



MEETING OF THE CABINET
6 JUNE 2005 - 10.30 AM – 1.09 PM

PRESENT:

**Councillor Peter Martin-Mayhew Deputy Leader/Chairman
Councillor Teri Bryant
Councillor Ray Auger
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith**

**Chief Executive
Corporate Director of Finance and Strategic Resources
Corporate Director of Operational Services
Corporate Director of Community Services
Corporate Manager Human Resources and Occupational
Development
Head of Planning Policy and Economic Regeneration
Care Services Manager
Management Accountant
Senior Planning Officer (Policy)
Public Relations Manager
Trainee Democratic Support Officer**

Non Cabinet Members : Councillors Wilks; Miss Channell

1 member of the press

CO22. APOLOGIES

An apology for absence was received from Councillor Mrs. Neal.

The Chairman stated that communications had been received from Councillor Mrs. Dexter. Those present were informed that Councillor Dexter's funeral would be held on the 14th June, 2005 at the Baptist Church, time to be confirmed.

CO23. MINUTES

Subject to the inclusion of additional wording under minute CO20, clarifying to what any member of the public would be entitled from the fee under new Anti-Social Behaviour High Hedges Legislation, the minutes of the meeting held on 23 May 2005

were confirmed as a correct record.

CO24. DECLARATIONS OF INTEREST (IF ANY)

The Chief Executive, the Corporate Director of Finance and Strategic Resources and the Corporate Manager of Human Resources and Occupational Development declared a potential prejudicial interest in agenda item 13.

The Chief Executive Informed Cabinet Members that the urgent item of business pertaining to green waste would be considered as item 12A.

CO25. IMPLEMENTING ELECTRONIC GOVERNMENT RETURN 4

DECISION:

That the Cabinet recommends to the Council that the IEG4.5 Return be supported and submitted to the Office of the Deputy Prime Minister.

Considerations/Reasons for Decision:

- (1) Report number DOS283 by the Director of Operational Services giving details of the deadline and method of submission of a new section to justify investment in local e-government and appended draft IEG4.5;
- (2) The Council had received the sum of £400,000 through IEG submissions to date. ODPM acceptance of the previous return enabled the Council to access a further £150,000;
- (3) The document demonstrates efficiency savings in cash and non-cash terms, subsequent to increased investment in e-government;
- (4) That the duration of the statement would be for a period that is shorter than the timetable for the Stock Option Appraisal Process;
- (5) New guidelines for Gershon efficiency savings.

CO26. *ICT STRATEGY

DECISION:

- (1) **That the Cabinet approves the ICT Strategy document;**
- (2) **That the Cabinet recommends that the Council adopt the ICT Strategy as a key strategy document of the authority.**

Considerations/Reasons for Decision:

- (1) Report number DOS285 by the Director of Operational Services recognising the importance of information and communication technology as a key resource to deliver customer service and organisational improvements and appended ICT Strategy prepared by 'Western Connect';
- (2) It would create a documented strategy to provide linkages between corporate priorities, operational service units and employees;
- (3) Current arrangements with regard to the ICT infrastructure, the applications currently available, the mix of skills available and best practice;
- (4) Recognising the increase in Gershon savings since the independent report was produced;
- (5) The introduction of a Virtual Private Network (VPN) would limit problems

were servers to fail;

(6) Development of a helpdesk would be a useful tool for all;

(7) Any training required would either be serviceable internally or from current provision within the budgetary framework.

CO27. *VULNERABLE PEOPLE POLICY: POLICY AND PROCEDURES

DECISION:

(1) That the Cabinet approves the Protection of Vulnerable People Policy with the following amendments:

- i. That the conclusions within Section 6 of the policy be amended to include: "*taking account of Lincolnshire Sports Partnership Child Protection Policy*";
- ii. Full training including issue awareness should be given to all new staff during induction;
- iii. To cover what to report, how to report it and to whom it should be reported within training;
- iv. Awareness training should be offered to Compact Representatives;
- v. That a recording mechanism would be put in place as evidence of the reporting of and action in response to relevant suspicions;
- vi. That consideration is given to any delays as the alert moves throughout the system;
- vii. That contingencies be established for occasions when the Care Services Manager is not available.

(2) That the Cabinet recommends the Council approve the policy for implementation with the above amendments.

Considerations/Reasons for Decision

- (1) Report number CSM13 by the Care Services Manager further to the draft policy dated March 2005 and CSM11 presented to the Cabinet on 7th February 2005, which stated what was required of both staff and Members;
- (2) The Council has responsibilities and obligations to protect vulnerable members of the community, all of which fall within Lincolnshire County Council Procedures;
- (3) Representations from Community DSP that suggested changing the word 'responsibility' to 'duty' and to increase reliance on CRB checks for new employees;
- (4) Results of consultation with other key agencies listed in report CSM13, paragraph 1;
- (5) Recommendations received from internal District Council Services.

CO28. *UNIVERSAL SUPERLOOS

DECISION:

That the Cabinet resolves that the lease for the facilities be terminated and seek approval from Council to adjust the budget and policy framework to enable this decision to be implemented.

Considerations/Reasons for Decision

- (1) Report number DOS282 by the Management Accountant detailing the current usage and costs of two Universal Superloos (USLs) in Stamford and costs that would be incurred on early termination of the lease;
- (2) Recommendations from the Environment DSP;
- (3) Best value review of 1998 when the District Council disposed of similar facilities, the USLs were not terminated because of a clause that prohibited termination in the first five years;
- (4) Newly opened attended toilet in Red Lion Square and the Council's policy of one facility for each of the towns within the District, of which Stamford is already in excess.

CO29. REPORT INTO PROPOSALS FOR A REVIEW OF THE EAST MIDLANDS REGIONAL PLAN TO 2026

DECISION:

- (1) That the Cabinet endorses early involvement in the review of the Regional Spatial Strategy.**
- (2) The Head of Planning Policy & Economic Regeneration be authorised to express this Council's concern to the Regional Assembly about the issue of housing land supply in the District; the co-ordination of work on Housing Market Assessments, particularly where they involve a non-East Midlands authority.**

Considerations/Reasons for Decision:

- (1) Report number PLA503 by the Head of Planning Policy and Economic Regeneration detailing the need for an urgent review of the current Regional Spatial Strategy (RSS);
- (2) The existing RSS does not include housing figures for all local authority areas, it does not take account of government initiatives on waste, information from the 2001 census and recent Regional Assembly Annual Monitoring reports;
- (3) The need to extend the life of the plan to 2026;
- (4) Reconsideration of the RSS would help address issues including housing, employment, transport, environmental quality and protection, waste, energy, Sub-regional issues, cross-border issues and monitoring and implementation of targets.

CO30. PRELIMINARY CONCLUSIONS FROM PUBLIC CONSULTATION ABOUT THE URBAN CAPACITY STUDY

DECISION:

To defer the item to allow completion of the study and a reconsideration of DE18.

Considerations/Reasons for Decision:

- (1) Report number PLA503 by the Head of Planning Policy and Economic Regeneration detailing the methodology for the study, including criteria for the inclusion of sites suitable for housing development;

(2) As the report is still a work in progress, there are some items within the report yet to be completed.

CO31. REVISED INTERIM HOUSING POLICY AND PUBLIC CONSULTATION RESPONSE

DECISION:

That the Cabinet approves the changes to the Interim Housing Policy as stated below:

- (1) To approve the division of the policy into two separate policies, one for the urban areas and one for the rural area;
- (2) To approve the revised working of the 'rural' policy and adopt this as the Council's policy for new residential development in rural areas:

Interim Housing Policy

New residential development will not be permitted on green field sites within the rural area.

Within the main villages that are considered "local service centres" (and identified in this document), new residential proposals will only be permitted where they are for:

- a) A previously developed site (in accordance with the definition in PPG3 Annex C: see Appendix 1)
- b) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need

In all other villages and the countryside housing proposals will only be considered acceptable if they are for :

- c) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
- d) Replacement dwelling (one for one)
- e) Conversion of buildings provided that the following criteria are met:
 - i) the building(s) contribute to the character & appearance of the local area by virtue of their historic, traditional or vernacular form
 - ii) the building(s) are in sound structural condition
 - iii) the building(s) are suitable for conversion without substantial alteration, extension or rebuilding
 - iv) the works to be undertaken do not detract from the character of the building(s) or their setting
 - v) it can be demonstrated that all other alternative uses have been considered

In all cases planning permission will also be subject to all relevant policies of the "saved" Adopted South Kesteven Local Plan

Considerations/Reasons for Decision

- (1) Report number PLA505 by the Head of Planning Policy and Economic Regeneration outlining the results of the public consultation exercise of the

interim housing policy. It summarises the main issues raised through consultation and outlines proposed changes to the policy;

- (2) Comments and officer response consequent from consultation appended to report PLA505;
- (3) Separate 'urban' and 'rural' plans would focus urban housing development so that Strategic Housing requirements within urban areas are met while ensuring that any development in rural areas would occur within communities that were sustainable;
- (4) The Interim Housing Policy could be adopted as SPD should the structure plan be approved;
- (5) Provision that the situation in each sustainable area be renewed annually to ensure that amenities required for sustainability remain available;
- (6) Special provision is made to affordable housing for essential workers in rural and agricultural settings.

Other Options Considered and assessed:

To maintain the current situation where policies H6 and H7 of the Local Plan would continue to be used to determine planning applications for new houses awaiting the preparation of the Housing and Economic Development Policy DPD in the LDF. Rejected because a number of planning permissions granted in this period would include Greenfield sites or sites in less sustainable locations. Structure Plan requirements for the district could be met by actual completions and commitments by 2010 (ten years early); this would leave a ten year period where no housing development would be permitted.

CO32. ISSUES FOR SOUTH KESTEVEN DC ARISING OUT OF A REVIEW OF THE CORPORATE GOVERNANCE REPORT ON LINCOLNSHIRE COUNTY COUNCIL

DECISION:

That the Cabinet approve:

- (1) That all groups make a clear statement of support and commitment of partnership working through the LSP;
- (2) The Chairs or Vice-Chairmanships of DSPs be appointed according to the suitability and merit of members regardless of political allegiance;
- (3) That the Chairman of the Standards Committee be invited to report to the Council on the extent to which he feels that the members of the authority understand and support the role of the Standards Committee and any proposals he may have for improving the work of the Standards Committee;
- (4) That the Corporate Manager of Human Resources undertakes a review of the resources required to support a more comprehensive member training and development programme at South Kesteven using external expertise where appropriate;
- (5) That the Constitution and Accounts Committee design an amendment to the Constitution so that with effect from the 1st May 2007, the desirable and essential competencies required of both Cabinet and DSP members are defined with all members being required to attend designated sessions for the essential competencies within twelve months of their appointment;
- (6) That in the autumn of this year, staff of South Kesteven are asked to

- (7) complete the survey used by the Audit Commission to inform the Corporate Governance report so that results can be compared;
- (8) That the Council re-affirms its commitment to the concept of Local Area Assemblies and pledges to work with local people to make these meetings effective forums for wider community engagement;
- (9) That under our priority for vulnerable people, the Director of Community Services prepares a strategy for Social Inclusion by December 2005;
- (10) That those members who may have concerns about the current system, or a preference for the Committee system consider how they will be able to demonstrate to an external assessor that these views have not deterred them from playing a full and active part in the Council's decision making and scrutiny processes as set out in the Constitution;
- (11) That the Corporate Manager Human Resources investigates the level of compliance with the Council's policies regarding staff appraisals and the effectiveness of the appraisals that have been undertaken.

Considerations/Reasons for Decision

- (1) Report number CEX288 by the Chief Executive which identifies lessons from Lincolnshire County Council's Corporate Governance Inspection by the Audit Commission and makes recommendations for improvement to help the Council progress from a 'fair' towards an 'excellent' Council;
- (2) Representations received from the Resources DSP;
- (3) The environment in which both the County Council and the District Council operates is similar;
- (4) Fulfilment of a Category B Priority, improving the LSP and the Community Strategy. To improve knowledge, understanding and involvement between the LSP and Council members;
- (5) The Standards Committee, as the regulatory body, is viewed by the public as a means to hold elected members to account, demonstrating the Council's commitment to improve.
- (6) Member development at Lincolnshire County Council was described as "limited" yet is more comprehensive than that being applied by SKDC, where member development is viewed reluctantly by some Councillors;
- (7) Completion by staff of questionnaires on the perception of working relationships between members and members of the management team would prevent fragmentation and would supplement the results of the 360 degree appraisals being undertaken by members of the Executive.
- (8) The introduction of Local Area Assemblies and the Annual Stakeholders Conference has demonstrated that South Kesteven is willing to contemplate new forms of public consultation, countermanding any perceptions of parochialism.
- (9) The District Council does not have a strategy for social inclusion. Despite outreach to vulnerable people being included as a Category B Priority, preventing successful outreach to all individuals within South Kesteven.
- (10) The CPA Governance report states that the speed of improvement is not sufficient to match that achieved by other authorities and from a relative standing, the District Council may be slipping backwards. The recent Strategic Housing Report makes similar demonstrations.

CO33. UPDATE ON FINANCIAL ISSUES

DECISION:

That the Cabinet approve:

- (1) £175,000 be allocated from the Capacity and Priority Setting Budget to the Salaries Budget;
- (2) £75,000 be retained for support for supplies and services;
- (3) The Supporting People Grant offer be approved;
- (4) The Leader, Chief Executive and the Corporate Director of Finance and Strategic Resources be given the authority to sign off the backward looking Gershon statement for 2004/5;
- (5) The Leader and the Finance Portfolio Holder contribute to the Medium Term Financial Strategy (MFTS).

Considerations/Reasons for Decision:

- (1) Report number FIN236 by the Corporate Director of Finance and Strategic Resources detailing the use of the Capacity and Priority Setting Budget, areas of risk identified in the Budget, Medium Term Financial Strategy and Gershon Backward looking statement;
- (2) Capacity issues within Financial Services and Housing Services;
- (3) Additional Corporate Finance Support is required, requiring an increase to financial management capacity plus work on the Procurement Agenda;
- (4) The housing inspection and review highlighted the need to increase the capacity within the General Fund for Strategic Housing Purposes;
- (5) Community Services including Communications and the staff newsletter;
- (6) An offer had been made that mitigated the risk subsequent to the Supporting People Grant, including a guaranteed minimum income of £825,000;
- (7) SKDC's involvement in the Supporting People pilot;
- (8) The Gershon Backward Looking Statement is due for submission on 16th June, which would be circulated on completion;
- (9) Increased financial commitment required to support the Green Waste Scheme;
- (10) Interim payment for officers temporarily assigned through secondment.

The following item was considered as a matter of urgency because of the need for the Council to take prompt action to respond to the unexpectedly high demand on the waste collection created by the success of Green Waste Recycling.

CO34. *GREEN WASTE SCHEME

DECISION:

- (1) That the Cabinet resolves that as a temporary measure, the green waste scheme is closed to new applicants;
- (2) To hire up to £69,000 from salaries to recruit a crew for the new vehicle as a temporary measure
- (3) To allocate the remaining £50,000 from the Capacity and Priority setting budget to Recycling;
- (4) To purchase a second hand vehicle – financed from Existing Asset Provision within the Capital Programme.
- (5) Seek to provide a full costing for the remainder of this year and for next

year to ascertain the financial impact of the service. This is to be completed by the end of July to form part of the Medium Term Financial Strategy and request at that time any supplementary estimates required to be considered by the Council.

Considerations/Reasons for Decision

- (1) Report CEX290 by the Chief Executive and the Corporate Director of Finance and Strategic Resources and appended table giving details of the current tonnage of green waste collection;
- (2) Representations from a member of the Healthy Environment DSP;
- (3) The amount of green waste collected had exceeded predictions with an average of 150 tonnes per week arising from the green bins, three times the predicted level;
- (4) Current hours for collection are limited by restrictions on the opening hours of the recycling facility and health and safety and vehicle operating legislation;
- (5) Bin distribution would need to be suspended; although a further vehicle and crew would enable current targets to be met, it would not facilitate the increased capacity needed to service the remaining 11,000 bins if they were to be distributed;
- (6) Continued negotiations with the County Council over the possibility of a transfer station near Bourne or the Deepings or a further site for the disposal of green waste;
- (7) That negotiations with Lincolnshire County Council continue in attempts to secure the payment of recycling credits for all waste including recyclables that have been diverted from landfill.

Other options considered and assessed

Extending collection days to include the whole of Monday and the employment of relief drivers was considered however it would not be sufficient to enable the District Council to meet the current demand in a manner which would be safe and legal.

EXCLUSION OF THE PUBLIC

In accordance with Section 100A(4) of the Local Government Act 1972 it was resolved that the public be excluded because of the likelihood in view of the nature of business to be transacted that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act. With the public excluded, the following item was considered.

CO35. *CORPORATE MANAGEMENT RESTRUCTURING

DECISION:

That the Cabinet recommend to the Council that:

- (1) The authority proceed with stage one of this re-organisation by the appointment of three Strategic Directors on the Job descriptions and person specifications set-out in Appendix B, to commence their duties on the 1st April 2006.**
- (2) The four current posts of Corporate Director are deleted from the establishment on the same date (1st April 2006)**

- (3) Following these appointments the Chief Executive uses power delegated to him to consult the Strategic Directors and determine the packaging of services amongst the six service heads and make the necessary appointment to these positions.**
- (4) Recommendations be made to the Chief Executive's Appraisal Panel for a performance related remuneration package for the Chief Executive.**

Considerations/Reasons for Decision

- (1) Exempt report CEX289 by the Chief Executive which reviews the purpose and performance of the current Corporate Management structure and whether it is fit for purpose by reviewing the purpose and performance of the current structure and evaluating the strategic impact on the Council of recent, and likely future, events;
- (2) Details of the timetable;
- (3) Remuneration of new posts;
- (4) Costings;
- (5) Representations received from Trade Unions;
- (6) Representations received from the Resources DSP.

Other options considered and assessed

If the current format is not amended, it could become a barrier to improvement.

CO36. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

Non Key Decisions

Councillor John Smith: Portfolio – Economic

Decision: That approval be given to the following names in order to provide new postal addresses for new industrial and residential developments within the district:-

- (1) FALCON WAY and EAGLE ROAD for the development off South Road, Bourne;
- (2) STEELE'S YARD for the development at North Street, Stamford.

[Decision made 31.05.05]

DATE DECISIONS EFFECTIVE

Minutes CO26, CO27, CO28 and CO35 are policy framework proposals and as such stand referred to the Council on 23rd June 2005. All other key and non-key decisions made on 6th June can be implemented on 15th 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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