

MINUTES

CABINET
THURSDAY, 12 JULY 2018



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

THE LEADER: Councillor Matthew Lee (Chairman)
THE DEPUTY LEADER: Councillor Kelham Cooke

CABINET MEMBERS PRESENT

Councillor Helen Goral
Councillor Dr Peter Moseley
Councillor Nick Neilson
Councillor Nick Robins
Councillor Jacky Smith
Councillor Adam Stokes

NON-CABINET MEMBERS PRESENT

Councillor Bob Adams
Councillor Mike Exton
Councillor Bob Sampson
Councillor Linda Wootten
Councillor Ray Wootten

OFFICERS

Chief Executive (Aidan Rave)
Strategic Director, Growth (Paul Thomas)
Solicitor to the Council (Lucy Youles)
Assistant Chief Executive, Transformation & Change (Lee Sirdifield)
Assistant Director, Housing (Harry Rai)
Assistant Director Resources (Richard Wyles)
Principal Democracy Officer (Jo Toomey)

CO11. MINUTES OF THE MEETING HELD ON 7 JUNE 2018

The minutes of the meeting held on 7 June 2018 were agreed as a correct record.

CO12. DISCLOSURE OF INTERESTS (IF ANY)

No interests were disclosed.

CO13.*ST. PETER'S HILL RE-DEVELOPMENT - PUBLIC REALM

Decision:

1. **Cabinet approves the Works as shown in Appendix A of report number PD0085, namely the demolition of a section of the Council offices, with new public realm works linking from Edith Smith Way to the frontage of the new cinema building and a new staff entrance to the Council offices and subject to the removal of the proposed glass walkway connecting the main building with the civic suite**
2. **Cabinet recommends to Council that it allocates the sum of £1.66m for the St Peter's Hill Public Realm project and delegates authority to the Leader, Deputy Leader and Chief Executive to agree the design as required to ensure that the works' completion coincides with the proposed cinema opening date**
3. **Cabinet recommends to Council that it delegates authority to the Cabinet Member for Finance in consultation with the Strategic Director, Resources to determine the allocation of funding from reserves**

Considerations/reasons for decision

1. Report number PD0085 of the Deputy Leader of the Council on proposed works to provide an area of public realm as part of the St. Peter's Hill re-development project
2. Plans attached as Appendix A to the report showing the relationship between the cinema development and the knock through from St. Peter's Hill
3. Target build completion for the cinema of December 2018
4. The Council's plans to stimulate commercial growth and enterprise within the centre of Grantham
5. Aspirations to redevelop the ground floor of the St. Peter's Hill Council Office building for commercial use
6. An outline and draft timetable for the proposed works included within report PD0085
7. Headline cost projections and details of the procurement arrangements to be used

Other options considered and assessed

- **Option 1:** Do nothing

This is considered to inhibit the plans to regenerate St. Peter's Hill and the wider town centre.

- **Option 2:** Proceed with the scheme as set out

This scheme is considered to maximise the opportunity to bring additional benefit to the town centre, with a welcoming link from St. Peter's Hill to the cinema.

- **Option 3:** Leave the civic suite as a stand-alone building

This approach supports the use of the civic suite as a standalone venue and supports the wider aspirations around the use of the main Council building

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In presenting report PD0085 the Deputy Leader explained that the public realm works formed the second phase of the St. Peter's Hill redevelopment project. The project would create a thoroughfare from St. Peter's Hill to the new cinema. The Deputy Leader informed the Cabinet that he was proposing an amendment to the recommendations as presented in the report, stating that, having considered the aspirations for the main council building, the glass link bridge between the civic building and the main council offices had been removed.

Members were advised that a report would need to go to Council to secure funding for the project. It was intended that demolition would begin in August 2018 with work scheduled for completion in December 2018 to coincide with the completion of the cinema build. Cabinet Members agreed unanimously to support the recommendations as presented in the report subject to the removal of the glass link bridge.

CO14.* GROUNDS MAINTENANCE

Decision:

- 1. That, following the expiration of the grounds maintenance contract with Glendale, the grounds maintenance service will be delivered through an SKDC Local Authority Controlled Company**
- 2. The Cabinet recommends that Council amends the 2018/19 Budget framework to enable the procurement of appropriate assets (vehicles and equipment) to enable the delivery of the grounds maintenance service**

Considerations/Reasons for Decision

1. Report number ENV700 of the Cabinet Member for Environment on arrangements for the provision of the Grounds Maintenance Service for the District Council owned parks, gardens, public amenity grass areas and the Council's housing related stock
2. The expiry date for the contract with Glendale in February 2019
3. The preferred option of the Environment Overview and Scrutiny at its meeting on 20 June 2018 to deliver the service through a local authority owned company

4. In previous years the work carried out by the current contractor has been satisfactory however, recently there have been instances where the quality of work has not been to the required standard
5. The work of the current contractor in the parks has been to a high standard with the contractor attending Wyndham Park Forum meetings, voluntarily raising the seasonal planting specification and employing one apprentice
6. Expenditure on the Grounds Maintenance Service has totalled an approximate annual investment of £1m over the last 4 years for General Fund and Housing Revenue Account services
7. An evaluation model attached at Appendix 1 to report ENV700 assessing the proposed delivery options against the objectives to come to a final, weighted score for each option
8. Due diligence on costs, employee liabilities and the knowledge and expertise required to deliver the service
9. The purchase of equipment will require Council approval for a change to the 2018/19 Budget framework
10. S1 of the Localism Act, which gives local authorities a 'general power of competence'
11. Transfer of Undertakings (Protection of Employment) Regulations 1981
12. The Public Contract Regulations 2015 and the Council's Contract and Procurement Procedure Rules

Other options considered and assessed

Whilst the service has been externalised at South Kesteven since 1989, consideration should be given to all options available to the Council for the future delivery of the service. The Council's new Corporate Strategy has commercialism as one of its core building blocks. Making the most of our assets and knowledge to generate income is now an important factor. Likewise being flexible and agile are key to the Council's future plans. The options available to deliver the service are:

- **Option 1:** Contract out the service through competitive tender

This would continue with the process of producing a specification and associated contract documents against which suitable contractors would be invited to bid

- **Option 2:** In-source the service utilising directly employed Council employees and Council owned equipment

The Council would directly manage the service. Employing its own workforce and investing in its own plant and equipment. Under the Transfer of Undertakings Protection of Employment (TUPE) rules, those currently employed by the provider and who spend the majority of their contracted hours on the Council's work to deliver the service, would be transferred on their existing terms and conditions

- **Option 3:** Deliver it through an SKDC Local Authority Controlled Company (LACC)

The service would be provided by employees and equipment through a new company owned by the Council. This arrangement would enable the Council to exploit the commercial opportunity making the most of its assets and knowledge. There are likely to be TUPE implications for relevant employees.

- **Option 4:** Deliver through an established LACC

The service would be through a joint venture agreement with an already established joint venture company. This arrangement has the ability to share a commercial profit.

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The Cabinet Member for Environment explained that the grounds maintenance service was currently outsourced and that the contract had been extended by one year to end in February 2019. A range of options for provision of the service were reviewed and assessed in the context of cost, quality and flexibility. The different options had been considered by the Environment Overview and Scrutiny Committee, which had recommended the delivery of the service through a Local Authority Controlled Company. If this option was selected it would give the Council an opportunity to commercialise expertise but would require submission of a report to Council asking it to amend the 2018/19 budget framework to meet the capital requirements of the project.

During debate Cabinet Members acknowledged the contract split between the General Fund and the Housing Revenue Account, which would need to be taken into account. Members also discussed the balance between cost, quality and flexibility, including non-monetary benefits of delivering the service differently.

The Chairman of the Environment Overview and Scrutiny Committee commended the option of delivering the grounds maintenance service through a local authority controlled company, in accordance with the recommendation of the Overview and Scrutiny Committee. Reassurance was given that relevant, associated policies would also be submitted to the Environment Overview and Scrutiny Committee for review.

Some discussion ensued about the definition of quality and how a value could be applied to the concept, including the potential for generating financial income. Questions were also raised about the methodology for defining a baseline and comparing quality across each of the four options. The Cabinet Member emphasised that the aim of the review was to identify an approach that would improve quality, not reduce it. Members also highlighted elements of the existing contract that had gone particularly well, specifically parks, and recent incidences where the performance of the contractor had not met the required standards.

In asking the Cabinet to select its preferred option for the delivery of the

grounds maintenance service and the Cabinet Member reiterated that the preference of the Environment Overview and Scrutiny Committee was delivery through a local authority controlled company, which was also his preferred option. Cabinet Members all voted in support of the option to deliver the service through a local authority controlled company.

CO15. MATTERS REFERRED TO CABINET BY THE COUNCIL OR OVERVIEW & SCRUTINY COMMITTEES

Report number LDS297 of the Leader of the Council summarised the activity of the Overview and Scrutiny Committees since the last report was presented to Cabinet on 7 June 2018.

Communities and Wellbeing Overview and Scrutiny Committee

The Chairman of the Communities Overview and Scrutiny Committee highlighted its recommendations in respect of the draft Private Sector Housing Enforcement Policy and a recent visit to the CCTV control room. During the visit to the control room operatives raised an issue that they were not able to join systems together. Cabinet was asked to look at the possibility of providing extra equipment to enable this. The Cabinet Member for Environment was asked to look, should it be deemed necessary, at potential improvements that could be made in respect of the CCTV issue that had been raised.

The Chairman was asked to include the formation of a Right to Buy policy in the Committee's work programme.

Culture and Tourism Overview and Scrutiny Committee

The Culture and Tourism Overview and Scrutiny Committee had met on 10 July 2018. At its meeting it received presentations on Easton Walled Garden and the visitor economy, and updates on market towns and how the Gravity Fields Festival adds to the economy. The Committee also requested that consideration be given to changing its name to the Culture and Visitor Economy Overview and Scrutiny Committee.

Environment Overview and Scrutiny Committee

Members of the Environment Overview and Scrutiny Committee had, during its discussions, supported the Work Plan for Food and Health and Safety Enforcement 2018/19.

Growth Overview and Scrutiny Committee

Cabinet noted the update as presented in Appendix D to report LDS297.

Rural Overview and Scrutiny Committee

The Rural Overview and Scrutiny Committee had met on 4 July 2018, and the Chairman of the Committee gave an overview of the items considered, which

included an update on rural engagement and rural economy insights. The meeting was followed by a workshop to enable the Committee to formulate its work programme for the 2018/19 municipal year. As communication was identified as one of the priorities for the Committee's work programme, brief discussion ensued on the work of onLincolnshire and provision of rural broadband.

(1) *Street Lighting Policy

Decision:

The Cabinet notes the contents of report FM0014 and refers it back to the Environment Overview and Scrutiny Committee for more detail in respect of the financial deliverables, the end date for the refurbishment of all lighting stock and to consider issues around replacing lamps in Conservation Areas

Considerations/Reasons for Decision

1. Report number FM0014 of the Chairman of Environment Overview and Scrutiny Committee and draft Street Lighting Policy attached as Appendix A to the report
2. An overview of provisions within the current maintenance contract
3. Considerations of the Environment Overview and Scrutiny Committee on 18 July 2017, 5 December 2017 and 24 April 2018

Other options considered and assessed

A variety of options have been considered to reduce the cost of the maintenance agreement and the cost of the energy bill. These were:

- Part night photocells
- Install LED lighting complemented by part night photocells
- Install time switches to each footway light
- Salix loan to install LED lights. The loan amount provided can be 5 times one year's energy saving, and the loan is repaid over 5 years, interest free
- Continue with current contractual arrangements replacing lamps with LED as and when the current lamp reaches ends of life. Each replacement LED will reduce the maintenance contract cost

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The Chairman of the Environment Overview and Scrutiny Committee presented report number FM0014. He explained that the Committee had held a series of workshops and meetings to consider street lighting. The consensus amongst committee members was that SKDC should not turn off any street lights. It also proposed a programme for the replacement of conventional lamps with LED lamps.

A number of Cabinet Members spoke on the report, asking questions on

the Committee's recommendation. Topics covered included arrangements for replacing modern street lamps with traditional-style lanterns in Conservation Areas, requests for financial information in support of the recommendation and the period of time that would be taken to refurbish all of the Council's lighting stock. Clarity was also sought on the extent of any replacement – whether it would just be bulbs, lamp heads or the whole lamp post.

Members of the Cabinet agreed to note the contents of the report and returned it to the Environment Overview and Scrutiny Committee for more detail in respect of the financial deliverables, the end date for the refurbishment of all SKDC lighting stock and to consider issues around replacing lamps in Conservation Areas.

CO16. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS

Report number LDS299 of the Leader of the Council informed Cabinet Members that no non-Cabinet Members had submitted requests to speak prior to the publication of the agenda.

CO17. CABINET FORWARD PLAN

Report number LDS300 of the Leader of the Council gave an indication of the items that would be presented to the Cabinet during the 2018/19 municipal year. The report also included items that were scheduled to be considered at Council meetings during the municipal year.

It was noted that the responsible Cabinet Member for a number of items would need to be updated following the resignation from the Cabinet of Councillor Mike King and the subsequent re-allocation of his responsibilities.

It was also noted that the item on community governance review of Corby Glen Parish Council related to a proposed increase in the number of members, not a decrease, as indicated in the document.

CO18. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

Report number LDS298 of the Leader of the Council informed the Cabinet of decisions that had been taken by individual Members since the last meeting of the Cabinet was held on 6 June 2018.

Appendix A: Purchase of a property

Appendix B: Agreement to commence public consultation on the draft Private Sector Housing Enforcement Policy

CO19. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT

The Leader formally announced that Councillor Mike King had stepped down from the Cabinet for personal reasons. The Leader expressed his gratitude for the work Councillor King had undertaken on behalf of the Council and the district, noting specifically his efforts and expertise in respect of the Local Plan.

Members were notified that Councillor Goral had agreed to take on the responsibilities that had previously formed Councillor King's remit and the Leader's scheme of delegation had been updated accordingly. The transfer of delegations included those delegations made by Cabinet at its meeting on 10 May 2018 regarding investSK.

CO20. CLOSE OF MEETING

The meeting was closed at 15:22.

DATE DECISIONS EFFECTIVE:

Items 13(1) and (3), and 14(1) as made on Thursday 12 July 2018 can be implemented on Monday 23 July 2018, unless subject to call-in by the Chairman of the relevant Overview and Scrutiny Committee or any five members of the Council from any political group. Item 13(2) and 14(2) stand referred to Council on 26 July 2018.