



MEETING OF THE CABINET
23 MAY 2005 - 10.30 AM – 12.07 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 Regulatory Services
Director of Operational Services
Corporate Manager, Democratic & Legal Services
Corporate Manager, HR & Organisational Development
Business Services Manager
Member Services Manager
Public Relations Manager

Non Cabinet Members: Councillors Kerr;
Gerald Taylor; Mrs Mary Wheat; Wilks

CO13. MINUTES

Subject to the inclusion of the additional wording (in italics) at consideration (5) under minute CO5, to read:

“(5) A comprehensive series of questions were asked and further explanations given at the meeting”

the minutes of the meeting held on 9th May 2005 were confirmed as a correct record.

CO14. DECLARATIONS OF INTEREST

No declarations of interest were made.

CO15. COMMUNITY PORTALS AND DISCUSSION FORA

DECISION: To support Option 1 as the preferred way forward for the community portals: Bourneonline; Deepingsonline; Granthamonline; and Stamfordonline

i.e. To continue with the rol hosted portals with improvements as detailed in report DOS278 at a total cost of £43,016 in year one, and £38,016 in subsequent years.

Considerations/Reasons for Decision:

- (1) Report number DOS278 by the Director of Operational Services detailing three options for management of the community portals going forward;
- (2) The non key decision made on 21st March 2005 by the portfolio holder following a recommendation from the Communications & Engagement DSP on 13th January 2005 temporarily to close the fora on the Council's community portals;
- (3) Subsequent recommendation made on 14th April 2005 from the DSP asking the portfolio holder to endorse the SKDC Forum Acceptable Usage Policy and for the Council to review the value for money of the Community Portals and Discussion For a after one year's operation under the Acceptable Usage Policy, if adopted;
- (4) Information on portal usage, alternative community websites and existing budgetary resources for the portals;
- (5) Community Portals are important for community engagement and social inclusion and this is recognised in Implementing E-government targets;
- (6) As the Council will continue to be publisher for the purposes of all material placed on the portals, there is the need to ensure a moderating role is carried out. Part of the improvements proposed involve the employment of specialist staff to carry out this function.

Other options considered and assessed

Option 2: To use the southkesteven.gov.uk website. Rejected because will

not be seen as independent of the Council and will require additional resources.

Option 3: Closure. Rejected because will result in the loss of the community engagement are of priority outcomes; loss of a consultation medium; negative impact on the Council's scoring ability under community leadership; and a new position would need to be negotiated with Welland Partners.

CO16. COMMUNITY PORTALS AND DISCUSSION FORA: ACCEPTABLE USAGE POLICY

DECISION:

- (1) To approve the South Kesteven District Council Forum Acceptable Usage Policy;**
- (2) The Portfolio holder be granted delegated authority to review and amend the policy as and when necessary.**

Considerations/Reasons for Decision:

- (1) Report number DOS281 by the Director of Operational Services and appended proposed Acceptable Usage Policy which had been developed from existing policies on other Council sponsored web sites;
- (2) Non key decision made on 21st March 2005 by the portfolio holder (referred to in minute CO15 above);
- (3) Comments from forum users and the Community & Engagement DSP's endorsement of the policy.;
- (4) This is a new policy and there may be need to amend it in the future in the light of changing circumstances.

CO17. HOUSING IMPROVEMENT PROGRAMME TO ADDRESS THE FINDINGS OF STRATEGIC HOUSING INSPECTION AND IMPROVEMENTS TO THE LANDLORD FUNCTION

DECISION:

- (1) To accept the findings and recommendations of the Strategic Housing Inspection report produced by the Audit Commission;**
- (2) To approve and adopt the Improvement Plan to implement the recommendations arising from the report attached at Appendix A to report DRS15;**
- (3) To note the use of existing HRA budgets as follows:**
 - (i) Up to £70,000 for one off investment in service**

- improvements to Tenancy Services;**
- (ii) Balance of £330,000 to support structural review and further service improvements;**

- (4) To approve the allocation of £60,000 from the Capacity & Priority setting budget for salaries to create additional capacity within the Strategic Housing function;**
- (5) To recommend to Council the use of a provision of up to £50,000 for a supplementary estimate for internal secondments and external support to provide additional capacity for the Strategic Housing Improvement Programme which can be financed from the Capacity & Resources reserve within the General Fund;**
- (6) To recommend to Council the use of a provision of up to £100,000 for a supplementary estimate for one off costs to deliver the restructure, to be financed from general reserves within the General Fund as required.**

Considerations/Reasons for Decision:

- (1) Report number DRS15 by the Director of Regulatory Services which covered, in two parts, the proposed improvement plan to address the Audit Commission's findings of the Strategic Inspection, and addresses the current capacity of the Housing Landlord Function to deliver improvements in service;
- (2) 32 areas for improvement covering both service based issues and value for money aspects were identified by the inspection. 11 barriers to improvements were also identified;
- (3) The proposed improvement programme comprising a detailed action plan with cross references to key work streams in consultation with the Housing Inspection Team, Officers of the Council, Corporate Management Team and the Community Development and Scrutiny Panel. To provide the additional organisational capacity to address these work streams and other issues, there is a need for both internal and external resource requirements;
- (4) A structural review is required to sustain and further develop improved service delivery in both the strategic and landlord functions. A structural proposal has been developed comprising the creation of three customer focused units: Tenancy Services; Housing and Sustainable Homes; and, Asset and Facilities Management. These will replace the existing Housing services, Property Services, Direct Works Organisation and Care services Unit. These structural proposals will be funded by both the General fund and the HRA. The Director of Finance and Strategic Resources is of the opinion that the additional financial resources identified are sustainable;
- (5) Representation from the Community DSP following its meeting on 12th May 2005 and its decision to appoint the Chairman and Vice-Chairman of the DSP plus Councillors Bisnauthsing, Sandall, Gerald Taylor and Kirkman (as Vice-Chairman of the Resources DSP) as members of the Steering Group to oversee the improvement programme;

- (6) The restructure proposals have been carried out in consultation with Unison and in accordance with the Council's practices;
- (7) Statement from the Leader that the Administration were aware of the problems within Housing services well before the date of the Inspection was known and before the Stock Option Appraisal was on the cards. The Group had accordingly authorised the Portfolio holder to meet with the Chief Executive with a view to seeking radical change and improvement. As a result, discussions had started with interested housing associations but this work was put on hold once the date of the Housing Inspection and the timetable for the Stock Option Appraisal had been announced as it would have been inappropriate to continue this work pending these outcomes;
- (8) The Cabinet fully endorses the need to put aside any issue of blame and for all sections and political groups to work together as one team in order to meet the tough challenge of turning the situation around in the 12 month period before re-inspection. Pursuing a "blame culture" will delay and fragment the focus of the improvement programme.

Other Options considered and assessed:

An option to do nothing in response to the criticisms of the Strategic Housing Inspection report as an alternative to that proposed.

As the report has identified, the Audit Commission have advised a re-inspection will be undertaken in one year's time, and should the Council still be classified as poor, then this will have implications for any future Comprehensive Performance Assessment rating. It may also lead to potential intervention by the Audit Commission for non-improvement in a service area and may also impact on the Council's ability to attract funding through the Regional Housing Board in relation to support for affordable housing programmes and any other housing programmes.

CO18. DRAFT LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2005: CONSULTATION

DECISION: That the Corporate Manager, Human Resources and Organisational Development convey the Cabinet's support for the stance taken by the Employer's Organisation that the proposed changes to the Local Government Pension Scheme should not be revoked.

Considerations/Reasons for Decision:

- (1) Report number HR&OD78 by the Corporate Manager, Human Resources and Organisational Development and appended letter dated 22nd April 2005 from the Employers' Organisation for Local Government. The Employers' Organisation was seeking local authorities' comments

on its stance to not support the Secretary of State's proposal to retrospectively revoke the changes to the Local Government Pension Scheme introduced on 1st April 2005;

- (2) The Administering Authority have advised that the Lincolnshire Funds Actuary did not assume the regulations would change. It is not therefore expected that revised rate certificates (to reflect changes in the employers' contribution rates) for the current year will be required. The position for the following two years remains unclear and depends on the government's response following the tripartite discussion between the Government, Unions, and employees;
- (3) The Cabinet consider that changes are needed to the scheme and these cannot be deferred. 55 is still a relatively young age to retire and the authority would wish to retain knowledgeable and experienced staff.

CO19. CHARTER BETWEEN COUNTY, DISTRICT, TOWN AND PARISH COUNCIL WITHIN LINCOLNSHIRE

DECISION: To approve the draft Charter between County, District, Town and Parish Councils for adoption throughout the district.

Considerations/Reasons for Decision:

- (1) Report number DLS37 by the Corporate Manager, Democratic & Legal Services which sought to update the Cabinet since it first considered it in principle in November 2004;
- (2) The draft Charter was discussed at the Council's annual Stakeholder Conference in December 2004 where general support towards its adoption was expressed having regard to the need to encourage community empowerment. It was felt that the Charter might assist that goal;
- (3) The Lincolnshire County Council and Other districts have now adopted or were working towards the adoption of the Charter and it is broadly supported by most Parish Councils.

CO20. HIGH HEDGES LEGISLATION: ANTI-SOCIAL BEHAVIOUR ACT 2003: DETERMINATION OF MAXIMUM FEE FOR DEALING WITH COMPLAINTS

DECISION:

- (1) That the maximum fee for dealing with complaints relating to High Hedges under Section 68 of the Anti-Social Behaviour Act 2003 be set at £360 subject to this being reviewed in six months' time;
- (2) The Corporate Manager, Democratic & Legal Services write to the ODPM on behalf of the Cabinet to express strong concern that

the legislation does not permit either the complainant or the local authority to recoup all the costs incurred in pursuing a case.

Considerations/Reasons for Decision:

- (1) Report number DLS39 by the Corporate Manager, Democratic & Legal Services referring to the decision made at the annual council meeting on 28th April 2005, the final part of which referred the setting of the maximum fee to the Cabinet to determine;
- (2) Recently published guidance on this matter indicates that it is for each local authority to decide what they wish to charge for carrying out this service;
- (3) The fee takes into account the number of expected cases, the fact that local authorities will be involved in appeals against their decisions, the anticipated officer time involved per case, and the cost of enforcement. Dealing with High Hedges complaints will be a particularly sensitive and time-consuming process;
- (4) The guidance does refer to the authority being able to offer a reduced fee for people who are on a low income or in receipt of benefits;
- (5) Information provided at the meeting of nine other councils who had set fees which ranged between £265 and £475;
- (6) The Cabinet's concern that it is now statutorily required to deal with costly issues of neighbour disputes without being given additional resources by the Government. It will now fall upon the council tax payers. Too low a fee could encourage frivolous complaints. A review in six months' time will allow the fee to be considered alongside experience of the number of complaints submitted.

CO21. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

Non Key Decisions:

(1) Councillor John Smith: Portfolio - Economic

Decision: To approve acceptance of the lowest tender received from Matrix Solutions of Bristol in the sum of £205,865,00 for essential resurfacing and waterproofing works to levels 1 and 2 of the multi-storey car park at Wharf Road, Grantham.

[Decision made on 23.05.05]

Decision: That approval be given to undertake consultation and publicity with regard to the proposed designation of a new conservation area at the 'Northfields' area, Stamford, including the suggested boundaries and appraisal.

[Decision made on 23.05.05]

(2) Councillor Peter Martin-Mayhew: Portfolio – Community Safety

Decision: That, following negotiations between Ian Smith Electrical Ltd and Property Services, the contractor be awarded a further partnership agreement for the upgrading of the Electrical Central Heating Systems to a total of 66no. properties at locations in the villages of Fulbeck, Honington, Sudbrook, Gunby, Skillington, Bitchfield, Stainby, Creeton, Kirkby Underwood, Haconby, Uffington, Pointon, Burton Coggles and Boothby Pagnell. Works are to be carried out at the same rates originally tendered for in 2000/2001. The pro-rata overall cost of the works is £70,660.00.

[Decision made on 16.05.05]

Decision: To approve acceptance of the tender submitted by Fordham Research Ltd. for the provision of a survey of Private Sector Housing Condition (including Energy Efficiency), Housing Needs and Market Assessment including reference to people with Special Needs and Travellers in the sum of £89,480.

[Decision made on 18.05.05]

Decision:

To approve acceptance of the lowest tender received from Allenbuild Ltd of Derby in the sum of £2,708,568.80 for a major scheme of improvement works to 150 houses at “Poet’s Corner” Estate in Grantham.

2. To approve the payment of £650.00 disturbance and redecoration allowance to each of the tenants of the “Easiform” houses affected by the removal of asbestos panelled walls and built-in wardrobes.

[Decision made on 23.05.05]

Decision:

- (1) That approval be given to explore the options for delivering the Licensing service with regard to the transfer of existing licenses to the new licensing regime under the Licensing Act 2003.
- (2) That approval be given to request tenders for this service without formal advertising.

[Decision made on 23.05.05]

The Non Key decision above relating to the arrangements for delivering the new licensing regime in the long term absence of the Licensing Officer

prompted discussion amongst the Cabinet during which concerns were raised at the large number of licensees who were leaving it until the last minute to submit their applications. Both the Corporate Manager, Democratic & Legal Services and the PR Manager referred to extensive work that had been undertaken by the Licensing Officer before his illness and the PR coverage to inform and encourage business to ensure they applied in good time. The Chairman of the Licensing Committee was present and permitted to speak in order to confirm that the Council had contacted all licensees individually. It was acknowledged that the lack of applications forthcoming at present was not through want of effort on the Council's part. The Cabinet asked that PR efforts be repeated with an emphasis on the consequences for businesses if they failed to apply in time.

DATE DECISIONS EFFECTIVE:

Key and Non key decisions made on 23rd May 2005 can be implemented on 2nd June 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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