirement will remain higher than desired;
- (8) Expected use of reserves for future years to help fund stepped changes in service improvement;
- (9) The comments of the Capacity & Resources DSP concerning a 6% Council Tax increase and to re-coup the SEA expenditure over a three year period;
- (10) As the budget affects all residents of South Kesteven, the joint consultation meeting with the Lincolnshire County Council, the Police Authority and this Council should be held at an alternative venue this year.

CO57. *COMPLETING THE PRIORITISATION PROCESS

[Decision taken by the Cabinet collectively]

DECISION: That the Cabinet recommends to Council the approval of the following aspects of report CEX235 in order that it can progress with the delivery of its priorities:

- A. The weighting, assessment and scoring of all Council services as set out in paragraphs 3.1 and 3.5.

- B. The resultant classification of services into priority categories as set out in paragraphs 3.5 and 3.8, with the amendment that car parks and public toilets move from Category Y up to Category B;**
- C. All targets and service standards as detailed in the table in paragraph 5, with the amendment that for car parks reference is made to the provision of a new multi-storey facility in Grantham.**

Considerations/Reasons for Decision:

- (1) Covering report number CEX255 by the Chief Executive and appended report CEX235 which was agreed by the Cabinet on 12th July 2004 as a consultative draft on the completion of the prioritisation process;
- (2) The views of the Local Area Assemblies and the Development and Scrutiny Panels upon the issues detailed in the consultation draft;
- (3) Proposed savings of £469,000 to be made from non-priority areas that will contribute to the £700,000 investment into the Council priorities.

CO58. *A CHECKLIST FOR GRANTHAM AS A SUB REGIONAL CENTRE

[Decision taken by the Cabinet collectively in the absence of the Portfolio Holder, Councillor John Smith.]

DECISION: To

- (1) approve the amended Checklist for Grantham for the purpose of monitoring progress towards achieving Grantham as a Sub-Regional Centre;**
- (2) request the Economic & Cultural Development & Scrutiny Panel to consider the checklist at the meeting scheduled for 11th November 2004 and report back their comments to Cabinet if necessary;**
- (3) thank those partners who contributed ideas and comment during the consultation period.**

Considerations/Reasons for Decision:

- (1) Report number DCS9 by the Director of Community Services following the consultation process on the criteria for judging progress towards the development of Grantham as a Sub-Regional Centre (having previously been approved by Cabinet on 9th August 2004);
- (2) Details of the main consultation groups and the comments that had been made. The checklist has been amended to reflect these points

- (attached as an appendix to report DCS9);
- (3) The timetabling of meetings has meant that the Economic & Cultural Development & Scrutiny Panel has not yet had an opportunity to comment on the checklist.

CO59. *REVIEW OF PERFORMANCE TARGETS FOR BVPIS INCLUDED IN SKDCS 2004/05 BEST VALUE PERFORMANCE PLAN

[Decision taken by the Cabinet collectively]

DECISION: To agree the amendments to the current year performance targets as shown in appendix 1 to report DOS255 and the Council be recommended to endorse these amendments as part of the annual Best Value Performance Plan.

Considerations/Reasons for Decision:

- (1) Report DOS255 by the Director of Operational Services referring to the best value regime which requires all local authorities to set annual targets for their performance against a range of specified performance measures;
- (2) Targets are set having regard to factors which apply at that time i.e. at the beginning of the year. It is therefore sensible that targets should be reviewed and where necessary, with sound justification, amendments made to reflect current circumstances.

Other Options considered and assessed: At the heart of best value is the performance management framework. Central Government uses key performance data to assess local government's progress under best value generally. It expects local authorities to also set itself stretch targets, which bring about service improvements and efficiencies. It also expects that targets are realistic and achievable. Where this Council's performance is already outstripping current year targets it is sensible to encourage further improvement; similarly if any current year targets are patently unattainable amendments should be made to properly reflect the current situation.

CO60. *CITIZENS' ADVICE BUREAU FUNDING 2005/06

[Decision taken by the Cabinet collectively]

DECISION: That the Cabinet recommends to Council the following:

- (1) The Citizens' Advice Bureau (CAB) be informed that the current year's Council grant is the final payment within the existing

- agreement;**
- (2) The CAB be informed that, given their failure to meet the criteria set in the previous three years, their funding request for £135,000 for 2005/06 is not accepted;**
 - (3) That the Cabinet considers proposals for a housing quality marked debt advice service to become operative if the CAB can no longer provide a service in South Kesteven.**

Considerations/Reasons for Decision:

- (1) Report number FIN 209 jointly prepared by the Director of Finance & Strategic Resources and the Chief Executive which referred to the request of grant aid from the CAB for 2005/06 of £135,000 and continued rent free accommodation in Stamford;
- (2) From the information available, it appears that the CAB had not met all the criteria set by the Council in order for it to receive continued funding from the authority. In particular, the quality mark status had not been secured for the whole organisation by the requisite deadline of March 2004. The Quality Mark status obtained (as reported to the Capacity & Resources DSP on 30th September 2004) relates to general help advice. It was the intention of the Council that the Quality Mark status achieved should be at a level that would enable the CAB to bid for Community Legal Service funding
- (3) The bid for next year represents a considerable increase in expenditure. This has to be considered within the context of the completion of the Council's prioritisation process. The CAB's proposals do not offer any increase in the level of service provision previously set by the Council and there does not appear scope for reducing the level of grant aid requested unless the Council is minded to reduce the standard of service provision it has previously set;
- (4) The CAB was given an opportunity to make a presentation to members at the meeting of the Capacity & Resources Development & Scrutiny Panel on 30th September 2004. Following that presentation, the recommendation of the Panel was that the Cabinet does not support the bid for grant of £135,000;
- (5) There were two major non compliances and 29 other areas of non compliance by the CAB which despite assurances given on 30th September 2004, no evidence was submitted to demonstrate that it had addressed these significant and substantial areas of non compliance;
- (6) If, for any reason, the CAB is not able to provide a service after 1st April 2005, the Cabinet will need to consider whether the Council needs to provide any form of service to meet its obligations, particularly to persons at risk of becoming homeless. The estimated cost of either providing or procuring a debt advice service, potentially using volunteers where available, would be £50,000 per annum.

CO61. DOG WARDEN SERVICE

[Decision taken by the Cabinet collectively]

DECISION: To grant authority to advertise for a dog warden service in line with the local authorities' statutory responsibilities, including the flexibility to provide an out-of-hours service if the legislation is amended.

Considerations/Reasons for Decision:

- (1) Report number ENV216 by the Head of Environmental Health & Licensing on the background to the dog warden service and details of the current contract;
- (2) The statutory requirement for a dog warden service which has been classed as Category Y in the prioritisation process;
- (3) Current proposals by DEFRA to amend Section 150 of the Environmental Protection Act 1990 to give sole responsibility for stray dogs to the local authority. This would require that the local authority provide an out-of-hours service for the retrieval of stray dogs;
- (4) Details of the proposed new contract to collect and control stray dogs and deal with dangerous dogs which would have the facility for the Council to buy in additional services should these be required;
- (5) Awarding an output contract as proposed would provide a more efficient service for the public and may provide a cost saving. The saving would enable more effective in-house delivery for enforcement of dog fouling cases, integrated with other "street scene" enforcement.

Other options considered and assessed: Consideration has been given to a wide variety of options, including the enhancement of the warden service to increase enforcement patrols. Other options include the possibility of creating approved dog exercise areas; in providing dog-waste bins and poop scoop dispensers and increased education.

CO62. DISPOSAL OF LAND AT SWINGBRIDGE ROAD, GRANTHAM

[Decision taken by the Cabinet collectively]

DECISION: That 0.125 ha of land situated adjacent the Doctors' Surgery on Swingbridge Road, Grantham , or such amended site as may be required for the purposes of a Surestart Centre, be disposed of at less than best price in accordance with the General Disposal Consent 2003, for a nominal sum for the purposes of ensuring the delivery of a Surestart centre:

- subject to appropriate covenants relating to future usage, delivery etc.;

- **subject to no adverse representations as a result of advertisement (disposal of open space); and**
- **subject to all relevant Council costs being met.**

Considerations/Reasons for Decision:

- (1) Report number PPER001 by the Director of Community Services concerning the disposal of land at Swingbridge Road in Grantham at less than best price to Surestart (a Government initiative aimed at giving children aged 0 to 5 and their families the best possible start in life);
- (2) The Council is the Lead Partner for the Surestart programme within Grantham and the delivery of a Surestart centre in the Earlesfield ward (and similar provision within the Harrowby area) is consistent with the delivery plan submitted in September 2003;
- (3) The land has recently been declared surplus to housing requirements and as such is available for use for alternative purposes. The land appears suitable for the proposed Surestart centre, particularly given the relationship of the site to other community and nursery facilities;
- (4) Under its general powers of well-being, and given the leading role that Council has played in the establishment of the Surestart programme in Grantham, it is considered appropriate in this instance to dispose of the land for a nominal sum; this discounting effectively representing a contribution in kind towards the delivery of the centre;
- (5) The disposal can be appropriately covenanted to ensure use solely for the purposes of providing a Surestart centre.

Other options considered and assessed: Whilst it proposed that the land be disposed of for a nominal sum, an alternative valuation could be imposed, up to the unrestricted value identified by the District Valuer. However, the District Council, as Lead Partner of the Surestart programme has been fully supportive of the objectives of the programme, which will clearly enhance community well-being within what are recognised to be disadvantaged and vulnerable communities and, is consistent with the Council's broader aims and objectives. Disposal at nominal value, essentially represents a grant to the open market value of the land, towards the development of the centre.

A number of alternative locations in the locality have been considered. However, the present site, due to its close relationship to other community facilities, is considered to be the optimal location.

CO63. INCORPORATION OF LINCOLNSHIRE ENTERPRISE

[Decision taken by the Cabinet collectively.]

DECISION:

- (1) To note the incorporation of Lincolnshire Enterprise as a company limited by guarantee and take up membership of the Company, subject to confirmation of all funding contributions from members approached by Lincolnshire Enterprise for subscriptions;**
- (2) To confirm the nomination of Councillor John Smith to represent the Council in its capacity as member of the Company when the Council has taken up membership;**
- (3) To note the appointment by the Lincolnshire Local Government Association of Councillor Porter from South Holland District Council as Director of the Company for this year.**

Considerations/Reasons for Decision:

- (1) Report number LEG170 by the Corporate Manager Democratic & Legal Services concerning Lincolnshire Enterprise, currently set up as a sub-regional strategic partnership which receives operational support from Lincolnshire County Council and receives subscriptions from local partners which includes all district/borough councils;
- (2) The decision to move to a company limited by guarantee was agreed in 2003 mainly to provide for an independent structure for the future which could lobby all interested parties in Lincolnshire to achieve the best possible deal for economic development in the sub-region. Under an arrangement with the Lincolnshire LGA, each local authority will be "paired" with another and one director will be provided from each pair on an annual basis. SKDC is paired with South Holland from which authority Councillor Porter has been nominated by the Lincolnshire LGA. As a member of the new Company, the Council has the opportunity to influence the regional economic agenda;
- (3) Appointing a member to represent the Council at member meetings will allow an opportunity for representation, without conflict of interest;
- (4) Allowance for the £12,000 contribution for 2005/2006 has been made in the budget prioritisation exercise.

CO64. ARMISTICE DAY

[Decision taken by the Cabinet collectively.]

DECISION: That

- (1) the Council gives notice that it supports the commemoration of Armistice Day by the "Two Minute Silence" in accordance with past practice;**
- (2) Participation in the Silence to be encouraged but not imposed on either staff or visitors, save that those who choose not to participate be asked to respect the wishes of those who do.**

Considerations/Reasons for Decision:

- (1) Report number DLS2 by Elections and Electoral Registration Manager seeking the Cabinet's views on how, if at all, Armistice Day and in particular the "Two Minute Silence" should be observed;
- (2) The Royal British Legion was seeking support from local authorities for the commemoration of Armistice Day;
- (3) Although the Cabinet acknowledges that for some service areas it is not feasible to observe the Silence, freedom of choice whether to participate is to be encouraged. Working within such constraints, the Council will make every endeavour to help people mark this event.

CO65. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

(1) Councillor Mrs Linda Neal - Leader

Decision: To award grant aid to the following voluntary groups/charities:

<u>Senior Citizens</u>	
Community Care for the Elderly	£1,000
<u>Other Awards</u>	
Age Concern, Deepings	£750
Alternatives (Grantham)	£150
Bourne & District Blind Club	£50
Over 60's Club (Deeping)	£125
Earlesfield Community Forum	£342
Grantham & District Sports Council	£25
Relate (Peterborough & District)	£250
Grantham Townswomen's Guild	£25
Grantham Branch U3A	£125
Welcome Club Over 60's	£50

[Decision made on 04.10.04]

(2) Councillor Peter Martin-Mayhew: Portfolio – Housing Services

Decision: To lift the Closing Order placed on 29 High Street, Little Bytham to enable this property to be returned to the private housing stock for the district.

[Decision made on 11.10.04]

Decision: To accept the lowest tender received from Mowbeck Construction Ltd. in the sum of £32,688 for building works and adaptations to the Council dwelling at 85 Churchill Road, Stamford.

[Decision made on 11.10.04]

(3) Councillor John Smith: Portfolio - Economic

DECISION:

- (1) That the Council endorses the Harlaxton Village Design Statement as a position statement, to be used to encourage appropriate development within the village. Subject to the amendments to the text suggested by the Conservation Officer, in particular the deletion of references to the document being approved as Supplementary Planning Guidance.
- (2) The document should be adopted as a Supplementary Planning Document in the future (along with other SPDs) and incorporated in the Local Development Framework (LDF) at an appropriate stage in the process. The document should clearly state that it is a position statement and that it will be included as a SPD in the LDF in the future.
- (3) To note the implementation date of the Planning and Compulsory Purchase Act 2004 and the impact of the new Act upon the work of the Planning Policy section. In particular the effect of the changes upon the preparation and adoption of a Local Development Framework.

[Decision made on 11.10.04]

DATE DECISIONS EFFECTIVE:

Decisions at minutes CO55, CO56, CO57, CO59, and CO60 are Policy Framework Proposals and therefore stand referred to the Council at its meeting to be held on 28th October 2004.

All other decisions as made on 11th October 2004 can be implemented on 20th October 2004 unless subject to call in by the following Development and Scrutiny Panels:

<u>Minute</u>	<u>Relevant DSP</u>
CO54(1)	Environment DSP
CO54(2)	Capacity & Resources DSP
CO58	Economic & Cultural DSP
CO61	Environment DSP
CO62	Capacity & Resources DSP
CO63	Economic & Cultural DSP
CO64	Capacity & Resources DSP
CO65(2)	Community DSP
CO65(3)	Environment DSP

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

**Contact: Cabinet Support Officer - Tel: 01476 406119
e-mail l.shuttlewood@skdc.com**