

# MINUTES

## CABINET

THURSDAY, 12 APRIL 2018



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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**THE LEADER:** Councillor Matthew Lee (Chairman)

**THE DEPUTY LEADER:** Councillor Kelham Cooke

### **CABINET MEMBERS PRESENT**

Councillor Michael King  
Councillor Dr Peter Moseley  
Councillor Nick Neilson  
Councillor Nick Robins  
Councillor Jacky Smith  
Councillor Adam Stokes

### **NON-CABINET MEMBERS PRESENT**

Councillor Mike Exton  
Councillor Robert Reid  
Councillor Bob Sampson  
Councillor Linda Wootten  
Councillor Ray Wootten

### **OFFICERS**

Chief Executive (Aidan Rave)  
Strategic Director, Growth (Steve Ingram)  
S.151/Chief Finance Officer (Debbie Mogg)  
Assistant Chief Executive (Lee Sirdifield)  
Assistant Director, Environment (Ian Yates)  
Assistant Director, Growth & Development (Paul Thomas)  
Assistant Director, Housing (Harry Rai)  
Assistant Director, Legal & Democratic (Lucy Youles)  
Assistant Director, Transformation & Change (Judith Davids)  
Interim Service Manager, Communication (Adrian Smith)  
Service Manager, Environmental Health (Anne-Marie Coulthard)  
Principal Democracy Officer (Jo Toomey)

### **CO134. APOLOGIES**

An apology for absence was received from Councillor Goral.

**CO135. MINUTES OF THE MEETING HELD ON 8 MARCH 2018**

The minutes of the meeting held on 8 March 2018 were agreed as a correct record.

**CO136. DISCLOSURE OF INTERESTS (IF ANY)**

No interests were disclosed.

**CO137. \*HOUSING STRATEGY**

**Decision:**

**Cabinet agrees:**

- 1. The adoption of the revised draft South Kesteven District Council Housing Strategy 2017 to 2021 (as attached at appendix 3 to report number HS6), with the final design to be approved by the Cabinet Member for Communities**
- 2. The proposed Year 1 (2018/19) Internal Delivery Plan and to note the progress made to date**
- 3. The Cabinet Member for Communities will regularly monitor progress against the 'Action Plan' and report after an initial period of 6-months, with a view to then making annual reports, to the relevant Overview and Scrutiny Committees**

Considerations:

1. Report number HS6 of the Cabinet Member for Communities
2. Feedback from Housing Summits and Member workshops
3. Comments made by the Communities and Wellbeing Overview and Scrutiny Committee during the development of the draft strategy and following consultation when it recommended the approval of the draft Strategy
4. Results of consultation on the draft Housing Strategy 2017-2021 attached as appendix 1 to report HS6 and proposed amendments and comments attached as appendix 2
5. The revised draft Housing Strategy 2017-2021 (Appendix 3 to report HS6)
6. The proposed year 1 (2018/19) Internal Delivery Plan (Appendix 4 to report HS6)
7. Stage 2 Equality Analysis (Appendix 5 to the report)
8. The strategy supported the Corporate Plan priority for housing growth

Other options considered:

The Council's current Housing Strategy runs from 2013 to 2018 and the Council could continue to deliver against this strategy until the end date. However, Members have already been apprised of the recent significant

changes in housing policy which prompted the review and is necessary to ensure that the Council's approach to strategic housing remains relevant and deliverable.

\* \* \*

Following a brief overview of the draft Strategy and the process that had been followed during its development, Members were given the opportunity to debate the item. A number of comments were made about the consultation exercise that had been conducted, with Members noting that there was limited feedback from certain groups. Suggestions were made about how all consultations undertaken by the Council could benefit from exploring wider use of different communication streams to target different groups. The specific example was given of using different types of social media to increase the response rate of 18 to 34 year olds, who had the lowest return rates for this consultation. There was also some concern that the response rate across different tenures was not representative. Reassurance was given about work that was ongoing to improve engagement across all tenures. Members were also advised that lessons learned from this initial consultation would be applied when further consultation was undertaken during the life of the strategy and the development of its action plans.

Recommendation 3 in report number HS6 had stated that the Cabinet Member for Communities would regularly monitor progress against the Action Plan and report annually to the relevant overview and scrutiny committees. During discussion Cabinet Members indicated that it may be beneficial to bring the first review forward so that it was carried out within 6-months to make sure implementation of the action plan was on track.

Cabinet Members agreed the recommendations in the report subject to bringing the initial review forward to 6-months with a view to moving to annual reviews thereafter.

**CO138. \*SOUTH KESTIVEN DISTRICT COUNCIL'S RESIDENT INVOLVEMENT FRAMEWORK**

This item was withdrawn from the agenda.

**CO139. \*ARTICLE 4 DIRECTION - STAMFORD CONSERVATION AREA**

**Decision:**

**Cabinet approves the commencement of a formal process to remove permitted development rights for specific types of development within the designated Stamford Conservation Area as shown at appendix 1 of report number PLA11 under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.**

**The Cabinet also authorises the Leader of the Council and the Cabinet Member for Economy and Development to produce a set of options for**

**the application fee for any works that would be restricted by the directive for any necessary consultation.**

Considerations:

1. Report number PLA11 of the Cabinet Member for Economy and Development and Stamford Conservation Area map attached as appendix 1 to the report
2. Previously made comments by Stamford Town Council and Stamford Civic Society which expressed a view that Stamford Conservation Area should be the subject of an Article 4 Direction
3. Benefits would include:
  - a. Protection of the special character of a Conservation Area
  - b. Enhancing the quality of the environment
  - c. Encouraging the use of local and traditional building materials
  - d. Ensuring buildings that contribute towards the area's character are protected from unsympathetic and damaging change
  - e. Aligning with the Council's priority to promote tourism, leisure and the arts
4. An overview of the scope of withdrawing permitted development rights
5. A summary of the Article 4 designation process
6. Equality Analysis attached as appendix 2 to report number PLA11

Ward Member Engagement

District Councillors whose Wards were included in the Stamford Conservation area were made aware of the recommendation to propose an Article 4 Direction. Of the eight Ward Councillors affected, feedback was received from seven who all supported the proposal.

Other options considered:

To not designate an Article 4 Direction. There has been no area-wide control over permitted development across the Stamford Conservation Area since it was first designated in 1967. However there has since been a gradual erosion of the architectural details of the historic fabric of a number of unlisted buildings within the Conservation Area.

\* \* \*

During discussion on the item Members were mindful that the introduction of the Article 4 Direction would mean that residents living in the affected area would need to apply for planning permission, which was subject to payment of a fee, for work that they could previously have done without any controls. While no fee had been proposed at this point, Members expressed a commitment that while a fee would be charged to cover administration costs, it would be set at a lower rate than the fee for ordinary householder consents to minimise the burden. A suggestion was made that the Leader and the Cabinet Member for Economy and Development should produce some options for application fees for works that would be restricted by the Direction for consultation.

Cabinet Members spoke in support of the proposal and the benefits that it could bring. Examples were given of the introduction of Article 4 Directions that had been introduced in other parts of the country that had seen the protection of Conservation Areas, which had in turn encouraged members of the public to carry out sympathetic works and restore original features on their own impetus. Once the Article 4 Direction was in place for Stamford, Members indicated that consideration would be given to the introduction of Article 4 Directions in other parts of the district, specific reference was made to some of the rural villages in the southern part of the district. Subsequent work would also be carried out in Stamford to review the current Conservation Area and consider whether it should be extended.

A non-Cabinet Member from Stamford who was present at the meeting indicated their support of the proposal.

Clarification was given that the Direction could not be applied retrospectively, meaning that no enforcement action could be taken on properties that had carried out unsympathetic works prior to the day of enactment.

Members agreed the recommendation in the report and also that the Leader and the Cabinet Member for Economy and Development should produce for consultation, some options for associated application fees.

#### **CO140. \*ENVIRO CRIME ENFORCEMENT POLICY**

##### **Decision:**

- 1. Cabinet adopts the Enviro Crime Enforcement Policy attached at Appendix 1 to report number ENV686**
- 2. That the Fixed Penalty Notice charges remain at the levels proposed by Council until they can be reviewed based on experience**
- 3. Cabinet supports the principle of delivering the enforcement service through alternative, council-owned delivery arrangements**

##### Considerations:

1. Report number ENV686 of the Cabinet Member for Environment and draft policy attached as appendix 1 to the report
2. Commitment through the Big Clean and development of a higher street standard to improve the street environment and make the district attractive to investors, residents and visitors
3. Feedback from an all Member workshop held in December 2017 at which the main areas of environmental crimes were considered
4. Comments and recommendations from the Environment Overview and Scrutiny Committee and assessment of those recommendations
5. To increase the level of fine to the Government-allowed maximum was considered to be disproportionate and was considered to impact on the payment rate and additional enforcement costs

6. The equality analysis undertaken on the proposed policy and attached as appendix 2 to the report

Other options considered:

Various options for the response to each offence were considered in the Members' workshop. Following feedback, Members wished for the Public Space Protection Order (dog control) to be reviewed to consider the inclusion of extra conditions relating to dog fouling and a requirement to carry the means to pick up dog waste.

\* \* \*

Members were advised that when enviro crime enforcement was considered by the Environment Overview and Scrutiny Committee they had advocated setting the fixed penalty notice at £150, the maximum level allowed by the Government. The Cabinet Member stated that while he was grateful for the recommendations of the Overview and Scrutiny Committee, which he had considered, his recommendation was that the level of fine should remain at £100, the level agreed by Council when it set its budget on 1 March 2018. He gave his rationale, highlighting that the maximum amount set by Government covered the whole country. Based on the economic demography of the area, he felt that a fine of £100 in South Kesteven would make as strong a statement as a fine of £150 in more affluent areas. He added that increasing the fine to £150 may impact on collection rates and lead to increased enforcement costs. Other Cabinet Members expressed support for the rationale behind this assessment. Assurance was also given that the level of fine would be kept under review.

Several Members spoke of their experiences of how the Big Clean had encouraged residents within their Wards to take ownership of their local area and organise community litter picks.

The report indicated that enforcement would be provided in-house, which meant that there was the greatest flexibility to target specific issues in specific areas.

Non-Cabinet Members were given the opportunity to make comments and ask questions which covered whether there was any discretion with issuing fines or if the initiative was being used as an opportunity to raise money and whether footage obtained covertly would form the basis for issuing fines. Members were reassured that the fines were not intended to be a mechanism to generate income. They were also advised that covert footage would not be used; enforcement officers would use overt body worn video devices, the footage from which would be used as evidence. Footage obtained through the district council's CCTV system would also be used as evidence for issuing fines.

Members of the Cabinet approved the recommendations as listed in report ENV686.

**CO141. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.**

Report number LDS276 informed the Cabinet of decisions that had been taken by individual members since the last meeting of the Cabinet was held on 8 March 2018.

**Appendix A** related to a decision on the implementation of a Pilot Food Waste Collection Service, as agreed in principle by Cabinet at its meeting on 11 January 2018, for 4,700 households over a 12-month period funded by Lincolnshire County Council on behalf of the Lincolnshire Waste Partnership.

Some discussion ensued in which the importance of communications during the rollout of any such scheme was emphasised, including the communication of the environmental and economic benefits and ensuring that there was a clear understanding of what constituted food waste. Members were also advised of the disposal methods for any food waste that was collected and what the products of disposal would be used for. It was noted that the pilot had received the full endorsement of the Environment Overview and Scrutiny Committee.

*15:02 – Councillor Robins left the meeting and did not return*

**CO142. MATTERS REFERRED TO CABINET BY THE COUNCIL OR OVERVIEW & SCRUTINY COMMITTEES**

Report number LDS275 of the Leader of the Council summarised the activity of the Overview and Scrutiny Committees since the last report was presented to Cabinet on 8 March 2018.

Communities and Wellbeing Overview and Scrutiny Committee

The Chairman of the Communities and Wellbeing Scrutiny Committee informed Members that at its last meeting, in addition to considering the draft Housing Strategy and the draft Resident Involvement Framework, the Committee had received a presentation on the Community Safety Partnership. Reference was also made to a recent decision which had seen a reduction in the number of Police Community Support Officers in Lincolnshire together with a reduction in Community Beat Managers.

The Committee also discussed community cohesion and a Green Paper that had been published by the Government on which the Committee intended to hold a workshop.

Other comments were made in support of the community cohesion agenda and the best way to implement measures to improve community cohesion in South Kesteven.

Culture and Tourism Overview and Scrutiny Committee

While the Culture and Tourism Overview and Scrutiny Committee had not met

since the last Cabinet meeting, the intervening period had seen the launch of the 2018 Gravity Fields Festival. The Chairman of the Committee also referred to a musical concert that she had attended.

#### Environment Overview and Scrutiny Committee

At its last meeting, the Environment Overview and Scrutiny Committee had considered and made recommendations on the draft Enviro Crime Enforcement Policy, which had been considered as part of this Cabinet meeting.

The Cabinet Member for Environment thanked the Chairman and Committee for the work that they had done during the municipal year, noting its heavy workload and the number of projects that had been successfully delivered.

#### Growth Overview and Scrutiny Committee

While there had been no full meeting of the Growth Overview and Scrutiny Committee since the last meeting of the Cabinet, a workshop had been held on the draft Local Plan, which, Members were advised, was still on target for submission for inspection by September 2018.

#### Rural Overview and Scrutiny Committee

Cabinet was advised that the next meeting of the Committee would take place on Wednesday 18 April 2018 when the agenda included a presentation from a senior police officer for the area.

### **CO143. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS**

Report number LDS277 of the Leader of the Council informed Cabinet Members no non-Cabinet Members had submitted requests to speak prior to the publication of the agenda. Since the agenda had been published a number of non-Cabinet Members indicated that they wished to raise matters under this item of business:

#### Councillor Ray Wootten

Councillor Ray Wootten informed Cabinet Members that over the past week he had attended two meetings held by campaign groups for Grantham Hospital. The meetings had been called to discuss allegations about plans by United Lincolnshire Hospitals Trust (ULHT) to remove orthopaedic trauma services from Grantham Hospital. Councillor Wootten stated that he had contacted the Chief Executive Officer for the Trust who said that there had been conversations about all acute services across Lincolnshire as part of a review, but no decisions had as yet been made. He had also contacted Lincolnshire Health Scrutiny Committee.

The campaign groups claimed that they had information which indicated that the orthopaedic trauma service would be withdrawn in August 2018.

Councillor Wootten asked for Cabinet's continued support and for a letter to be sent to the Chief Executive Officer of ULHT and the Care Quality Commission requesting that any proposals to make changes at Grantham Hospital be made available for public consultation as soon as possible, and for the continued opposition to the withdrawal of services.

Comment was made about the current closure of Grantham's accident and emergency unit, and that the Trust needed to adhere to its commitment to re-open the unit on a 24/7 basis now that the required number of staff was in place. One Member stated that the failure to do this had damaged the Trust's credibility, which would need to be restored if it wanted to build a relationship to work with Grantham residents.

Cabinet Members reiterated their support for Grantham Hospital and the Chief Executive was asked to write the requested letter, incorporating other comments made during the meeting, in liaison with Councillor Wootten.

#### Councillor Robert Reid

Councillor Reid referred to two combined overview and scrutiny committees of which he had been the Chairman. The first meeting he referred to had considered the Council's emerging Corporate Strategy. He commended the approach that had been taken and the way it had been developed. He also expressed support for the way the Strategy sought to modernise the way in which the Council worked and the provisions relating to the care of personnel and management of the Council's staff.

During the second joint meeting to which Councillor Reid referred, a recommendation had been made relating to the installation of smoke alarms in Council-owned properties. Members were advised that there had been an underspend against the relevant budget because there were some instances where the Council couldn't gain access to properties. Members were reassured that the Council took its landlord responsibility seriously and work was underway to ensure that smoke detectors were in place, up-to-date and tested regularly. The installation and checking of smoke detectors was likened to the installation and testing of boilers and the suggestion was made that both issues could be dealt with in a single visit.

#### Councillor Bob Sampson

Councillor Sampson referred to the recent withdrawal of SKDC from the Procurement Lincolnshire Partnership. Councillor Sampson sat on the Procurement Lincolnshire Board as one of the representatives of all of the constituent district councils; he stated that he had not been advised of the decision to withdraw, which was made at an operational level. The Leader stated that more work needed to be done on ensuring Members were fully engaged and aware of decisions that were being made.

### **CO144. CABINET FORWARD PLAN**

Report number LDS278 of the Leader of the Council provided an overview of the items that the Cabinet could expect to see on its agenda between 13 April and 31 May 2018. The report also included items that were due for consideration by full Council in that period.

Members were advised that an item on the Asset Disposal Strategy, which had been removed from the plan needed re-adding and that a new item on Invest SK needed to be added. A comment was made that asked for a review process to be put in place to ensure that the document was as accurate and current as possible.

#### **CO145. CLOSE OF MEETING**

The meeting was closed at 15:34.

#### **DATE DECISIONS EFFECTIVE:**

Decisions CO137, CO139 and CO140 as made on Thursday, 12 April 2018 can be implemented on Monday 23 April, 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.