



MEETING OF THE CABINET
4 APRIL 2005 - 10.30 AM – 11.44 AM

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
Corporate Director, Community Services
Corporate Director, Regulatory Services
Head of Housing Services
Head of Planning Policy & Economic Regeneration
Development Control Services Manager
Member Services Manager
Community Safety Manager
Public Relations Manager
Scrutiny Officer

Non Cabinet Members present : Councillors Kerr ;
G. Taylor ; G. Wheat ; Wilks

CO118. MINUTES

Subject to deleting the last sentence of Consideration (5) at minute CO115 as there was no discussion or decision to move Affordable Housing from Category B to Category A priority, the minutes of the Cabinet meeting held on

7th March 2005 were confirmed as a correct record.

CO119. SOUTH KESTEVEN DISTRICT COUNCIL ANTI-SOCIAL BEHAVIOUR AND ENFORCEMENT POLICY

DECISION:

- (1) To recommend to Council the adoption of the South Kesteven District Council Anti-Social Behaviour and Enforcement Policy;**
- (2) To note that this document is subject to amendment and review in line with changes in Government legislation and that any amendments will be referred to the Cabinet for approval;**
- (3) To note that the document is subject to development, amendment and review following ongoing consultation with the Council's Crime and Disorder Reduction Partnership partners, the community and other statutory and non-statutory agencies; any amendments being subject to a report back to the Cabinet for approval.**

Considerations/Reasons for Decision:

- (1) Report number DCS20 by the Corporate Director of Community Services outlining the obligations upon the Council, the Police, other key agencies and the community under the Crime & Disorder Act 1998 and the Anti-Social Behaviour Act 2004 to develop and implement strategies for reducing crime and disorder and to increase community safety;
- (2) Anti-social behaviour is a Category A priority for SKDC;
- (3) The proposed anti-social behaviour and enforcement policy aims to bring the remit of community safety issues directly into each service and encourage lateral corporate thinking of a subject that should overlap and weave throughout the entire work of the Council. The document's purpose is to increase the awareness and acceptance of established strategies. Once adopted, more detailed action plans can be brought forward to address specific issues within the district;
- (4) Responses from officers to questions put by the relevant Portfolio Holder, Councillor Bryant in relation to the summary of the applicable legislation; the District Council's proactive role in relation to the Children's Act and the County Council's Children's Services; definitions of the terms "locality" and "untidy sites" as referred to on pages 8 and 9 of the draft policy document.

CO120. SUPPORTING PEOPLE: CONSTITUTION AND MEMORANDUM OF UNDERSTANDING

DECISION: To approve the Constitution and to enter into the Memorandum of Understanding for the Lincolnshire Supporting People Commissioning Body.

Considerations/Reasons for Decision:

- (1) Report number DCS19 setting out the background to the transference of local decision making on housing related support services to the partnership called the Supporting People Commissioning Body. All agencies represented on the Supporting People Commissioning Body are being asked to adopt the Constitution and enter into the Memorandum of Understanding pursuant to Clause 4 of the Supporting People (England) Directions 2003. This is to ensure that the work required of them in the Directions will be accomplished;
- (2) Noting the way in which functions and responsibilities have been arranged within these documents which are subject to national guidance and direction.

CO121. SECURING AFFORDABLE HOUSING THROUGH PLANNING - HOUSING NEEDS SURVEY 2002

DECISION: To adopt the following procedure for negotiating the delivery of affordable housing through the planning system:

- (1) The provision of affordable housing should be made in accordance with the requirements of Policy H9 of the South Kesteven Local Plan (Adopted April 1995) on all housing developments which meet the thresholds set out in Circular 6/98 Affordable Housing and the updated housing needs survey (2002);
- (2) Provision should be made in accordance with the conclusions of the Housing Need Survey (2002) produced by Fordhams. This document will be used as evidence to support the Council's negotiations with applicants and in drawing up any necessary conditions or S106 obligations.

Considerations/Reasons for Decision:

- (1) Report number PLA488 by the Head of Planning Policy & Economic Regeneration which gives consideration to the most appropriate ways of achieving the provision of affordable housing through the planning system over the next two years before the adoption of new planning policies included within the new Local Development Framework;

- (2) Recommendations about the provision of affordable housing from the recent inspection of the Council's Housing Service;
- (3) The affordable housing policies (H8 and H9) of the South Kesteven Local Plan adopted 1998 – will be the saved policy base for delivering affordable housing through planning over the next 3 years. Ideally, these policies would be expanded through Supplementary Planning Guidance. However the changes to the new planning system means that this is not possible at this moment in time. The timetable for the preparation of the Local Development Framework together with the availability in the latter part of this year of a new housing need survey, means that the most resource effective approach at this moment is to endorse the current housing need survey as the evidence base for negotiating affordable housing provision on development sites through policy H9 of the adopted Local Plan;
- (4) The Cabinet is asked to endorse this formal position statement in order to provide officers with a more structured approach to negotiations with developers for the provision of affordable housing.

CO122. PRIVATE SECTOR ACCREDITATION SCHEME

DECISION: To defer the establishment of the South Kesteven Private Sector Accreditation Scheme pending further information to be submitted to the next open Cabinet meeting on 9th May concerning the cost implications of delivery of the scheme and the compatibility of this proposal with the Housing Inspection Report when received.

Considerations/Reasons for Decision:

- (1) Report number HSG158 by the Head of Housing Services explaining how a voluntary accreditation scheme has been developed from a Landlords Forum for private sector landlords and managing agents and what the key features of the scheme are. This group was originally formed to improve standards in the private sector. Accreditation of private landlords is supported by central government as a way of promoting self-regulation and the improvement of standards in the private rented sector;
- (2) The willingness of the landlords and agents to work with the District Council on this scheme presents an ideal opportunity to promote partnership working;
- (3) Although the Head of Housing Services' report stated there was no requirement for additional resources to administer the proposed scheme, the Cabinet requested a breakdown of the cost of officers' time involved in the whole scheme. Whilst acknowledging that the scheme would be operated within existing resources, the Cabinet wanted more detail on the section's prioritising of work to enable the

scheme to be undertaken.

CO123. LOCAL AREA ASSEMBLIES

DECISION:

- (1) The Cabinet is of the view that it is too soon to assess the current operating arrangements, although it is considered that the LAAs should adhere to the original concept behind their purpose as agreed by the full Council. The Council must be focused as to the intention behind the LAAs and, as yet, this focus has not fully materialised;**
- (2) To leave the procedure and arrangements for the Local Area Assemblies as they are for the time being and to re-visit this issue in 6 to 9 months time once they have become more established.**

Considerations/Reasons for Decision:

- (1) Report number DLS33 by the Scrutiny Officer following the first two rounds of Local Area Assembly meetings which included comments from a member and the Communications and Engagement DSP on their future operation;
- (2) There is some discretion afforded to the Chairmen of the meetings in how the agenda is dealt with.

CO124. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

NON KEY DECISIONS:

(1) Councillor Ray Auger: Portfolio - Environment

Decision: That reduced pest control charges for the year 2005/6 be set as follows:

Fee for rats£33 plus VAT
Fee for mice and insect pests£43 plus VAT

[Decision made 04.04.05]

Decision: To accept the tender submitted by Trent Valley Construction Ltd of North Hykeham, Lincoln, in the sum of £54,950.85 for the repair and refurbishment of the following car parks within South Kesteven:

- 1) Guildhall Street, Grantham
- 2) Watergate, Grantham

- 3) Council Offices, Grantham
- 4) Welham Street, Grantham
- 5) Conduit Lane, Grantham
- 6) Wyndham Park, Grantham
- 7) Trent Road, (Stadium) Grantham
- 8) Trent Road, (Leisure Centre), Grantham
- 9) Bath Row, Stamford
- 10) North Street, Stamford
- 11) Scotgate, Stamford
- 12) St. Leonard's St, Stamford
- 13) Drift Road, (Leisure Centre), Stamford
- 14) Broad Street, (Market Store Yard), Stamford
- 15) South Street, Bourne
- 16) Queens Road, (Leisure Centre), Bourne
- 17) Douglas Road, (community Centre), Market Deeping

[Decision taken on 29.03.05]

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

Decision: That following negotiations between J. Tomlinson Ltd and the Council's Property Services Section, J. Tomlinson Ltd's partnering agreement for the provision of Solid Fuel Servicing Maintenance and Repair work be extended for a further three years with an uplift of 5% per annum on the base tender. This extends the agreement until 31st March 2008.

[Decision taken on 29.03.05]

The following two decisions were taken under delegated authority from the Leader in her absence:

Decision:

- (1) That the Co-op be declared a special purchaser of the car park situated at Godsey Lane, Market Deeping;
- (2) The car park be sold to the Co-op as a special purchaser on the following terms and to be negotiated subject to the District Valuer's approval:-
 - (i) Continuation as a shoppers' car park for the Deepings Centre with a covenant not to carry out any commercial or other development on any part of the identified land for a period of 15 years from the completion of the purchase;
 - (ii) Continuation of the existing arrangement with Deepings Traders Association to allow a weekly market to be held. This is subject to the terms of the licence so long as it remains in force.
- (3) The land be sold subject to all existing public and other rights of way.

[Decision taken on 29.03.05]

Decision: To approve the award of a grant in the sum of £5,000 to the Lincolnshire Wildlife Trust to support the purchase of land at the Deepings Lakes.

[Decision taken on 29.03.05]

Report of decision following call-in by the Environment DSP:

Decision: After consideration of the issues raised by the Environment DSP call-in meeting held on 21st March 2005, the portfolio holder, Councillor Martin-Mayhew is minded to re-affirm the decision made on 7th March 2005 (Cabinet minute CO110) to approve the Grantham Bus Station as the most suitable site for the provision of attended toilets in Grantham. This decision is subject to the satisfactory conclusion of current negotiations with WM Morrisons.

(3) Councillor John Smith: Portfolio - Economic

Decision: To approve the submission of the following recommendations concerning revisions to the Draft Lincolnshire Structure Plan:

SPATIAL STRATEGY

POLICY S2: LOCATION OF DEVELOPMENT

POLICY S3: DEVELOPMENT IN THE MAJOR SETTLEMENTS

Table 4.1: Major Settlements:

Comment:

This Table sets out the hierarchy of settlements in the County and has included Bourne within the list of Main Towns.

Recommendation:

This Council supports the reassignment of Bourne from the Small Towns category to the Main Towns category.

HOUSING

Comment:

This Council objected to Policy H1 in the deposit version. The Proposed Changes make no changes in relation to the Strategic Housing Requirement of SKDC.

Recommendation:

That this Council re-iterates its objections to Housing Provision provided in Policy H1.

POLICY E2: EMPLOYMENT LAND AND BUILDINGS

Comment:

This Policy is concerned with the allocation of land for employment purposes. The Policy gives guidance on the criteria to be adopted when allocating and reviewing allocations of land for employment purposes.

Recommendation:

The Council welcomes the revision of this Policy, particularly the following paragraphs:

6.19 which acknowledges the importance of office space with good IT infrastructure for start-up and professional businesses, and recognizes its contribution to the economy of the County.

6.24 which now emphasises the role of Grantham as a sub-regional centre.

Table 6.2: Lincolnshire Shopping Hierarchy

Comment:

This hierarchy is stated to reflect the relative importance of the settlements. It places Bourne in the Rural/Other Service Centres category (the lowest level). However Table 4.1 (Major Settlements) has been revised and Bourne has been removed from the Small Towns category and placed within the Main Towns category. It is felt that this approach is inconsistent.

Recommendation:

That Bourne be removed from the Rural/Other Service Centres category and placed in the Main District Centres category.

POLICY E5: TOURISM DEVELOPMENT

Comment:

This policy recognises the contribution of tourism to the whole County.

Recommendation:

This Council supports the revised policy.

POLICY M1: STRATEGIC ROAD NETWORK

Comment:

This policy states that major highway improvements will be concentrated on the strategic road network. It lists (in alphabetical order) schemes which the County Council will seek to pursue. "Grantham East-West Traffic Relief" has been replaced with "Grantham Traffic Relief and Access (dependent upon the outcome of transport studies)". This is seen as relegating the status and importance of a by-pass based solution for the town's traffic problems.

Paragraph 7.10 acknowledges that RPG8 recognises the need to consolidate and strengthen the sub-regional roles of Boston and Grantham. However, in the revised policy all reference to Grantham has been deleted.

This is seen as a diminution of Grantham's role as a Sub-Regional Centre, and the aspiration of enhancing that role.

Recommendation:

This Council expresses concern that Grantham's position is being undermined by the revised terms of this policy. The previous terminology and wording should be re-instated.

POLICY NE8: RENEWABLE ENERGY

Comment:

This Policy relates to the potential to exploit a variety of sources of energy, and sets out criteria to be considered when assessing proposals.

Recommendation:

This Council supports this revised policy.

POLICY WM2: WASTE TRANSFER STATIONS/RECYCLING AND COMPOSTING FACILITIES/AND HOUSEHOLD WASTE RECYCLING CENTRES

POLICY WM3: RESIDUAL WASTE TREATMENT AND DISPOSAL

Comment:

These policies provide the framework to be used for the assessment of a range of facilities to deal with waste streams and the criteria to be used when assessing proposals for the final treatment of waste.

Recommendation:

This Council supports the changes made to these policies.

In addition to the comments made above, this Council supports the revisions to the following policies:

H7: PROVISION FOR GYPSIES

E4: OFFICE DEVELOPMENT

M5: MOVEMENT IN, TO AND FROM THE DEFINED SETTLEMENTS

BE6: PROTECTING HISTORIC LANDSCAPES

T8: NOISY SPORTS

T9: WATER BASED RECREATION

MRI 2 (now renumbered MIC 2): COMMUNITY INFRASTRUCTURE

and supports the deletion of policy MRI 5.

[Decision taken on 29.03.05]

CO125. RECOMMENDATIONS FROM DEVELOPMENT AND SCRUTINY PANELS

The Leader reported that the Cabinet had received a recommendation from a DSP on which it was being asked to respond today. However, the Cabinet was not happy with the format in which DSP recommendations were being presented.

The Cabinet would not therefore be responding until such time as discussion had taken place with Scrutiny Officers on changing the format.

DATE DECISIONS EFFECTIVE:

The decision at minute CO119 is a Policy Framework Proposal and therefore stands referred to full Council for adoption. Key Decisions at minutes CO120 and CO121 and other non key decisions made on 4th April 2005 can be implemented on 13th April 2005 unless subject to call-in by the relevant Development and Scrutiny Panel.

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