

MINUTES

CABINET
THURSDAY, 1 NOVEMBER 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 Ashley Baxter
Councillor Mike Exton
Councillor Robert Reid
Councillor Brenda Sumner
Councillor Brian Sumner
Councillor Rosemary Trollope-Bellew
Councillor Linda Wootten
Councillor Ray Wootten

OFFICERS

Strategic Director, Growth (Paul Thomas)
Strategic Director, Resources (Debbie Muddimer)
Solicitor to the Council (Lucy Youles)
Assistant Director, Commercial & Operational (Ian Yates)
Assistant Director, Housing (Harry Rai)
Assistant Director Resources (Richard Wyles)
Head of Governance (Ben Bix)
InvestSK (Steve Bowyer)
Principal Democracy Officer (Jo Toomey)

CO45. MINUTES OF PREVIOUS MEETINGS

(1) Minutes of the meeting held on 6 September 2018

The minutes of the meeting held on 6 September 2018 were agreed as a correct record subject to clarification that the Directors of DeliverSK were the Leader, the Deputy Leader and the Chief Executive, which differed from the membership described in report DSK002.

(2) Minutes of the meeting held on 4 October 2018

The minutes of the meeting held on 4 October 2018 were agreed as a correct record.

CO46. DISCLOSURE OF INTERESTS (IF ANY)

No interests were disclosed.

CO47. ARTICLE 4 DIRECTION, STAMFORD

Decision:

The Cabinet recommends that Council

- 1. Confirms the Article 4 Direction for Stamford Conservation Area as drafted and attached as Appendix 1 to report number DM15 and to cancel the existing Warrenne Keep Article 4 Direction, both effective from 1 December 2018**
- 2. The introduction of a fee of £206 for each planning application arising from the Direction**
- 3. That any income surplus generated from the designation of this Article 4 Direction is ringfenced for future investment within the area covered by the Direction.**

Reasons for decision

1. Report number DM15 of the Cabinet Member for Growth and Communications including the draft Article 4 Direction for Stamford Conservation Area (attached as Appendix 1 to the report)
2. The decision made by Cabinet on 12 April 2018 to approve the commencement of a formal process to remove permitted development rights for specific types of development within the Stamford Conservation Area
3. The increasing number of alterations being carried out under permitted development rights that may be harmful to the character and appearance of the Conservation Area
4. Feedback from a period of public consultation on the proposed introduction of an Article 4 Direction for Stamford Conservation Area including written representations and feedback from drop-in sessions
5. Comments submitted by Stamford Town Council and Stamford Civic Society

6. The proposed £206 fee was the same as the fee payable by householders for an application for works that are not permitted development
7. The proposed application fee was intended to cover the cost of processing an application
8. Comments made by Growth Overview and Scrutiny Committee on 17 October 2018
9. The equality analysis attached as Appendix 3 to report number DM15

Other options considered and rejected

To not designate an Article 4 Direction or for the Direction to apply to a smaller area. However, there has been no area-wide control over permitted development across the Stamford Conservation Area since it was first designated in 1967 and there has since been a gradual erosion of the architectural details and of historic fabric to a significant number of unlisted buildings to the detriment of the character and appearance of the Conservation Area as a whole.

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Report number DM15 was introduced by the Cabinet Member for Growth and Communications, who explained that the report was being presented to Cabinet following a period of public consultation and discussions by the Growth Overview and Scrutiny Committee. Together with support for this Direction, members of the Cabinet considered how similar Directions could be made in other areas of the district.

Support for the introduction of an Article 4 Direction for Stamford Conservation area was articulated by a non-Cabinet Member from Stamford, while the support of the Growth Overview and Scrutiny Committee was conveyed by its Chairman.

In introducing the Direction, work would be undertaken to support residents living in the Conservation Area to understand how the changes would affect them and what would be acceptable. Any lessons from the implementation of the Direction in Stamford Conservation Area would inform the rollout of other Directions across the district. It was noted that the cost of processing applications made as a result of the Article 4 Direction would need monitoring.

Cabinet Members agreed the recommendations in the report, together with an additional recommendation that any surplus income generated through planning fees arising from the Article 4 Direction should be ringfenced for future investment in the area covered by the Direction.

CO48. *PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

Decision:

Cabinet

1. **Approves the draft South Kesteven District Council Private Sector Housing Enforcement Policy**

2. Delegates authority to the Cabinet Member for Housing to make minor amendments to the policy that may be required to support its continued effectiveness

Reasons for decisions

1. Report number ENV708 of the Cabinet Member for Housing and the draft policy attached as Appendix 1 to the report
2. The number of homes in the private rented sector in South Kesteven totalled approximately 12,700
3. The priority theme within the Housing Strategy 2017-2021 to encourage, support and regulate the private sector to provide well managed, safe homes
4. New legislation that introduced a range of measures to target the small minority of landlords and agents who rent out substandard accommodation and harass their tenants
5. Provisions within the Housing Act 2004 that allow the Council to recover reasonable expenses related to certain functions
6. The summary of responses received as a result of consultation on the draft policy
7. The initial equality analysis attached as Appendix 2 to report number ENV708

Other options considered and rejected

The Council is not obliged to introduce civil penalties as an alternative to prosecution and could continue with the current enforcement options. However, the enforcement policy will still require updating to reflect the recent changes to legislation.

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In introducing report number ENV708 the Cabinet Member for Housing referred to the proportion of homes within the district that fell within the private rented sector. He also explained legislative changes designed to protect people living in the private rented sector and drew Members' attention to the table of proposed penalties, which was included within the draft policy.

The introduction of civil penalties provided an alternative to criminal proceedings. In discussing the proposed penalties, Members were interested in whether there was any way to ensure certainty of payment, for example, whether a local land charge could be applied to a property should any landlord refuse to pay. While the Council could not impose a local land charge, it could enforce payment through the County Court. Members wanted the level of penalty and the surety of enforcement for non-payment to send a message to any landlords attempting to let poor quality accommodation that the cheapest route for them was to maintain the property and keep it in good order.

Reference was also made to measures that were in place and being introduced to help insulate homes and reduce heating costs.

Cabinet Members agreed the recommendations in report number ENV708.

CO49. *WARD MEMBER GRANT SCHEME

Decision:

Cabinet:

- 1. Notes the performance of the Ward Member grant scheme pilot during the first 6 months as set out in report number CFM476, together with details of organisations that have benefited from grants**
- 2. Agrees that any unspent monies at the end of the year be transferred to the main Community Fund**
- 3. Recommends to Council that an allocation be made for 2019/20 as part of the budget framework proposals in February 2019 and if agreed this should include a further review of the scheme after 6 months, i.e. as at 30 September 2019**
- 4. Approves the amendments to enable the streamlining of the approval process as set out in paragraph 1.11 of report number CFM476**

Reasons for decision

1. Report number CFM476 of the Cabinet Members for Finance and Communities, Health, Wellbeing and Skills
2. Recommendations made by the Communities and Wellbeing Overview and Scrutiny Committee at its meeting on 23 January 2018 prior to the introduction of the pilot scheme
3. The pilot scheme approved by Cabinet on 8 March 2018, together with approval by Council of a one-year budget allocation of £56,000
4. An update on performance of the pilot scheme which was considered by the Communities and Wellbeing Overview and Scrutiny Committee on 9 October 2018
5. Overview information on the take-up of the scheme and grants issued, including the organisations that had benefited from the scheme
6. Recommendations made by the Communities Overview and Scrutiny Committee relating to the approval process for grants, which was considered to be disproportionate given the scale of the sums involved
7. The application form used for the pilot scheme during 2018/19 (attached as Appendix A to report CFM476)

Other options considered and rejected

To not renew the Ward Member grant scheme following the 2018/19 pilot.

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The Cabinet Members for Communities, Health, Wellbeing and Skills and Finance introduced report number CFM476 and explained the premise behind the pilot Ward Member grant scheme.

It was noted that the pilot had received the support of the Communities and Wellbeing Overview and Scrutiny Committee, which had also made suggestions about streamlining the grant approval process and the fields within the application form, together with arrangements for submitting “joint forms where more than one Councillor wished to make a grant to the same body.

A number of Members said that they had received positive feedback about the scheme. Reference was made to the first SK Lottery draw, (which had recently taken place) and the benefits it also provided for local good causes.

Members noted that a number of causes that had benefited from Ward Member grants had been incorrectly categorised and it was suggested future reports should list beneficiaries without categories to avoid this.

The recommendations in the report were agreed with the full support of all Cabinet members.

CO50. HOUSING STRATEGY 1 YEAR DELIVERY PLAN

Decision:

Cabinet notes the content of the six-month progress update against the year one delivery plan as attached at Appendix A of report number HS07

Reasons for decision

1. Report number HS07 of the Cabinet Member for Housing
2. Appendix A to report HS07, showing the status of the agreed actions within the year one delivery plan of the Council’s Housing Strategy and comments thereon
3. Outcomes in the Housing Strategy which were designed to improve the delivery of affordable housing, provide choice to enable people to live independently, ensure quality housing in the private rented sector and support housing need

Other options considered and rejected

Not applicable

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Report number HS07 gave an overview of progress against the Housing Strategy’s year-one action plan. Members spoke about the strategy’s focus on housing delivery. Specific reference was made to opportunities for using Council-owned plots of land to deliver additional houses, with an emphasis on single occupancy units. The Cabinet Member for Housing added that he would welcome any suggestions of Council-owned land that may be suitable for development, both from other Councillors or members of the public.

Cabinet agreed the recommendations in report HS07.

CO51. TENANTS SURVEY RESULTS

Decision

Cabinet notes the outcome of the Survey of Tenants and Residents as set out in Appendix A to report number HS8

Reasons for decision

1. Report number HS8 of the Cabinet Member for Housing
2. The summary of findings from the Survey of Tenants and Residents included Appendix A of report HS8
3. The overview of proposed actions listed in report HS8

Other options considered and rejected

That the costs and efforts to improve satisfaction levels outweigh potential benefits and that 83% satisfaction is an acceptable position.

* * *

In presenting the results of the 2018 Survey of Tenants and Residents, which were attached as Appendix A to report HS8, the Cabinet Member for Housing explained the structure of the survey and highlighted the headline findings and actions that had arisen as a result of the responses received.

Anti-social behaviour was identified by 29% of respondents as the element of service that was most important to them. Members felt that it was important to understand respondents' interpretation of that question and whether they had experienced anti-social behaviour or whether they were grateful the service was available in the event that they should experience anti-social behaviour. If issues of anti-social behaviour were identified, then the Council should look at opportunities for services to join up to address that behaviour and use of tools such as the community trigger.

Questions were asked about the frequency with which the survey was conducted; ordinarily there would be five years between each survey, but SKDC had decided to re-survey residents within the next two to three years to gain feedback on the actions the Council was taking as a result of this survey.

The Cabinet Member for housing was asked about the demographics of survey respondents and what action could be taken to capture feedback from younger tenants; a majority of responses were received from tenants who were over 60 years of age.

The recommendations in report HS8 were agreed by the Cabinet.

14:55 – Councillor Robins left the meeting

CO52. MATTERS REFERRED TO CABINET BY THE COUNCIL OR OVERVIEW & SCRUTINY COMMITTEES

Report number LDS324 of the Leader of the Council summarised the activity of the Overview and Scrutiny Committees since the last report was presented to Cabinet on 4 October 2018.

Communities and Wellbeing Overview and Scrutiny Committee

The Chairman of the Communities and Wellbeing Overview and Scrutiny Committee stated that its next meeting, scheduled for 27 November 2018 had been cancelled. He added that a workshop on health and wellbeing which was scheduled to take place on 12 November 2018, was being postponed until January 2019.

Culture and Visitor Economy Overview and Scrutiny Committee

Reference was made to the meeting that was scheduled for 15 November 2018 and whether there was a possibility that updates on culture and arts projects would be available.

Environment Overview and Scrutiny Committee

The Chairman of the Environment Overview and Scrutiny had nothing to add to the update that was included in the agenda.

Growth Overview and Scrutiny Committee

The Chairman of the Growth Overview and Scrutiny Committee summarised the items that had been considered at its last meeting. He added that the agenda for the Committee's next meeting would include the quarter 2 outturn report for 2018/19.

Rural Overview and Scrutiny Committee

The Chairman of the Rural Overview and Scrutiny Committee had passed given his apologies for the meeting; in doing so he confirmed that the Committee had not met since the last meeting of the Cabinet and that consequently there were no recommendations to bring to the Cabinet's attention.

CO53. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS

Report number LDS326 of the Leader of the Council informed the Cabinet that no non-Cabinet Members had submitted requests to make representations prior to the publication of the agenda for this meeting. Since the agenda was published, two non-Cabinet Members had indicated that they wished to make representations.

The first representation was made by Councillor Ray Wootten, who referred to a meeting held between members of the Grantham Charter Trustees and a representative from the Belvoir hunt. He referred to comments that had been made on social media by anti-hunt protesters, which included threats and intimidation. He stated that Councillors had a responsibility to represent the whole community and

listen to all sides of an argument and should be able to carry out their duties without fear and intimidation. A comment was added that it was the responsibility of all Councillors to challenge anti-social behaviour and threats.

Councillor Baxter, who made the second representation, posed three questions. The first question related to land at Tattershall Drive and the plans that were in place to discourage unauthorised vehicle access to the site. Following a previous representation from local residents, a fence had been erected however this had been damaged when travellers arrived on the site. A further meeting with residents had been scheduled to discuss how best to address the issues around the land to the benefit and satisfaction of local residents.

The second question related to the likely impact of the national Budget on SKDC's medium and long-term financial forecasts, particularly in relation to changes in respect of business rates. The Cabinet Member for Finance stated that he welcomed the announcement that business rates would be cut by one-third for two years for shops, cafes and restaurants with a rateable value below £51,000. It was hoped that an initial assessment of the impact of the Budget would be incorporated into the quarter 2 outturn report that would be presented at the next meeting of the Growth Overview and Scrutiny Committee. The wider outcome would be better understood next year following completion of the Government's spending review and the fairer funding review.

Councillor Baxter's final question related to the proposed disposal strategy of the existing Deepings Leisure Centre when a new replacement facility had been put in place. The Leader as the relevant Cabinet Member stated that as part of ongoing work, a briefing would be made available for all Councillors and the local community.

CO54. CABINET FORWARD PLAN

Report number LDS327 of the Leader of the Council gave an indication of the items that would be presented to Cabinet over the following 12-month period. The report also included items that were scheduled to be considered at Council meetings during the municipal year.

Brief comments were made about work being undertaken by the Environment Overview and Scrutiny Committee on street lighting and a review that was being undertaken by Lincolnshire County Council. Reassurance was given that lights for which SKDC was responsible remained switched on and that there were no plans to turn those lights off.

CO55. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

Report number LDS325 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 4 October 2018.

Appendix A: Purchase of land in Grantham

CO56. CLOSE OF MEETING

The meeting was closed at 15:23.

DATE DECISIONS EFFECTIVE:

Decisions CO48 and CO49 (2) and (4) as made on Thursday, 1 November 2018 can be implemented on Monday 12 November 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.

The recommendations made at item CO47 stand referred to Council on 22 November 2018 while recommendation CO49(3) will be captured as part of the 2019/20 Budget-setting process.