



MEETING OF THE CABINET
5 DECEMBER 2005 - 10.30 AM – 12.55 PM

PRESENT:

Councillor Ray Auger
Councillor Teri Bryant
Councillor Paul Carpenter
Councillor Mrs Frances Cartwright
Councillor John Smith

Councillor Mrs Linda Neal – Leader/Chairman

Corporate Director of Community Services
Corporate Director of Regulatory Services
Corporate Director of Finance and Strategic Resources
Corporate Director of Operational Services
Senior Planning Officer (Policy)
Team Leader – Economic Development
Business Services (Best Value) Officer
Assets and Facilities Manager
Public Relations Manager
Scrutiny Support Officer

Other Members Present:

Councillors Nadarajah, Mrs Percival, Gerald Taylor, Turner, Wilks

CO88. MINUTES - TO APPROVE THE RECORD OF THE CABINET MEETING HELD ON 7TH NOVEMBER 2005.

The minutes of the meeting held on 7th November 2005 were confirmed as a correct record, subject to the following amendments to the decision at minute CO78.

- **“2. That a reasonable contribution should be provided by the Town Council to demonstrate their commitment to the project;**
- **3. That the development should fulfil a series of outcomes, to be decided on through liaison with officers and that these should then be agreed and reviewed at a future date by the Cabinet.”**

CO89. DECLARATIONS OF INTEREST (IF ANY)

Councillor Carpenter declared a personal and prejudicial interest in Minute CO93. He left the meeting during consideration of this item.

CO90. LARGE SCALE VOLUNTARY TRANSFER: PROGRESS REPORT

DECISION:

That Cabinet

- (1) **accepts the progress report and notes that there will be Council briefing on 14th December 2005, as requested by the chairman of the Council, to consider the information in relation to the strategic choice of landlord.**
- (2) **recommends to Council, for the purposes of negotiating and developing an “Offer to Tenants”, that in the event of a transfer of the Council’s housing stock proceeding that:-**
 - (a) **50% of the available usable capital receipt from transfer be made available for affordable housing after protecting the General Fund from the impact of transfer;**
 - (b) **100% of any share of “Right to Buy” receipts be made available for affordable housing.**

Considerations/Reasons for decision:

- (1) Report number DRS23 by the Corporate Director of Regulatory Services explaining the current work programme of the project team, which included formation of working groups, strategic choice of landlord, communications and development of the Shadow Board, and future issues, mainly delivering the preferred landlord option and developing and negotiating an “offer to tenants”;
- (2) Large Scale Voluntary Transfer is the preferred stock option for the future ownership and management of the Council’s housing stock, as resolved by Council at its meeting on 26th May 2005;
- (3) Consultants have identified that the Council is likely to receive a share of “Right to Buy” income in the future;
- (4) 50% capital receipts for the General Fund from a Transfer will help fund the Council’s priorities that affect Council tenants as well as all other residents.

CO91. EAST STREET AND WELHAM STREET CAR PARKS: PROGRESS REPORT

DECISION:

To note the update report DCS33 and the progress achieved to date on East Street and Welham Street car parks.

Considerations/Reasons for Decision:

- (1) Report number DCS33 by the Corporate Director of Community Services giving details of the work undertaken in the development of the East Street and Welham Street car park sites in Grantham;
- (2) The completion of a Traffic Impact Study for Welham Street and the likelihood that the subsequent recommendations can be implemented within budget;
- (3) Tenders received for the demolition of the East Street site, which has been delayed until after Christmas in response to concern from local businesses that disruption will affect trade.

CO92. COMMUNITY STRATEGY 2006-2009

DECISION:

- (1) That the Community Plan be approved;**
- (2) The Cabinet notes that an Action Plan will be completed in early 2006, and once approved, to recommend to Council the adoption of the completed Community Plan and Action Plan.**

Considerations/Reasons for Decision:

- (1) Report number DCS34 by the Director of Community Services introducing the new approach to the Community Plan for the Local Strategic Partnership (LSP);
- (2) Copies of the draft plan circulated at the meeting;
- (3) New terms of reference for the LSP, as explained in the report, including five task and finish groups aligned with priorities;
- (4) The new approach is supported by the Government Office for the East Midlands (GOEM) as an example of good practice;
- (5) Minor amendments required to the plan the use of photographs of the rural routes bus.

CO93. CONCLUSIONS FROM PUBLIC CONSULTATION ABOUT THE URBAN CAPACITY STUDY

DECISION:

That the Cabinet

- (1) Notes the detailed comments and officer response made about the Urban Capacity Study (UCS) summarised in the schedule to report PLA541;**
- (2) Endorses the approach set out in the report to:**
 - **Update Housing Land supply figures used in the UCS to 30th September 2005.**
 - **Amend the methodology set out at the beginning of the study to clarify that sites of 0.4 ha or with an anticipated capacity of 10+ dwellings have been included and that all Greenfield sites including allotments are excluded from the study.**

- **Update the conclusions for each site included in the UCS which has received planning permission since September 2004 (this should include the deletion of a capacity for Springfield Park and Gonerby House which were included as both commitments and UCS sites in the consultation draft).**
- **Update all relevant site details where information about the site has been made available through the consultation process, this includes discounting sites where the land owners or occupier has provided information suggesting that the site would not be available for redevelopment for housing.**
- **Fully assess the additional sites suggested through the consultation process and include these sites if suitable for housing development in the UCS.**
- **Give further detailed consideration to the issue of site currently in an employment use and consider the conclusions raised in the employment land review (ELR) to the UCS.**

(3) Approves that these changes be incorporated into a final UCS which should be published as a background documents for the Local Development Framework, subject to the following changes.

- **The introduction to the document include a statement clearly communicating that the study is subject to the normal planning application process, to be determined by the Economic Development Portfolio Holder in consultation with the Senior Planning Officer (Policy).**
- **Page 10 of Appendix B (Site Identifications DE 17 and DE18) not be discounted and that relevant sections be amended as necessary.**

Considerations/Reasons for Decision:

- (1) Report number PLA541 by the Head of Planning Policy and Economic Regeneration presenting feedback from the public consultation on the Urban Capacity Study and proposed amendments;
- (2) Outcomes of the Employment land Review reflecting original outcomes of the UCS;
- (3) In relation to sites DE17 and DE18, the policy team response has been superseded by new evidence - outline planning permission has been granted to a site adjacent to Northfields Industrial Estate and full planning application submitted for the site;
- (4) Redevelopment of vacant upper floors or housing which are converted to flats will count towards the location's structure plan housing requirement and this is taken into account in the normal planning process;
- (5) Housing developers are following government policy and producing applications of higher density;
- (6) The Local Development Framework will include at least one affordable housing policy to cover all sites within the district
- (7) Sites identified in the study are potential sites that may see development if appropriate in the future.

CO94. REVIEW OF THE EAST MIDLANDS REGIONAL PLAN TO 2026: OPTIONS FOR CHANGE

DECISION:

(1) That Cabinet agrees

- (a) to the proposed amendment to the Eastern Sub-Area;**
- (b) that Policies 2 and 3 of the current RSS8 encompass the key principles of sustainability and should be retained;**
- (c) to the preferred Option 2A for housing development (that is to follow trend based projections for both the level and distribution of housing in this district)**

(2) That the Portfolio Holders for Economic Development and Housing meet with Council planning officers and the Regional Assembly Director of Planning to discuss the Council's concerns over local housing requirements.

Considerations/Reasons For Decision:

- (1) Report number PLA542 by the Head of Planning Policy and Economic Regeneration summarising the issues raised by the "Options for Change" documents produced by the East Midlands Regional Assembly (EMRA) for consultation;
- (2) Officer comments presented in the report on each of the issues raised;
- (3) Changes to the sub-area boundary allocated to South Kesteven has no material effect;
- (4) Sustainability criteria presented in the document reflect national guidelines;
- (5) Housing development option 2A allows scope for development in smaller market towns, large villages as well as Grantham. The other options presented would limit areas of development;
- (6) A joint Lincolnshire response will be presented to the EMRA via the Lincolnshire Assembly.

CO95. BUDGET 2006/07: COUNCIL TAX BASE

DECISION:

In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended), the amounts shown below be recorded as the Council Tax bases for 2006/2007.

<u>Area</u>	<u>Band D Equivalents</u>
Grantham	10,349.0
Stamford	6,755.2
Bourne	4,274.9
Deeping St James	2,309.5

Market Deeping	2,005.8
Allington	343.3
Ancaster	499.7
Aslackby & Laughton	100.4
Barholme & Stowe	34.0
Barkston & Syston	261.8
Barrowby	712.0
Baston	546.5
Belton & Manthorpe	208.1
Billingborough	403.3
Bitchfield & Bassingthorpe	57.8
Boothby Pagnell	62.4
Braceborough & Wilshorpe	126.2
Burton Coggles	39.3
Careby, Aunby & Holywell	67.3
Carlby	198.7
Carlton Scroop & Normanton	125.9
Castle Bytham	301.5
Caythorpe	537.0
Claypole	484.3
Colsterworth, Gunby & Stainby	586.2
Corby Glen	396.1
Counthorpe & Creeton	34.1
Denton	123.6
Dowsby	60.8
Dunsby	49.1
Edenham	114.3
Fenton	44.7
Folkingham	281.6
Foston	187.2
Fulbeck	213.1
Greatford	122.5
Great Gonerby	758.6
Great Ponton	122.8
Haconby	165.7
Harlaxton	312.6
Heydour	147.9
Honington	65.4
Horbling	151.9
Hougham	79.1
Hough-on-the-Hill	153.0
Ingoldsby	114.7
Irnham	103.6
Kirkby Underwood	82.3
Langtoft	737.5
Lenton, Keisby & Osgodby	62.4
Little Bytham	111.1
Little Ponton & Stroxtone	69.6
Londonthorpe & Harrowby Without	1,572.6
Long Bennington	821.6

Marston	152.8
Morton	793.6
North Witham	58.3
Old Somerby	90.1
Pickworth	68.0
Pointon & Sempringham	201.9
Rippingale	324.3
Ropsley, Humby, Braceby & Sapperton	343.8
Sedgebrook	141.5
Skillington	127.7
South Witham	465.8
Stoke Rochford & Easton	87.1
Stubton	72.3
Swayfield	145.3
Swinstead	86.0
Tallington	181.2
Thurlby	782.6
Toft, Lound & Manthorpe	139.0
Uffington	303.8
Welby	78.2
Westborough & Dry Doddington	138.5
West Deeping	120.5
Witham-on-the-Hill	89.4
Woolsthorpe	143.3
Wyville-cum-Hungerton	<u>18.4</u>
SKDC TOTAL	<u>43,803.0</u>

Considerations/Reasons for Decision:

(1) Report number FIN250 by the Corporate Director of Finance and Strategic Resources stating that the requirements of the Local Government Finance Act 1992 amended by s84 of the Local Government Act 2003 allow each authority to make its own arrangement for adopting the Council Tax base.

CO96. ESTABLISHMENT OF A LEISURE TRUST

DECISION:

- (1) **That the Council proceeds with the development of a leisure trust with charitable status, to deliver a range of leisure services on behalf of the District Council;**
- (2) **That the following facilities and services be identified as suitable for transfer.**

- Bourne Corn Exchange
- Stamford Arts Centre
- Bourne Leisure Centre
- Stamford Leisure
- Deepings Leisure Centre
- Centre

- **Grantham Meres Leisure Centre**
- **Guildhall Arts Centre**
- **South Kesteven Sports Stadium**
- **Sport Development**
- **Arts Development**
- **Play Development**

- (3) That the final decision is only taken when robust business plans have been prepared and approved by Cabinet;**
- (4) That consideration continues to be given to opportunities for cost saving through partnership with neighbouring authorities;**
- (5) That Cabinet notes that budget provision of £100k to £150k will be required to develop a leisure trust and that this funding should be identified in the normal 2006/07 and 2007/08 budget setting process;**
- (6) That the contract with Leisure Connection for the management of the Deepings Leisure Trust be extended until March 2008 on the existing terms;**
- (7) That the Cabinet prefers the development of a single trust rather than multiple trusts.**

Considerations/Reasons For Decision:

- (1) Report number LAC147 by the Head of Leisure and Cultural Services outlining the considerations for proceeding with a leisure trust;**
- (2) Positive response to proposal from main consultees including Lincolnshire County Council and Burghley Estates;**
- (3) Current contractor remains keen to discuss with the Council other options for service provision including an Industrial Provident Society model or a separate independent trust;**
- (4) The Sports and Recreation Trust Association, representing trusts as they are established, is developing a Charter of Integrity for trust arrangements which suggests that a trust be independent, especially from organisations for profit;**
- (5) Partnership working in the setting up of a trust can yield significant savings.**

Other Options Considered and Assessed:

The report gave advantages and disadvantages of a single versus multiple trusts. Cabinet considered that the benefits of a single trust, including significantly reduced costs, far outweigh those of multiple trusts, as confirmed by work undertaken by consultants.

CO97. MOVING TO A CASHLESS OFFICE

DECISION:

Subject to consultation with tenant compacts, cash payments stop before the opening of the Customer Services Centre, 'Allpay' be introduced and direct debit dates be increased.

Considerations/Reasons for Decision:

- (1) Report number DOS295 by the Director of Operational Services and the Revenues Manager which presented the report of the E-Government Working Group: "Moving Towards a Cashless Office";
- (2) The endorsement of the working group report by the Engagement and Resources Development & Scrutiny Panels;
- (3) Further information provided at the meeting by a member of the E-Government Working Group;
- (4) Evidence gathered by the working group from a number of other local authorities;
- (5) Potential Gershon cashable and non-cashable savings are achievable from the proposal;
- (6) 'Allpay' would significantly increase the outlets and times at which customers could pay bills. It would enhance local businesses, especially rural ones, and provide cheaper costs of transactions. 'Allpay' would not be introduced at the Council offices;
- (7) Staff time could be better deployed in more customer services activities at all area offices;
- (8) Increasing direct debit dates would increase collection rates and provide better service to the customer by increasing flexibility;
- (9) The Council has a statutory duty to consult with tenants on service changes;
- (10) The changes need implementing before work commences on the customer services centre to reduce disruption to customers.

CO98. REVIEW OF FOOTWAY LIGHTING THROUGHOUT THE DISTRICT

DECISION:

- (1) That discussions continue with Lincolnshire County Council regarding their taking over full responsibility for dealing with all lighting throughout the district until such time that a detailed costing is received enabling full cost comparison to measure the financial viability.**
- (2) That, until such time that all information is available to allow this cost comparison, installation of new lights (funded on a 50/50 basis with contribution from Parish Councils) is suspended.**

Considerations/Reasons for Decision:

- (1) Report number AFM7 by the Assets and Facilities Manager, reviewing progress on the discussions that have taken place with Lincolnshire County Council aimed at researching and validating any benefits from them taking full responsibility for all lighting in the district;
- (2) Final costings, which will determine the potential cost savings, are awaited from Lincolnshire County Council.

CO99. GROUNDS MAINTENANCE CONTRACT

DECISION:

That Cabinet accepts the tender from Cleanaway Ltd to the value of £836,527.09 (per annum) for a contract term of 7 years with an option, subject to satisfactory performance, to extend by a further 3 years.

Considerations/Reasons for Decision:

- (1) Report number DCS35 by the Corporate Director of Community Services detailing the selection process and considerations for the selection of preferred contractor;
- (2) The Council is required by law, after a period of ten years with the same contractor, to offer the grounds maintenance service to tender on the open market;
- (3) Cleanaway Ltd submitted the lowest tender with the highest percentage award;
- (4) Cleanaway Ltd has committed, at their own cost, to complete a comprehensive professional inspection and report on the condition of all the Council's mature tree stock;
- (5) The contractor has agreed that there will be no penalty for removing elements of the work from the contract.

CO100. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON-KEY DECISIONS TAKEN UNDER DELEGATED POWERS

Councillor John Smith: Portfolio – Economic Development

Decision: That approval be granted to the Corporate Manager Democratic and Legal Services to defend and resist a High Court challenge in respect of a judicial review of a decision to grant planning permission taken by the Development Control Committee and that the Council's Barrister be instructed to appear for the Council in the pending High Court proceedings and any further appeal courts proceedings regarding this particular challenge if that proves necessary.

[Decision made: 28.11.05]

Decision: That approval is granted to adopt a shopfront design guide for Bourne.

[Decision made: 05.12.05]

Decision: To approve the first Annual Monitoring Report (AMR) as attached at appendix 1 to report PLA545. That the AMR be published and formally submitted to the First Secretary of State. Publication of the documents should include making it available on the councils' web site and at all of the local libraries and district offices.

[Decision made: 05.12.05]

Councillor Mrs. Frances Cartwright: Portfolio – Organisational Development, LSVT and Housing Landlord Function

Decision: To approve the award of a Mandatory Disabled Facilities Grant for building adaptations to a property at Kesteven Road, Stamford.

[Decision made: 14.11.05]

Decision: To approve the award of a Mandatory Disabled Facilities Grant for building adaptations to a property at Winchester Road, Grantham.

[Decision made: 28.11.05]

Councillor Paul Carpenter: Portfolio – Access and Engagement

Decision: That approval be granted to fly the Lincolnshire Flag outside the Council Offices at all times apart from those nominated dates when the Union, St. George's and Council flags are flown for this municipal year.

[Decision made: 28.11.05]

Decision: To approve acceptance of the tender received from A Hatcher & Sons Ltd of Sleaford in the sum of £165,133.00 for the internal alterations and extension to the existing Banking Hall area to create the shell to the proposed Customer Services Centre.

[Decision made: 05.12.05]

CO101. IMPLEMENTING ELECTRONIC LOCAL GOVERNMENT RETURN 5

The Leader agreed to take this item as urgent business as the IEG Return 5 must be submitted to the ODPM no later than 19th December 2005 but the new pro forma required by Return 5 was not released by the ODPM by 9th November and this did not allow for timely completion of the return to meet reporting deadlines.

DECISION:

That Cabinet delegates authority for approval of IEG5 to the Access and Engagement Portfolio Holder.

Considerations/Reasons for Decision:

- (1) Report number DOS297 by the Director of Operational Services explaining the tight timeframe for submission of the Implementing Local Government Return 5;
- (2) The IEG5 will be published on the Council's intranet and website once submitted;

- (3) The Council is on target for full achievement of Best Value Performance Indicator 157 by the end of December 2005;
- (4) The E-Government Working Group is providing additional member input by scrutinising the document.

CO102. LINCOLNSHIRE COMMUNITY POLICING INITIATIVES

The Leader agreed to take this item as urgent business to enable a timely response to the request for financial support for the Lincolnshire Community Policing Initiative. Such a response could not be made ahead of the meeting between the Chief Executives of the Lincolnshire authorities that took place on 22nd November.

DECISION:

That the Cabinet

- (1) Supports the proposals for community policing set out in the letter dated 11th November from the Leader of Lincolnshire County Council;**
- (2) Lincolnshire County Council be urged to enter into a formal service level agreement with the Police Authority on expected service outcomes;**
- (3) Agrees that a contribution of £65,700 towards the cost of the Community Policing Initiative be recommended for approval to Council as part of the Council's 2006/07 budgetary processes;**
- (4) Agree that the application of the funding (£60,000) required for taking forward the Council's Action Plan for tackling anti-social behaviour (approved by Cabinet on 10th October) be suspended whilst the Action Plan is reviewed.**

Considerations/Reasons for Decision:

- (1) Report number DCS34 by the Corporate Director of Community Services explaining the proposals developed by Lincolnshire Police for developing a new model of policing based on operating at a community level;**
- (2) Appended letter from the Lincolnshire County Council Leader setting out the county's position;**
- (3) The proposed model has been developed in conjunction with this authority and largely based on the Council's practices.**

DATE DECISIONS EFFECTIVE:

Key decisions at minutes CO92, CO93, CO94, CO95, CO96, CO97, CO99, CO122 and non-key decisions taken on 5th December 2005 will become effective on 14th December 2005 unless subject to call-in by the relevant Development & Scrutiny Panel Chairman or five members of the Council. The decision at CO90 is a matter of policy and therefore stands referred to full Council.

**South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham,
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