



MEETING OF THE CABINET
7 FEBRUARY 2005 - 10.30 AM – 12.39 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 and Strategic Resources
Director of Community Services
Corporate Manager of Human Resources and
Organisational Development
Head of Planning Policy and Economic
Regeneration
Member Services Manager
Care Services Manager
Assistant Personnel Manager
Senior Planning Officer (Policy)

Non-Cabinet Members: Craft; Wilks; M. Wheat

CO98. MINUTES

The minutes of the Cabinet meeting held on 10th January 2005 were confirmed as a correct record.

CO99. *REVIEW OF GENERIC EQUALITIES SCHEME

DECISION:

- (1) To note and accept the recommendations of the Communications & Engagement DSP;**
- (2) To recommend to the Council for adoption the new, revised Generic Equalities Scheme covering gender, people with a disability, race, religious belief and age.**

Considerations/Reasons for Decision:

- (1) Report number HR&OD75 by the Corporate Manager, Human Resources and Organisational Development with appended new scheme;
- (2) The statutory duty to publish a Race Equality Scheme and the requirement to review the scheme at least every three years;
- (3) A comprehensive review is appropriate given that Diversity is a Category B priority; the scheme requires significant development particularly in assessing the impact of individual council functions; changes in legislation since the scheme was last published; changing demography of the local population; access to services is a Category A priority;
- (4) A generic equalities scheme sets out a framework for the development of equality and diversity issues in a systematic way;
- (5) The revised scheme was subject to scrutiny by the Communications and Engagement DSP and recommendations submitted to the Cabinet for consideration.

CO100. *PROTECTION OF VULNERABLE PEOPLE - DRAFT POLICY AND PROCEDURES

DECISION:

- (1) To approve the draft Policy and Procedures for the Protection of Vulnerable People in principle, subject to consultation;**
- (2) To invite comments from the Community DSP, key agencies and organisations through a process of consultation;**
- (3) Following the consultation period, to refer any proposed amendments to the Policy and Procedure back to the Cabinet before final submission to the Council for consideration and approval.**

Considerations/Reasons for Decision:

- (1) Report number CSM11 and appended draft council wide policy designed to demonstrate what the Council's responsibilities and obligations are in respect of protecting vulnerable members of the community;

- (2) The policy clarifies what is requested of staff and Members in relation to the protection of children and vulnerable people and sets out standards of behaviour for staff when they are around vulnerable people and what to do if they notice or are told about inappropriate behaviour in others;
- (3) To ensure compliance with County wide procedures and involvement with the Area Child Protection Committee, and to ensure consistency across the whole of the authority's workforce.

CO101. URBAN CAPACITY STUDY AND INTERIM HOUSING POLICY STATEMENT

DECISION:

- (1) To endorse the Urban Capacity Study as presented for consultation;**
- (2) To endorse for consultation purposes the new housing policy (as detailed in report PLA477) to replace policies H6 and H7 of the adopted South Kesteven Local Plan for use as an interim measure in determining planning applications for new housing proposals;**
- (3) That delegated authority be granted to the Head of Planning Policy & Economic Regeneration and the Economic Portfolio holder to prepare and approve an Interim Housing Policy Statement to explain and justify this new policy;**
- (4) That the policy and supporting statement be presented for public consultation.**

Considerations/Reasons for Decision:

- (1) Report number PLA477 by the Head of Planning Policy and Economic Regeneration outlining the findings of the Urban Capacity Study prepared as background evidence for the Local Development Framework (LDF). A fundamental part of the LDF will be the allocation of specific sites for housing development to meet the strategic requirements for the district currently set out in the Lincolnshire structure plan;
- (2) Public consultation on the study before it is finalised will engender greater confidence in the findings and assist the spirit of greater community involvement in the early stages of the plan process;
- (3) As the timetable for preparing the LDF documents is protracted and planning applications continue to be made for housing development sites across the district. Many of these applications concern unsuitable locations and Greenfield development. This means that it is essential that action is taken now to ensure that the strategic housing requirement is not grossly exceeded. An Interim Housing Policy Statement has been prepared to address this issue. The statement clearly shows existing housing supply and that which is predicted by the urban capacity study. The conclusion of this evidence of housing supply is that new housing development within

the district must be restricted. National and regional policy also emphasises the need to ensure sustainable patterns of development. A policy statement would address this in order to demonstrate and justify the introduction of a new Interim Policy to replace policies H6 and H7 of the adopted South Kesteven Local Plan.

- (4) The Head of Planning Policy and Economic Regeneration to address the issue of exemption within the Policy for the delivery of affordable housing within urban locations.

Other Options considered and assessed:

- (1) The alternative option would be to maintain the current situation, where policies H6 and H7 of the Local Plan continue to be used to determine planning applications for new houses and await the preparation for the Housing and Economic Development Policy DPD in the LDF. In the draft timetable this plan should be adopted by the end of 2007. If the completion rates continue at a similar level to the previous 4 years (between 550 – 600) during this 2 ½ year period, by the end of March 2007 it is likely that a total of 3200 houses will have been built and that some 4000 dwellings will have planning permission. A number of these permissions will include new greenfield sites which will have gained permission during the two years since 2004. Whilst some of the new permissions are likely to be on identified urban capacity sites it is probable that a large number will also be on sites in less sustainable locations and on greenfield sites.
- (2) The consequences of continuing this approach is that the Structure Plan requirement for the district could be met by actual completions and commitments by 2010, some ten years early. Presenting the possibility of a ten year period during which no housing development will be permitted.

CO102. LOCAL DEVELOPMENT SCHEME - REVISED

DECISION:

- (1) To amend the draft timetable for the preparation of the various documents which will form the Local Development Framework in order to reflect the requirements of Government Office for the East Midlands (GOEM) and the Planning Inspectorate;**
- (2) To approve the revisions to the Draft Local Development Scheme ready for resubmission to GOEM before 27th March 2005 in order that the target for planning delivery grant is met;**
- (3) The Chief Executive to make representations to the Local Government Association on behalf of the Council expressing strong concerns about both the financial implications to this authority of GOEM's requirement and in terms of determining planning applications in the interim.**

Considerations/Reasons for Decision:

- (1) Report number PLA478 by the Head of Planning Policy and Economic Regeneration explaining that GOEM had advised that various changes needed to be made to the Draft Local Development Scheme (LDS) before it can be approved, and setting out the implications of these comments upon the LDF timetable;
- (2) The most fundamental of these changes is that the three development plan documents cannot be prepared in parallel and that the "Core Strategy for the location and principles of development" should be prepared and subject to examination first. This reflects advice given to the ODPM from the Planning Inspectorate (PINs). Due to the volume of work expected to arise from the new planning system the PINs is unable to commit to a programme of 3 DPD examinations at the same time and that no more than two documents should be taken to examination in any year;
- (3) The draft timetable for the preparation of the various documents which will form the LDF should be amended to reflect the requirements of GOEM and the PINs.

Other Options considered and assessed:

If the LDS is not changed the GOEM will not approve it. The Council needs to formally submit the LDS to GOEM by 27th March 2005 to ensure that it meets the target for planning delivery grant. It is important that GOEM and the PINs approve the Council's LDS.

CO103. *BUDGET 2005/06 (INCLUDING SERVICE PLANS)

DECISION:

- (1) To note and take account of the issues highlighted in the Director of Finance & Strategic Resources's report FIN223 and appended papers as part of the Cabinet's presentation of its full budget submission to the full Council on 24th February 2005;
- (2) To agree that a 5% Council Tax increase for 2005/06 would enable the Council to deliver the budget requirement of £13.3m whilst still investing in the new priority areas;
- (3) To agree the review of the scale of charges as submitted, subject to any remaining charges set at the Council's discretion to be reviewed on the basis of an increase in line with inflation;
- (4) To agree the proposals for rent and service charges for 2005/06 as follows:
 - (i) dwelling rents to be increased by guideline rent increase of 4.03% with continued observance of the rent restructuring rules;
 - (ii) garage rents to be increased in line with the dwelling rent increase of 4.03%;

- (iii) the increase in the number of properties for homeless be noted;
- (iv) the weekly sewerage charge be replaced with annual bills based on actual cost;
- (v) the proposed scale of charges for Helpline Services be adopted from 1st April 2005;
- (5) To endorse the suggested approach to the Gershon efficiency savings as proposed in report FIN221 by the Director of Finance and Strategic Resources;
- (6) That with effect from 1st April 2005 and until further notice, the Council to use its discretion to reduce the Council Tax discount on Second Homes Class B (those where occupation is not prohibited by law for a continuous period of at least 28 days in a relevant year) from 50% to 10%;
- (7) To note the publication of service plans on the Council's Intranet to support the main budget process;
- (8) To note that the Director of Finance & Strategic Resources is finalising the capital programme budgetary position to be reviewed as part of the Cabinet's report submission to the Council.

Considerations/Reasons for Decision:

- (1) Report number FIN233 by the Director of Finance & Strategic Resources updating the Cabinet on the budget preparation for 2005/06; outlining the background to the budget preparation and consultation; the overall revenue budget position and capping; special expense areas (SEAs); sustainability and risk areas associated with the budget; Gershon efficiency targets and value for money; scale of charges review; and housing revenue account;
- (2) Regular reviews of charges made by this authority prevent large periodic increases;
- (3) Appended report on the discretionary powers available to the Council to reduce discounts on second homes and long term empty properties. The proposals, which are in line with the rest of Lincolnshire, would allow the additional revenue raised on behalf of the major precepting authorities to be spent within South Kesteven;
- (4) During the preparation process, external consultation has been undertaken via joint working with the Lincolnshire County Council and the Police Authority through the Viewpoint Panel. Further consultation has taken place through the Local Area Assemblies. These consultations on SKDC's budget indicate that the majority of respondents prefer a Council Tax increase of up to 6% with very few advocating a higher increase;
- (5) Recommendations from the Capacity and Resources DSP (as detailed in the attached papers to report FIN223).

CO104. TIMETABLE FOR REVIEW OF COUNCIL PRIORITIES IN 2005

DECISION: To approve the following timetable for the review of the Council's priorities:

January 2005	Residents' survey ascertaining views on current priorities.
February 2005	Consultation by the LSP on its vision and priorities
21st February 05	Briefing to Cabinet on outcome of survey.
7th March 05	Report to Cabinet on proposed priorities.
March/April 05	Consultation with all DSPs.
28th April 05	Report to Annual Meeting of the Council.

Considerations/Reasons for Decision:

- (1) Report number CEX268 by the Chief Executive referring to the Council's decision to re-consider the priorities annually;
- (2) Although the five category A priorities were set in May 2004, the prioritisation process was not completed until October 2004. In addition, the first significant release of funds from non-priority areas cannot commence until April 2005. As a result, action plans have not yet been approved for all of the current priorities;
- (3) The Local Government budget settlement has not released significant new resources for investment and the imposition of the Gershon efficiency target means that the Council will have to re-consider the efficiency and effectiveness of its current services;
- (4) The impact of the CPA re-refresh in relation to the responsibilities of Cabinet portfolio-holders.

CO105. TRAINING PROGRAMME FOR MEMBERS OF DEVELOPMENT & SCRUTINY PANELS

DECISION: To approve the introduction of a members' training and development programme as set out in report CEX272 and that the Constitution & Accounts Committee be asked to consider a change to the Council's Constitution that would ensure that all members nominated to serve on the DSPs have been given the knowledge necessary to fulfil these duties effectively.

Considerations/Reasons for Decision:

- (1) Report number CEX272 by the Chief Executive referring to that part of the Council's CPA report regarding the development needs and capacity of Councillors. The concerns raised were also reinforced in the letter from the Council's external auditor received in December 2004 concerning the 2003/04 annual audit;
- (2) Summary of the DSP's assessment of their own training and development needs. These, in themselves, do not provide a robust and comprehensive training and development programme envisaged

- by the assessors in their report;
- (3) The Council will not be able to progress towards excellence status if the members of the DSP are not provided with the training and assistance they need to carry out their roles effectively. If they are not properly developed, they will be failing the communities of the district;
- (4) A systematic approach needs to be taken to identifying and equipping scrutiny members with the skills around the core functions they need to perform their duties effectively;
- (5) The Constitution and Accounts Committee is requested to consider whether a change in the Constitution would be appropriate to de-bar any member from serving on a Scrutiny Panel who has not received the requisite training;
- (6) Representations received from a non-Cabinet member over the compulsion element of the training.

CO106. ANNUAL AUDIT AND INSPECTION 2003/04

DECISION:

- (1) To note the positive tone of the audit management letter for 2003/04 and that the changes highlighted in the letter be included within the Council's revised Change Management Action Plan;**
- (2) The letter be circulated to all members of the Council.**

Considerations/Reasons for Decision:

- (1) Report number FIN224 by the Director of Finance & Strategic Resources and appended copy of the audit management letter for 2003/04, which contained a number of recommendations on action needed by the Council.

CO107. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

Non-Key Decisions:

(1) Councillor Mrs Frances Cartwright: Portfolio – Cultural

DECISION: To give approval to the extension of the existing contract with Leisure Connection Limited for the management of Deepings Leisure Centre until the end of the financial year 2005/6.

(Decision made on 17.01.05)

DECISION: That additional funding of £1000 resulting in a total grant of £6,000 be granted to the Grantham Carnival Committee, subject to the written audited accounts of the Carnival for 2004 being submitted to the Council.

(Decision made on 07.02.05)

(2) Councillor John Smith: Portfolio – Economic

Reconsideration of Decision following call-in: Thurlby Youth Hostel

DECISION: That, having considered the evidence presented at the Economic & Cultural Development Scrutiny Panel on Friday 21st January 2005, to re-affirm the decision made on 4th January 2005 to continue participation in the project to purchase and refurbish Thurlby Youth Hostel with Lincolnshire County Council on the basis of a maximum contribution of £125,000 (inclusive of all project design and management costs incurred by South Kesteven District Council) and subject to the following conditions:-

- a) SKDC contribution to be in the form of a single grant payable to Lincolnshire County Council on completion of the purchase from YHA and subject to conclusion of the purchase by 31 March 2005;
- b) SKDC to have no ongoing joint ownership and, therefore, no ongoing liability or responsibility for the Youth Hostel;
- c) SKDC Property Services to cease further work on the project and to transfer all responsibility to Lincolnshire County Council for the design, management and procurement of refurbishment works.”

subject to the additional clarification and amendment as follows:-

- 1. The actual amount payable by way of grant to Lincolnshire County Council (LCC) will be £125,000 less the professional project design & management costs incurred by South Kesteven District Council.
- 2. The payment of the grant to LCC is conditional upon LCC using the grant towards the cost of purchasing and refurbishing Thurlby Youth Hostel and subject to the premises being retained and used as a Youth Hostel.
- 3. In the event that the premises are not purchased and/or used as a Youth Hostel then LCC will return the South Kesteven District Council grant payment.

(Dated: 28.01.05)

DATE DECISIONS EFFECTIVE:

Decisions relating to: Review of Generic Equalities Scheme, Protection of Vulnerable People – Draft Policy and Procedures and Budget 2005/06 (minute numbers CO99, CO100 and CO103 respectively) are policy framework proposals and stand referred to the Council.

Other decisions made on the 7th February 2005 can be implemented on 16th February 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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