

# Cabinet



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



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Tuesday, 1 December 2020 at 2.00 pm  
Virtual Meeting - This meeting is being held remotely  
using Skype for Business

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**Cabinet Members:** Councillor Kelham Cooke, The Leader of the Council (Chairman)  
Councillor Barry Dobson, The Deputy Leader of the Council (Vice-Chairman)  
  
Councillor Annie Mason, Cabinet Member for Communities  
Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations  
Councillor Robert Reid, Cabinet Member for Housing and Planning  
Councillor Adam Stokes, Cabinet Member for Finance and Resources  
Councillor Rosemary Trollope-Bellew, Cabinet Member for Culture and Visitor Economy

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## Agenda

### Accessing the Meeting

Councillors should access the meeting using the link in their calendar.

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[Cabinet - 1 December 2020](#)

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When you follow the link to the meeting you will enter a virtual lobby; you will be invited into the meeting from the lobby just before the meeting begins. Members of the public should not use the Chat function in Skype for Business. This is for use by Councillors, who will use it to indicate that they would like to speak.

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Published and despatched by [democracy@southkesteven.gov.uk](mailto:democracy@southkesteven.gov.uk) on Monday, 23 November 2020.

01476 406080

**Karen Bradford, Chief Executive**

[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

- 1. Register of attendance and apologies for absence**
- 2. Minutes of the previous meeting** (Pages 3 - 8)  
Minutes of the meeting held on 3 November 2020.
- 3. Disclosure of Interests (if any)**

**Items for recommendation to Council**

- 4. Council Tax Base 2021/22** (Pages 9 - 14)  
Report from the Cabinet Member for Finance and Resources.
- 5. Review of the Licensing Act 2003 Policy Statement** (Pages 15 - 59)  
Report from the Cabinet Member for Commercial and Operations.

**Items for Cabinet Decision: Key**

- 6. Food Waste Collection** (Pages 61 - 84)  
Report from the Cabinet Member for Commercial and Operations.

**Items for Cabinet Decision: Non-Key**

- 7. Public Realm Improvements, St Peter's Hill, Grantham** (To Follow)  
Report from the Leader of the Council.

**Items for information**

- 8. Matters Referred to Cabinet by the Council or Overview and Scrutiny Committees**
- 9. Key and Non Key Decisions taken under Delegated Powers** (Pages 85 - 123)  
Report from the Leader of the Council.
- 10. Representations and questions from Non Cabinet Members**
- 11. Cabinet Forward Plan 1 January 2021 to 31 December 2021** (Pages 125 - 132)  
Report from the Leader of the Council.

### **Urgent Items**

Items which the Leader is of the opinion should be considered at the meeting as a matter of urgency pursuant to Section 100(b)(4)(b) of the Local Government Act 1972 by reason of special circumstances.

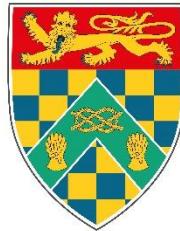
### **Exempt Items**

Under Section 100(a)(4) of the Local Government Act 1972, the press and public may be excluded from the meeting during any listed items of business, on the grounds that if they were to be present, exempt information could be disclosed to them as defined in the relevant paragraphs of Schedule 12A of the Act.

# Minutes

Cabinet

Tuesday, 3 November 2020



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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**The Leader:** Councillor Kelham Cooke, The Leader of the Council (Chairman)

**The Deputy Leader:** Councillor Barry Dobson, The Deputy Leader of the Council (Vice-Chairman)

## Cabinet Members present

Councillor Annie Mason, Cabinet Member for Communities

Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations

Councillor Robert Reid, Cabinet Member for Housing and Planning

Councillor Adam Stokes, Cabinet Member for Finance and Resources

Councillor Rosemary Trollope-Bellew, Cabinet Member for Culture and Visitor Economy

## Non-Cabinet Members present

Councillor Ashley Baxter

Councillor Phil Dilks

Councillor Mark Whittington

Councillor Ray Wootten

## Officers

Chief Executive (Karen Bradford)

Assistant Chief Executive, Housing Delivery (Ken Lyon)

Interim Director of Finance (Richard Wyles)

Strategic Director Commercial and Operations (Gary Smith)

Interim Director Growth (Chris Hilton)

Director of Law and Governance (Shahin Ismail)

Interim Assistant Director of Housing (Chris Stratford)

Head of Governance (Jo Toomey)

Democratic Officer (Lucy Bonshor)

## Statement by the Leader

The Leader of the Council gave a statement following the Government's proposal to lockdown the Country from 5 November 2020 until 2 December 2020 due to Covid-19.

The Leader stated that people should work from home wherever possible and that businesses would again have to close. It was important that everyone followed closely the Government's advice to help stop the spread of Covid-19, to save lives and help the NHS.

All essential services within South Kesteven had been maintained throughout the pandemic, such as refuse collection. Virtual meetings would remain in place, but the Leader stated that if circumstances changed then it might be necessary to go back into emergency powers.

The SK Community Hub would continue to play an important role in the Council's response to Covid-19 for the most vulnerable residents. If support was required, residents should contact the SK Community Hub by email at, [SKCommunityhub@southkesteven.gov.uk](mailto:SKCommunityhub@southkesteven.gov.uk) or by the telephone helpline on 01476 40 61 77.

Business would be supported during this time and details could be found on the Council's website or through the Council's social media platforms. Once more detail was known, businesses would be written to accordingly.

The Leader concluded by stating that there were huge challenges ahead, which would also play a part on people's mental health. He asked that people be kind and support each other during this period.

## **15. Register of attendance and apologies for absence**

All Cabinet Members were present.

## **16. Minutes of the previous meeting**

The minutes of the meeting held on 13 October 2020 were agreed as a correct record of the decisions taken.

## **17. Disclosure of Interests (if any)**

None disclosed.

## **18. Procurement of Property Improvements Works**

The Cabinet Member for Housing and Planning presented the report on the awarding of a Property Improvements Works Contract including works to major voids and kitchen and bathrooms to Foster Property Maintenance Limited for a period of 4 years (2020 to 2024).

The contract for carrying out major void works ended in March 2020. There were currently two separate contracts in place for kitchen and bathroom upgrades for rural and urban areas. The contracts expire on 1 April 2021 and 1 June 2021 respectively.

The Chief Executive gave details on the contract, which was made up of a number of individual contracts. The contract awarded to Foster Property Maintenance Limited had been carried out through a procurement framework and in compliance with the Council's Contract and Procurement Procedure Rules and the Public Contract Regulations 2015. A key element of the contract with Foster Property Limited was the use of local builders for sub-contracting work.

A review of the Housing Business Plan was currently underway and significant work was required in relation to the assessment of housing stock currently owned by the Council.

The Interim Assistant Director of Housing clarified the use of this type of contract. A project management system was in place to ensure a good, high quality standard of work was undertaken. If performance indicator thresholds were not being met this would be addressed with the contractor, also where sub-contracting work was required that local builders were used.

Discussion on the condition of properties when handed over to tenants followed as well as the timing of the contract. It was stated that the contract before Members was in relation to void properties only. Since the contract had expired in March 2020, any necessary work had been carried out using other contracts already in place.

One Member asked if the contract covered the Riverside heating problems that had occurred previously but this was not part of the contract before the Cabinet.

On being put to the vote, it was **AGREED**:

- 1) To approve the award of a contract to Foster Property Maintenance Limited for carrying out property improvement works to South Kesteven District Council owned properties, including repair and upgrade works to void properties and new kitchen and bathroom replacements, using the Eastern Procurement Framework EPPI19 — Property Improvements, Repairs and Maintenance Framework, Reference number: EPL – 0063 with a maximum contract value of £7,200,000. Over the full contract period of four years from 2020 to 2024.
- 2) To note that Officers will place orders for major voids works immediately upon approval by Cabinet but will not place orders for the kitchen and bathroom works whilst existing contracts are in place. Upon expiry of these two bathroom and kitchen contracts in April 2021 for rural areas, and June 2021 for urban areas, the Council will then place all orders with Foster Property Maintenance Limited in accordance with the contract.

## **19. Statement of Community Involvement**

The Cabinet Member for Housing and Planning presented the report on the Statement of Community Involvement.

The Statement of Community Involvement had been reviewed in March 2019. Due to the ongoing restrictions because of Covid-19, it had been decided to revise the SCI in order to set out minimum standards for consultation, particularly with regard to the development plan documents. This would enable the Council to continue to progress key planning matters where restrictions could place limitations on consultation, such as face-to-face or public meetings. It was intended that consultation would go beyond the minimum guidance set out in the revised SCI provided that it fell within Government guidance.

A key change to the SCI from that approved in March 2019 was in relation to the public viewing of the development plan documents. As a minimum the documents would be available for viewing, subject to Government guidance in relation to Covid-19 at the Council's main office in Grantham. Although there was no requirement to consult on the revised document it was good practice to do so. The recommendation also asked that the revised document be temporarily adopted during the consultation period in light of the current restrictions in place due to Covid-19.

On being put to the vote, it was **AGREED**:

- 1) To approve the revised Statement of Community Involvement, as set out in the report from the Cabinet Member for Housing and Planning at Appendix 1 for public consultation.
- 2) To temporarily adopt the Statement of Community Involvement, referred to in (1) above, in advance of the outcome of public consultation on this to enable public engagement on planning matters in light of the current Covid-19 restrictions.

## **20. Design Guide Supplementary Planning Document (SPD) for consultation**

The Cabinet Member for Housing and Planning presented the report on the draft Design Guide Supplementary Planning Document (SPD) for consultation.

The Cabinet Member for Housing and Planning stated that the local and national desire was to improve the quality of design for new developments, nationally 29% of new developments were rated poor in terms of design, with 43% of suburban and urban extensions also being rated poor. The draft Design Guide detailed the expectations for high quality, inclusive and sustainable development proposals and provided guidance to assist applicants and decision makers. The document would be a supplementary planning document which would augment the Local Plan policies.

The draft Design Guide had been commissioned jointly with Rutland County Council and had been fully funded by a planning delivery grant awarded by the Government on a competitive bidding basis.

Part of the suite of measures included the appointment of a Principal Design Officer, design review panels and enhanced design considerations in planning application decisions. Workshops had been held with Members, landowners and stakeholders during the preparation of the document. Further input would come from experts in design, planning, landscape and heritage to compliment national guidance on good local design with a focus on larger housing schemes and local character.

The Cabinet Member for Housing and Planning then discussed the key measures involved in design planning and the sections within the Design Guide SDP.

Discussion on the document followed with points being raised in relation to the inclusion of the Planning Committee in the consultation of the SPD and the timeframe and possible impact of the Planning White Paper on the document.

On being put to the vote, it was **AGREED**:

To approve the Draft Design Guide Supplementary Planning Document, as set out in Appendix 1 to the Cabinet Member for Housing and Planning's report, for public consultation.

## **21. Climate Change and Carbon Reduction Annual Statement**

The Cabinet Member for Commercial and Operations presented the report on the Climate Change and Carbon Reduction Annual Statement. He referred to the Appendix attached to the report, which gave an information graphic statement of what the Council had achieved since the Council declared a Climate Emergency in September 2019.

The document contained steps that the Council was taking and how far the Council was getting to achieve its ambitions. It showed defined and significant progress and by its nature, the document would be compiled on an annual basis.

Reference was made to the Climate Change Task and Finish Group and the inclusiveness of both Members and Officers in the ambitions of the Council.

The Cabinet Member for Commercial and Operations then gave examples of work undertaken to date. Including a paragraph on all Council reports on how the decision made would impact the climate emergency ambition. That decision making was continuing and being carried out through virtual meetings, cutting down on travelling to meetings and reducing the Council's carbon footprint.

An entire page of the Annual Statement had been dedicated to Covid-19 and the impact of the pandemic on the climate emergency and carbon emissions. Positives included less travelling to attend meetings, although a downside was the increase in kerbside waste collection with more people working from home. Examples were also given of case studies contained within the document, which contributed to carbon reduction. It was stated that reducing carbon emissions was not just the Council's problem but was everyone's problem as each person had a carbon footprint.

The Council was leading by example and showing people what could be done to invest in solutions and encourage residents and businesses who operated in the District to do the same. He then spoke about how the document could be more widely circulated to residents and businesses and suggested that SKToday could be utilised both in paper and electronically.

Members were pleased with the progress to date as well as the cross party working that had been undertaken and endorsed the Climate Change and Carbon Reduction Annual Statement. The suggestion of using SKToday to promote the document was also supported including it being available electronically.

On being put to the vote, it was **AGREED**:

- 1) To note the content of the annual statement and the progress achieved in the last 12 months in South Kesteven District Council's local response to climate change.
- 2) To approve the Climate Change and Carbon Reduction Annual Statement appended to the Cabinet Member for Commercial and Operations report for publication, subject to an amended Foreword.
- 3) Promotion of the document using "SKToday" including an electronic format as part of the Council's climate change work.

**22. Matters Referred to Cabinet by the Council, Overview and Scrutiny Committees or other Committees**

Cabinet Members noted the recommendations from the Companies Committee.

**23. Key and Non Key Decisions taken under Delegated Powers**

The Leader of the Council presented his report on Key and Non-Key decisions taken since the last meeting of the Cabinet. Two Non-Key decisions had been made, consultation on Hackney Carriage and Private Hire Policy and the lease for land at Harrowby Lane Playing Field, Grantham.

**24. Representations and questions from Non Cabinet Members**

No representations or questions were received.

**25. Cabinet Forward Plan 1 December 2020 to 30 November 2021**

Cabinet Members noted the Forward Plan for 1 December 2020 to 30 November 2021, which was appended to the agenda.

The Cabinet Member for Housing and Planning stated that the Proposed Development Brief for Land at Stamford North would be moved to January 2021.

**26. Close of Meeting**

The meeting closed at 15:27pm.



## Cabinet

1 December 2020

**Report of:** Councillor Adam Stokes

Cabinet Member for Finance and  
Resources

## Council Tax Base 2021/22

To approve the Council Tax Base for the financial year 2021/22.

### Report Author

Claire Morgan, Senior Accountant

Tel: 01476 406051

Email: claire.morgan@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Administrative	Key	All Wards
Reviewed by:	Alison Hall-Wright, Head of Finance	16 November 2020
Approved by:	Richard Wyles, Interim Director of Finance	17 November 2020
Signed off by:	Councillor Adam Stokes, Cabinet Member for Finance and Resources	17 November 2020

### Recommendation (s) to the decision maker (s)

1. Cabinet is asked to recommend to the Council the Council Tax base for the forthcoming financial year equating to 48,122.4 in accordance with the relevant legislation. This will form the basis upon which the Council will estimate Council Tax income for the 2021/22 budget.

## 1 The Background to the Report

1.1 The Local Government Finance Act 1992 amended by s84 of the Local Government Act 2003 set out the requirements allowing each local authority to make its arrangements for adopting the Council Tax base. The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012:2914) provides amended statutory guidance to incorporate the changes resulting from the introduction of the Local Council Tax Support Scheme (LCTSS).

1.2 The Council Tax varies between the different bands according to proportions laid down in legislation. These proportions are based around Band D and are fixed so that the bill for a dwelling in Band A will be a third of the bill for a dwelling in Band H. Applying the relevant proportion to each band's net property base produces the number of 'band D equivalent properties for the area.

1.3 In determining the Council Tax Base for 2021/22 the following factors have been taken into consideration:

- The tax base for parish purposes is based on the number of properties as at 14 September 2020 and the discounts and exemptions applicable on 5 October 2020, as prescribed by legislation.
- Adjustments have been made for the reductions in the tax base as a result of the LCTSS.

1.4 The table below summarises the position showing the proposed tax base for South Kesteven 2020/21 is 48,122.4 Band D equivalents. This is an increase of 0.4% on the previous financial year 2020/21. Appendix A analyses these figures at a Parish level.

**Table 1: Tax Base – Band D Equivalents**

	2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
Total Band D Equivalents	52,170.4	51,757.0	51,061.9	50,575.5	50,306.5	49,779.57
Impact of LCTSS Discounts and Work Incentive	(4,048)	(3,838.2)	(3,936.2)	(4,056.2)	(4,187.1)	(4,344.87)
<b>Total Band D Equivalent properties – with LCTS Scheme</b>	<b>48,122.4</b>	<b>47,918.4</b>	<b>47,125.7</b>	<b>46,519.3</b>	<b>46,119.4</b>	<b>45,434.7</b>
Tax Base Growth	0.4%	1.68%	1.30%	0.87%	1.49%	1.54%

1.5 As set out in Table 1, the LCTSS reduces the tax base and therefore the Council Tax income collected by individual precepting bodies. Alongside this, it also impacts on the local

precepting authorities' (Parish and Town Councils) ability to raise their own precepts which, based on a standstill position, would be lower. The local tax base information will be supplied to all town and parish councils in order for them to factor it into their local precept setting considerations. It can be seen from the table that there has been a marked reduction in the tax base growth from previous years (the Medium Term Financial Plan had assumed a 1.5% growth). At an assumed Council tax level for 2021/22, the reduced base will result in £90k less Council Tax income than modelled in the MTFP. This has been factored in the budget setting proposals that are currently being considered.

1.6 The setting of a realistic and prudent collection rate for Council Tax in 2021/22 is an essential component of the overall budget strategy. It is anticipated that a collection rate of 98.68% will be achieved in 2020/21 and this will form the basis of the collection rate for 2021/22. The Council takes a prudent approach and does not project future growth over the year so consequently does not adjust the tax base for any non-collection. The following table shows both the current and historic collection rates the council has achieved over the past four years.

	2021/22	2020/21 (forecast)	2019/20	2018/19	2017/18
Council Tax Collection Rate	98.80%*	98.68%	98.68%	98.77%	98.81%

\*this will be reviewed in response to the current recovery action

## **2 Consultation and Feedback Received, Including Overview and Scrutiny**

2.1 None.

## **3 Available Options Considered**

3.1 None.

## **4 Preferred Option**

4.1 It is recommended that the Council Tax Base is set at 48,122.4 for 2021/22.

## **5 Reasons for the Recommendation (s)**

5.1 If the recommendation is supported, this will feed into the budget preparations for 2021/22.

## **6 Next Steps – Communication and Implementation of the Decision**

6.1 None.

## **7 Financial Implications**

7.1 These are contained within the report.

**Financial Implications reviewed by: Richard Wyles, Interim Director of Finance**

## **8 Legal and Governance Implications**

8.1 The approval of the council tax base detailed in this report is required in accordance with the legislation referred to. S67 of the Local Government Finance Act 1992 sets out the requirements for council tax setting which can be discharged by full Council. The proposals in this report will be considered by Council at its budget setting meeting.

**Legal Implications reviewed by: Mandy Braithwaite, Legal Executive**

**9 Equality and Safeguarding Implications**

9.1 None.

**10 Risk and Mitigation**

10.1 Not applicable.

**11 Community Safety Implications**

11.1 None.

**12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

12.1 None.

**13 Other Implications (where significant)**

13.1 None.

**14 Background Papers**

14.1 None.

**15 Appendices**

15.1 Appendix A – 2021/22 Council Tax Base by Parish.

<b>Report Timeline:</b>	Date of Publication on Forward Plan (if required)	19 December 2019
	Final Decision date	1 December 2020

# Appendix A

## Appendix A

Parish/Town Council	2021/22 Band D Equivalents	2020/21 Band D Equivalents	Variance
Grantham combined	11,161.1	11,115.1	46.0
Stamford combined	7,296.3	7,252.4	43.9
Bourne Combined	5,783.1	5,761.3	21.8
Allington	349.4	347.4	2.0
Ancaster	581.6	570.6	11.0
Aslackby	110.9	110.0	0.9
Barholm & Stowe	37.5	33.4	4.1
Barkston and Syston combined	247.6	249.3	(1.7)
Barrowby	725.7	728.3	(2.6)
Baston	610.3	601.3	9.0
Belton & Manthorpe	209.6	203.3	6.3
Billingborough	486.4	480.7	5.7
Bitchfield	53.2	53.4	(0.2)
Boothby Pagnell	63.2	64.8	(1.6)
Braceborough & Wilsthorpe	142.4	143.2	(0.8)
Braceby, Humby, Ropsely, Sapperton combined	322.7	321.5	1.2
Burton Coggles	39.8	39.5	0.3
Careby	78.4	74.1	4.3
Carlby	209.8	207.3	2.5
Carlton Scoop and Normanton combined	126.1	124.1	2.0
Castle Bytham	302.8	303.0	(0.2)
Caythorpe & Frieston	526.4	522.7	3.7
Claypole	512.8	513.9	(1.1)
Colsterworth, Gunby & Stainby, North Witham combined	754.9	751.4	3.5
Corby Glen & Birkholme	406.9	407.4	(0.5)
Counthorpe & Creeton	25.2	26.6	(1.4)
Deeping St James	2,448.9	2,459.9	(11.0)
Denton	122.6	123.8	(1.2)
Dowsby	55.6	54.1	1.5
Dunsby	51.1	51.0	0.1
Easton and Stoke Rochford combined	84.5	86.3	(1.8)
Edenham	112.7	112.1	0.6
Fenton	58.6	60.3	(1.7)
Folkingham	283.2	279.8	3.4
Foston	222.0	221.8	0.2
Fulbeck	218.2	217.6	0.6
Greatford	129.6	129.4	0.2
Great Gonerby	746.1	747.1	(1.0)
Great Ponton	124.1	124.3	(0.2)
Haconby & Stainfield	187.2	188.0	(0.8)
Harlaxton	349.0	346.5	2.5
Heydour	156.2	157.0	(0.8)
Honington	60.9	61.7	(0.8)
Horbling	164.5	161.0	3.5
Hougham	88.1	85.7	2.4
Hough-on-the-Hill	169.6	168.6	1.0

Ingoldsby	121.2	120.6	0.6
Irnham	108.6	107.5	1.1
Kirkby Underwood	81.1	80.7	0.4
Langtoft	757.0	758.9	(1.9)
Lenton	65.7	65.2	0.5
Little Bytham	116.4	113.1	3.3
Little Ponton & Stroxtone	70.4	67.0	3.4
Londonthorpe & Harrowby without combined	1,653.9	1,670.0	(16.1)
Long Bennington	943.8	934.2	9.6
Market Deeping	2,244.7	2,216.8	27.9
Marston	151.6	152.3	(0.7)
Morton & Hanthorpe	830.9	834.7	(3.8)
Old Somerby	93.1	91.5	1.6
Pickworth	76.1	76.0	0.1
Pointon	198.3	195.1	3.2
Rippingale	347.2	349.5	(2.3)
Sedgebrook	148.8	148.2	0.6
Skillington	134.9	129.6	5.3
South Witham	471.0	468.9	2.1
Stubton	77.8	77.7	0.1
Swayfield	149.9	145.9	4.0
Swinstead	80.6	77.8	2.8
Tallington	335.6	326.7	8.9
Thurlby	811.3	810.4	0.9
Toft Lound & Manthorpe	137.6	139.6	(2.0)
Uffington	311.5	310.8	0.7
Welby	85.1	80.3	4.8
Westborough & Dry Doddington	142.9	148.1	(5.2)
West Deeping	116.7	116.9	(0.2)
Witham-on-the-Hill	98.1	98.5	(0.4)
Woolsthorpe	143.4	144.1	(0.7)
Wyville cum Hungerton	20.4	19.8	0.6
<b>Total by Billing Area</b>	<b>48,122.4</b>	<b>47,918.4</b>	<b>204.0</b>



## Cabinet

1 December 2020

**Report of:** Councillor Dr Peter Moseley

Cabinet Member for Commercial  
and Operations

## Statement of Licensing Policy 2021-2026

The Council has a statutory duty to review and publish its Statement of Licensing Policy every 5 years. Following public consultation, an updated draft Statement of Licensing Policy has been prepared for 2021-2026 and is presented for consideration.

### Report Author

Anne-Marie Coulthard, Head of Environmental

Tel: 01476 406319

Email: a.coulthard@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Competitiveness	Budget and Policy Framework	All Wards
Reviewed by:	Ian Yates, Assistant Director, Commercial and Operational	27 October 2020
Approved by:	Gary Smith, Strategic Director, Commercial and Operations	27 October 2020
Signed off by:	Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations	3 November 2020

### Recommendation (s) to the decision maker (s)

1. Notes the feedback from the public consultation on the draft Statement of Licensing Policy 2021-2026.
2. Recommends to Council that the draft Statement of Licensing Policy 2021-2026 is adopted.

## **1 The Background to the Report**

1.1 The Council, as the Licensing Authority, has a statutory duty to review and re-publish its Statement of Licensing Policy “the policy” at least every five years. The current policy is due for review by January 2021. The policy forms an essential part of the decision-making process for licensing applications.

1.2 The policy sets out how the Council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.3 Activities regulated under the Licensing Act 2003 include:

- The sale of alcohol
- The provision of regulated entertainment
- The provision of late-night refreshment (the provision of hot food or hot drink between 11pm and 5am)

1.4 The policy has been updated to reflect the latest statutory guidance published under the Licensing Act 2003 in April 2018, information about the district and other changes to ensure the draft policy assists applicants understanding of their responsibilities.

1.5 The proposed changes are shown as “track changes” within the draft policy document at Appendix 1. The main changes include:

- Additional detail on measures which may be considered appropriate to assist premises to comply with the licensing objectives
- Update to the section relating to cumulative impact to reflect changes that have been made as a result of the Policing and Crime Act 2017
- Inclusion of the specific mandatory licence conditions attached to licenses authorising the sale or supply of alcohol on the premises
- Inclusion of further details relating to Temporary Event Notices and their limitations

1.6 Before publishing a revised policy, there is a requirement to consult with the public and a range of relevant consultees as detailed at paragraph 1.12 of the draft policy.

## **2 Consultation and Feedback Received, Including Overview and Scrutiny**

2.1 The Environment Overview and Scrutiny Committee considered the draft revised policy at their meeting on 6 October 2020. Following this, public consultation was undertaken from 9 to 26 October and members of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee considered the draft policy at their meeting of 13 November 2020 and did not raise any further comments.

2.2 The consultation was published on the Councils website, through social media and via a press release. The Responsible Authorities were contacted directly. Five responses were received, one related to a business’s own practices during the Covid-19 pandemic and has been excluded as not relevant to this consultation, two were from Responsible Authorities and two from members of the public (summarised below).

Responder	Issue	Response
Responsible Authority	No comments	No response necessary
Responsible Authority	No comments	No response necessary
Member of public	Would like to see all pubs in the Deepings close at 11pm due to covid-19	New legislation currently requires pubs and some other venues to close at 10pm in response to the Covid-19 pandemic.  Additional restrictions bought in by the government relating to the Covid-19 pandemic are beyond the remit of the Statement of Licensing Policy.
Member of public	Would like to see a significant strengthening of the requirement on licensed pubs, takeaways to keep the frontage of their premises clear of litter, cigarette ends, discarded food items.	Litter has been included as one of the factors for applicants to consider in respect of the prevention of public nuisance. There are no statutory mandatory conditions relating to litter, however, the committee can consider whether such conditions on premise licences are necessary where representations have been received.

2.3 The consultation responses have been considered and no further changes to the policy are proposed.

### **3 Available Options Considered**

3.1 The Council is required to review its Statement of Licensing Policy every 5 years. There is no other option available for consideration.

### **4 Preferred Option**

4.1 In order to comply with legislative requirements, the Council should review and publish its revised policy.

### **5 Reasons for the Recommendation (s)**

5.1 To ensure that the requirement to review and publish a Statement of Licensing Policy is complied with and to support transparent and consistent decision making by the Alcohol, Entertainment and Late Night Refreshment Licensing Committee and Officers.

### **6 Next Steps – Communication and Implementation of the Decision**

6.1 The Licensing Act 2003 requires that the making of the Statement of Licensing Policy is a function of the Council. The final draft, incorporating any amendments as a result of Cabinet will be presented to Council for adoption.

## **7 Financial Implications**

7.1 The financial implications arising from the policy will be met from existing budgets. The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. These fee levels are set centrally by government.

**Financial Implications reviewed by:Richard Wyles, Interim Director of Finance**

## **8 Legal and Governance Implications**

8.1 Section 5 of the Licensing Act 2003 requires each licensing authority to prepare and publish a Statement of Licensing Policy every 5 years. In accordance with requirements, before determining its policy the Licensing Authority has consulted with relevant consultees. The aim of the policy is to ensure fairness, clarity and consistency, equality of treatment and proportionality in the approach to be adopted by the licensing authority in determining licensing application.

**Legal Implications reviewed by: Mandy Braithwaite, Legal Executive**

## **9 Equality and Safeguarding Implications**

9.1 An Initial Equality Impact Assessment has been undertaken and is attached at Appendix 2. The consultation has not identified any additional implications or adverse impacts.

## **10 Risk and Mitigation**

10.1 Reviewing and publishing a revised policy ensures that decision making continues to be transparent and consistent. Failure to meet the statutory duty could lead to uncertainties in decision making and could leave the Licensing Authority open to challenge.

## **11 Community Safety Implications**

11.1 The objectives of the Licensing Act 2003 seek to ensure adequate measures are in place in licensed premises to protect public safety, protect children from harm, prevent public nuisance and prevent crime and disorder. The four licensing objectives have a positive impact on community safety.

## **12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

12.1 The policy sets out how the Licensing Authority will determine applications and control licensed premises under the legislation. It has a neutral impact on the Council's declaration.

## **13 Other Implications (where significant)**

13.1 No other significant implications not already detailed with the report have been identified.

## **14 Background Papers**

14.1 [Revised Guidance Issued Under Section 182 of the Licensing Act 2003, April 2018](#)

## **15 Appendices**

15.1 Appendix 1 – Draft Statement of Licensing Policy 2021-2026  
15.2 Appendix 2 – Initial Equality Impact Assessment

<b>Report Timeline:</b>	Date of Publication on Forward Plan (if required)	14 September 2020
	Previously Considered by: Environment Overview and Scrutiny Committee	6 October 2020
	Final Decision date	28 January 2021

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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## LICENSING ACT 2003

### Statement of Licensing Policy

2021 - 2026

**DRAFT**

Version	Stage	Date
V1 (draft)	Environment OSC	6 October 2020
	Cabinet	1 December 2020

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## Executive Summary

The Licensing Act 2003 (the Act) came into effect in 2005. Section 5 of the Act requires the Licensing Authority (South Kesteven District Council) to determine, and publish, a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act. This process is to be repeated every five years. The Licensing Authority must also keep the policy under review during each five year period and make any such revisions it considers appropriate.

This policy was last reviewed in 2011-2016 and has regard to follows the Home Office guidance issued under section 182 of the Licensing Act 2003. ~~This guidance includes several important changes to the Act to introduce measures to reduce red tape, provide more flexibility and increase the potential to expand and augment local economies and promote cultural issues.~~

~~The Police Reform and Social Responsibility Act 2011 introduced the Late Night Levy and Early Morning Alcohol Restriction Orders, as well as providing for the Licensing Authority and Local Health Board to become Responsible Authorities. The Live Music Act 2012 changed the way in which regulated entertainment is licensed and the Deregulation Act 2015 made further changes to the licensing of alcohol sales and the provision of entertainment, such as music, singing and dancing.~~

Any decision taken by the Licensing Authority in regard to determination of licences, certificates and authorisations will aim to promote the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each application will be determined on its own merits.

This policy covers the licensable activities as specified in the Act which are:

- Sale by retail or supply of alcohol
- Regulated entertainment
- Late night refreshment

Decisions can be taken by the Alcohol and Entertainment Licensing Committee, a three person sub-committee comprising members of the Committee; or Officers using delegated powers.

The Licensing Authority has the ability to grant licences for premises and certificates for qualifying club premises. It also grants personal licences and accepts temporary event notices. Applicants for premises licences should be aware of the expectations of the Licensing Authority and the Responsible Authorities regarding the steps that are appropriate for the promotion of the licensing objectives.

Applicants should also be aware of the requirement to make enquiries about the specific area in which the licensed premises is, or is to be, situated and to be able to demonstrate that knowledge when describing the steps they propose to take to promote the licensing objectives.

Where relevant, the Licensing Authority consults with the responsible authorities as described in the Act. Local people and Members of the Council are able to have their say and their opinion heard through public consultation on this policy and by making representations about applications for premises licences or requesting reviews of licences for problem premises.

Enforcement of the legislation is a requirement of the Act and is undertaken by the Licensing Authority. This policy describes the Licensing Authority's enforcement principles and the principles underpinning the right of review.

## 1. Introduction

1.1 South Kesteven District Council is one of seven districts in Lincolnshire with a population of around 142,000~~136,000~~. Two thirds of people live in the four main towns of Grantham, Stamford, Bourne and the Deepings with the remaining third living in one of over 80 villages and hamlets. With an area of 365 square miles, it is one of the largest districts in the country.

1.2 This Authority has over 500 premises licensed under the Licensing Act 2003.

1.3 South Kesteven District Council, (hereinafter referred to as the 'Licensing Authority'), is responsible for the licensing of all licensable activities under the Licensing Act 2003 (the Act). ~~When undertaking the review of this policy the Licensing Authority had regard to the Best Practice Framework for the Review of Licensing Policy Statements issued October 2012.~~

1.4 This document sets out the policies and principles that the Licensing Authority will apply to all places selling or providing:

- Retail sale of alcohol
- Supply of alcohol to club members
- Provision of 'regulated entertainment' - to the public, to club members or with a view to profit.
- Late Night Refreshment

1.5 Regulated entertainment is defined in the Act as:

- A performance of play
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling entertainment
- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to live music, recorded music or dance.

1.6 Late Night Refreshment as defined in the Act as:

- The supply of hot food and/or hot drink from any premises including mobile food stalls between 11pm and 5 am.

1.7 Places or premises include:

- Pubs and night-clubs
- Off-licences
- Restaurants serving alcohol
- Restaurants and takeaways open between 11.00pm and 5.00am

- Hotels
- Guest houses
- Private members clubs and social clubs
- Theatre and amateur dramatic groups
- Cinema operators
- Organisers of Temporary Events
- Community events

1.8 This policy and associated guidance is intended to provide clarity to applicants, other persons and responsible authorities on how this Licensing Authority will determine applications.

1.9 The Licensing Authority has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives. These are:-

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.10 In promoting the licensing objectives the Licensing Authority will pay due regard to the revised guidance issued in March 2015 - April 2018 under Section 182 of the Licensing Act 2003, and any subsequent legislation or Guidance issued by the Secretary of State.

1.11 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not therefore be seen as solving all problems within the community. The Licensing Authority will therefore continue to work in partnership with its neighbouring Authorities, the Police, local businesses and local people, towards the promotion of the objectives as outlined.

1.12 In preparing this policy statement the Licensing Authority has consulted with those listed below, with appropriate weight being given to the views of those who have responded.

- The Chief Officer of Police
- The Fire and Rescue Authority
- The Director of Public Health
- The Planning Department
- Environmental Health (Health & Safety)
- Environmental Health (Environmental Protection)
- Trading Standards
- Lincolnshire Safeguarding Children Board
- Home Office (Immigration)
- Other relevant bodies
- Representatives of licence holders and club certificate holders
- Local businesses and their representatives

1.13 The purpose of licensing is to control licensed premises and other events within the terms of the Act. In accordance with the terms of the Act, and subject to any relevant representations, conditions may be attached to licenses and the various other permissions, which will focus on matters falling within the control of individual licensees.

1.14 These conditions will relate to the premises and other places being used for licensable activities and the impact of those activities on any individual, body or business affected by the operation of a licensed premise, regardless of their geographical location.

1.15 Each application will be treated on its merits and these may include, but are not limited to:

- the nature of the licensable activity;
- the nature and locality of the premises;
- the time of day of the proposed licensable activity; and
- the frequency of the activity.

1.16 It should however, be made clear that the licensing function is not to be seen as the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. Whilst there are a range of statutory powers available to deal with such behaviour, these powers will not always be sufficient to control negative impacts on the local area. Therefore, the fact that such impact may occur is a relevant factor in the consideration of licensing applications. This may lead to a refusal of the application or the imposing of conditions to meet the concern.

1.17 In undertaking its licensing function, the Licensing Authority is also bound by other legislation including, but not exclusively:

- Section 17 of the Crime and Disorder Act 1998 – which imposes a duty on every Local Authority to do all that it reasonably can to prevent crime and disorder in its decision making process. The duty now extends to anti-social behaviour, substance misuse and behaviour adversely affecting the environment
- The European Convention on Human Rights, which is given effect by the Human Rights Act 1998, which places a duty on public Authorities to protect the rights of individuals in a variety of circumstances
- The Provision of Services Regulations 2009 to ensure requirements are:
  - i. Non- discriminatory.
  - ii. Justified by an overriding reason relating to the public interest.
  - iii. Proportionate to that public interest objective.
  - iv. Clear and unambiguous.
  - v. Objective.

- vi. Made public in advance, and
- vii. Transparent and accessible.

- Anti-social Behaviour Crime and Policing Act 2014
- Police and Justice Act 2006
- Violent Crime Reduction Act 2006
- The Police Reform and Social Responsibility Act 2011
- Clean Neighbourhoods and Environment Act 2005
- Disability and age discrimination legislation. South Kesteven District Council is committed to the implementation and application of this policy in such a manner as to ensure that no applicant or other person is treated less favourably on grounds of sex, marital status, race, nationality, ethnicity, national origin, colour, disability or age; nor is disadvantaged by the application of a rule, condition or requirement which has a discriminatory effect, which cannot be justified either in licensing terms or as a requirement of law.

1.18 The scope of this policy covers all applications and notices made under the Licensing Act 2003.

1.19 The Licensing Authority will also seek to discharge its responsibilities identified by other Government and local strategies, and the work of other agencies so far as they impact on the objectives of the Licensing Act. Some examples are:

- Home Office Guidance for local partnerships on alcohol-related crime and disorder data
- LACORS/TSI code of practice on test purchasing of age restricted goods
- HM Government Alcohol Strategy
- The Lincolnshire Alcohol and Drug Strategy 2014 – 2019
- Lincolnshire Community Safety Agreement
- Relevant employment legislation with regards to the protection of children and young people
- A Guide for Event Organisers in Lincolnshire
- 'Challenge 21-25' campaign, currently promoted by Lincolnshire Trading Standards
- 'Pubwatch' schemes operating within the district

## **2. ~~Integrated Strategies and the Avoidance of Duplication~~ Integrating other Guidance, Policies and Strategies**

2.1 The Authority may implement other polices, strategies and initiatives that may impact on licensing activity within the remit of this policy statement. Subject to the general principles of this policy statement and the overriding need to

promote the licensing objectives, the Licensing Committee may have to regard to them when making licensing decisions.

2.1 South Kesteven District Council's vision is to:

~~Keep SK clean, green and healthy~~

~~Promote leisure, arts and culture~~

~~Support good housing for all~~

~~Grow the economy~~

2.2 By consulting widely, prior to this policy statement being published and working with our partners at all levels it is hoped this will generate an alignment between this Policy and any that may be developed by partner agencies.

2.3 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Licensing Authority's Licensing Committee may therefore receive and may act upon relevant reports regarding:

- level of crime and disorder, and community safety issues, including anti-social behaviour
- needs of the local tourist economy
- cultural strategy for the area
- employment situation in the area and the need for new investment, and employment where appropriate
- planning considerations which might affect licensed premises
- local transport arrangements
- any other reports considered appropriate to the licensing function

2.4 The Licensing Authority recognises that licensing applications should not be seen as a re-run of the planning application process and that there should be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. To assist in this process the Licensing Committee may provide reports to the Development Control Committee on the situation regarding licensed premises in the district, including the overarching priority to reduce the impact of alcohol-related crime and disorder.

2.5 Applicants are encouraged to consider making any necessary applications and enquiries for planning permission before, or at the same time as, they make an application for a premises licence or a club premise certificate.

2.6 In reaching a decision, of whether or not to grant a licence, the Licensing Authority will take account of any non-compliance with other statutory requirements brought to its attention, particularly where these undermine the licensing objectives. Non-compliance with statutory requirements may demonstrate that the premises are unsuitable for the activities proposed, or that the management of the premises is not adequate to protect the public from harm or nuisance.

2.7 In order to avoid duplication with existing legislation and regulatory regimes the Licensing Authority will, as far as possible, not attach conditions of licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

### **3. The Licensing Process**

3.1 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, by a sub-committee or by one or more officers acting under delegated authority. Delegated powers shall be in accordance with the table at [Appendix 1](#).

3.2 Each application for licensing will be considered on its own merits - for example, free from the imposition of quotas on the number of licensed premises or generalised closing times.

3.3 Applicants are strongly advised to liaise with the responsible authorities with respect to the content of their operating schedule before making any application. South Kesteven District Council's Licensing Team are always available to provide advice and guidance to any applicant or other person involved in the process.

3.4 Applicants will be required to submit, with their application for a premises licence/club premises certificate or variation to their existing premises licence/club premises certificate, an Operating Schedule. The operating schedule plays a major part in ensuring compliance with the Act, in particular showing how the four licensing objectives are to be achieved. The schedule will aid any Responsible Authority or other person to assess whether the proposed steps to be taken to promote the licensing objectives are satisfactory. The schedule will form part of the conditions of the licence (if granted) and therefore they must be unambiguous and clear in what they intend to achieve. Examples on what steps can be taken to promote the four licence objectives can be found below.

3.5 Applications will be determined having regard to:

- this policy
- the Licensing Act 2003 and supporting legislation
- guidance issued by the Department for Culture, Media and Sport (DCMS) or the Home Office
- any 'relevant representations' received (provided that they are not determined by the Licensing Authority to be frivolous, vexatious or repetitive).
- ~~although they may be in any geographical position, any representation made must be relevant to one or more of the licensing objectives.~~

3.6 This Authority will, however, look at the geographical location of the author of any representation or review application received. Where the author lives or

works a significant distance from the premises subject of an application or review, this Authority will examine the content of the representation particularly closely. ~~We would expect~~ the author ~~will be expected~~ to explain in detail how, in terms of the licensing objectives, how they would be affected by the application. The Licensing Authority will consider rejecting any representations which did not include sufficient detail to outline any harm or disturbance which may be caused.

- 3.7 Account will be taken of the need to encourage and promote all types of entertainment including live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance from these activities in a particular neighbourhood, the Licensing Authority's consideration will be balanced against the wider benefits to the community.
- 3.8 The Licensing Authority acknowledges the advice received from the [Department for Digital, Culture, Media and Sport \(DCMS\)](#) that the views of vocal minorities should not be allowed to predominate over the general interests of the community.
- 3.9 The Licensing Authority expects all applicants to complete the 'Adult Entertainment' box of the application form which requires details of any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.
- 3.10 If there are to be no such entertainments, services, activities or other matters then the form should state that clearly. The Licensing Authority may return, for amendment, any application which is incomplete in this material area.
- 3.11 Failure to submit an application in the correct form will result in that application being returned. The Licensing Authority will endeavour to explain why the application is considered to be deficient and will invite the applicant to re-submit the application with all the required information.

#### **4. Licensing Objectives**

##### **General**

- 4.1 Each of the four licensing objectives is of equal importance. The Licensing Authority considers the effective and responsible management of the premises and the instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, these elements should be specifically considered and addressed within an applicant's operating schedule.
- 4.2 It is for the applicant to decide what, if any, measures to suggest in its operating schedule to address any potential concerns that might arise in the promotion of

the licensing objectives. Applicants are reminded that measures proposed in the operation schedules will be converted into conditions on their licence.

Examples of steps the Licensing Authority would expect applicants to consider and address include:

#### 4.3 The Prevention of Crime and Disorder

In accordance with the Guidance, Police views on matters relating to crime and disorder will be given considerable weight. There are many steps an applicant may make to prevent crime and disorder. The Licensing Authority will look to the Police for the main source of advice on these matters.

- i. Membership and promotion of a South Kesteven recognised Pubwatch Scheme or similar organisation. ~~Membership and regular attendance of meetings of a crime reduction group such as Pubwatch can help stop known troublemakers entering your premises. Pubwatch and the Police can share information between each other, incidents such as resale of stolen goods, recent outbreaks of trouble and information of crimes against businesses. Pubwatch bans do have serious repercussions on the social lives of the people affected. They may have to travel much greater distances to frequent licensed premises and as such they cannot socialise with their friends in the same way. As such, up to date Pubwatch signage can act as a deterrent. Pubwatch membership would be considered best practice for many premises located in the town centres where the supply of alcohol is an authorised activity. The ability to share information with participating venues can help to highlight problematic persons or events and give the opportunity for a joined up approach.~~
- ii. Physical security features should be considered e.g. use of toughened or plastic drinking glasses. Where appropriate, the operating schedule may specify details of when the use of plastic or toughened glass will be applied as defined by a risk assessment. Plastic may be very preferable for use in outside areas where broken glass could be difficult to clear up or where there may be an increased level of rowdiness such as when and where national sporting events are televised.
- iii. The use and numbers of SIA licensed door supervisors. It is illegal to use door staff who are not licensed by the SIA. For more information on the SIA please visit their website at <http://www.sia.homeoffice.gov.uk> ~~or call their helpline 08702 430 100.~~ The decision when to employ door supervisors and in what number depends on a risk assessment. Managers should be sensitive to local and national events such as major football events, even if your premises are not involved directly. When using Door Staff the Licensing Authority recommends the use of an “incident book” which should be maintained recording details of duty door staff and any incidents dealt with. This should be kept available for inspection at any reasonable time by Police and Council officers.
- iv. The amount of seating to be provided to reduce high volume vertical drinking.

- v. Training given to staff in crime prevention and drug awareness measures.
- vi. Measures agreed with the Police to reduce crime and disorder. The development of good relations with local police officers is beneficial in preventing incidents occurring on your premises. If customers become accustomed to police officers making frequent checks, problem behaviour can be discouraged. Additionally, records kept of any crime or disorder incidents and where sales of alcohol have been refused will help the police and local authority monitoring.
- vii. Measures to prevent the use or supply of illegal drugs. Ensuring adequate staffing at busy times so that staff members are regularly checking all areas of the licensed premises including toilets and other areas that are not easily visible from the bar. Such measures would include a premises drug policy and statement of such a policy.
- viii. Search procedures. Effective searching not only prevents certain crimes by removing prohibited articles, but also serves as a deterrent.
- ix. Provision of CCTV in and around the premises. Details of any CCTV system and suitable signs associated with it. If installing a new CCTV system advice from the Crime Reduction Officer or Licensing Officer of Lincolnshire Police should be sought.
- x. Formulation of a dispersal policy. You should ensure that when customers leave the premises, they do so in an orderly manner. A music and lighting policy which encourages a calming effect on customers before they leave can help. It may be that a transportation policy is required to get customers home after leaving the premises when there is no viable alternative.
- iii.xi. Measures to prevent glasses and bottles being taken away from the licensed premises. Open containers should not be taken from the premises. Signs to reinforce that only drinks purchased on the premises may be consumed on the premises could be advisable.

#### 4.4 Public Safety

The Licensing Authority will not seek to impose fire safety conditions on licenses where the Regulatory Reform (Fire Safety) Order 2005 applies.

- i. Suggested occupancy figures (including staff and performers). This can be based on a recent assessment completed by a fire officer/building control officer. It is the responsibility of the licence holder to do a risk assessment of the business and expert advice may be required.
- ii. Not only does the size and number of emergency exits affect the occupancy figure, so does the floor area, ease of exit and the density and type of furniture and fittings. Please note that sanitary accommodation can affect occupancy figures. Please specify if your premises has a capacity of less than 200 people,

and the application is for the sale of alcohol on the premises and dancing as there is an exemption available under section 177 of the Licensing Act 2003.

- iii. Use of equipment and effects. You should be able to demonstrate that equipment, whether fixed or temporary is safe and in working order such as the electrical, fire alarm and emergency lighting systems and fire fighting equipment. There are however, types of equipment and effects which require specific risk assessment and advice from experts such as the Environmental Health or Health and Safety officers.
- iv. Levels of door supervision. Please see above in Crime and Disorder. When assessing the numbers of door staff, you should consider their safety and employ them in sufficient numbers to ensure that they are able to deal with all emergencies and evacuations, not just in their crime and disorder role.
- v. Measures to prevent the supply and use of illegal drugs. Please see the General and Crime and Disorder headings.
  - i. ~~Free availability of clean drinking water. It is recognised that some persons either in possession of or under the influence of drugs will gain entry to premises despite stringent search methods. Some drugs combined with dancing can cause overheating of the body and a craving for water.~~
  - ii. ~~Free availability of clean drinking water and its controlled consumption can help to alleviate the effects of the drug. Water available in sanitary accommodation should not be used for this purpose.~~
- vi. Physical safety features e.g. use of toughened glass and plastic containers. Please see above in Crime and Disorder;
- vii. Fire safety, training and evacuation procedures;
- viii. Provision of CCTV.

#### 4.53 The Prevention of Public Nuisance

Applicants will need to focus on the effect of the licensable activities on persons living and working in the area around the premises which may be disproportionate or unreasonable. Issues will mainly concern noise nuisance, light pollution, noxious smells and litter but should be relevant to the premises.

- i. The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship and the proximity of other sensitive areas such as schools, war memorials etc;
- ii. The hours of opening, particularly between 23.00 and 07.00;
- iii. The nature of the activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises;

- | iv. The design and layout of the premises and in particular the presence of noise limiting features;
- | v. The occupancy capacity of the premises;
- | vi. The availability of public transport;
- | vii. The availability of parking in residential areas;
- | viii. 'Wind down period' between the end of the licensable activities and the closure of the premises;
- | ix. The formulation of a dispersal policy;
- | x. Last admission time;
- | xi. The upkeep of the area immediately surrounding the premises such as litter collection.
- | xii. Installation of noise limiting equipment.

4.5.1 Closure of outside areas after a certain time is encouraged to be included in your operating schedule. It is advisable that no regulated entertainment is carried out in outside areas in the evenings without prior consultation with the Licensing Authority. Noise can also be contained by keeping windows and doors shut, by installing double-glazing or air conditioning and ventilation where appropriate, which should be maintained in good order. Using performers of regulated entertainment to remind customers to respect the premises' neighbours and leave quietly has proved successful.

4.5.2 A guide for the management of noise and other public nuisances is available on the Council's website  
<http://www.southkesteven.gov.uk/index.aspx?articleid=8505>  
It is recommended that you contact an officer from Environmental Health for further advice before submitting your application.

#### 4.6 Protection of Children from Harm

- 4.6.1 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting them from the harms associated directly with alcohol consumption, but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment).
- 4.6.2 The Licensing Authority is aware that alcohol misuse and abuse is one of the recurring key 'parental factors' in child protection, often contributing to parental neglect of children, domestic abuse and violence within families.
- 4.6.3. Alcohol is often a factor in child sexual exploitation, where young people may be encouraged or coerced to drink alcohol. Being under the influence of alcohol

impacts on the safety and health of young people. They become vulnerable and are at risk of becoming involved in activities they otherwise would not. Nationally, evidence has been found of the sexual exploitation of children taking place on licensed premises, or premises being used for the purposes of grooming and enticement. The Licensing Authority is especially mindful that it must always consider the need to protect children from sexual exploitation.

4.6.4 The Licensing Authority encourages licence holders and operators of licensed premises:

- To ensure that they are fully aware of the signs of child sexual exploitation and to understand the sexual exploitation of a child is sexual abuse and is a crime; and
- To raise the awareness of their staff about child sexual exploitation and provide intelligence to the appropriate authorities about concerns and about perpetrators who may be operating in their areas.

4.6.5 The Licensing Authority recognises the Lincolnshire Safeguarding Children's Board as being the competent authority to advise on matters relating to the protection of children from harm. Their details can be found in the Guidance to Applicants available at <http://www.southkesteven.gov.uk> or on request.

4.6.6 A statement should be made in the operating schedule regarding the child admission policy of the premises detailing any restrictions. Good management and staff training are essential in dealing with this objective.

4.6.7 Signage can be very important in the protection of children from harm. It is important that signage makes clear the restrictions on access to the premises or part of the premises by children. It is also important to have children supervised at all times in these types of premises.

4.6.8 It is expected to show in your operating schedule that if children are permitted on the premises that any areas where children are not allowed are demarcated, these may be bar areas, in areas with amusements with prizes or a strong element of gambling, suitable refreshments should also be available at all times when children are permitted. Make sure that children needing to use the toilets can get there without crossing areas within which they are not permitted.

4.6.9 When considering access by children, you may wish to consider the following:

- Limitations of the hours when children may be present;
- Limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
- Limitations on the parts of premises to which children might be given access;
- Age limitations (below 18);
- Requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult);

- Full exclusion of those people under 18 years of age from the premises when any licensable activities are taking place; and
- Presence of acceptable number of appropriate adult staff to ensure public safety and protection of children from harm.

4.6.10 It should be noted that it is an offence;

- i. to permit children under the age of 16 unaccompanied by an adult (that is a person aged 18 or over) to be present on premises open for the supply of alcohol for consumption there and being used exclusively or primarily for the supply of alcohol for consumption on those premises under the authorization of a premises licence, club premises certificate or temporary event notice;
- ii. to permit the presence of children under 16 who are not accompanied by an adult (that is a person aged 18 or over) between midnight and 5am to be on premises supplying alcohol for consumption on the premises under the authorization of any premises licence, club premises certificate or temporary event notice.

4.6.11 The offences may be committed by a premises licence holder, designated premises supervisor or any person who works at licensed premises, whether paid or unpaid, in a capacity which authorizes him or her to request an unaccompanied child under 16 to leave the premises.

4.6.12 It may also be committed by any member or officer of a club, which holds a club premises certificate, who is present on the premises in a capacity which enables him to make such a request or a premises user in relation to premises being used under the authorization of a temporary event notice.

## 5. Licensing Hours

- 5.1 The Licensing Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets, when large numbers of people leave licensed premises at the same time.
- 5.2 Longer licensing hours permitting the supply of alcohol may therefore be considered as an important factor in reducing friction at late night food outlets, taxi ranks and other sources of transport.
- 5.3 There is no presumption in the Licensing Act 2003 for longer hours to be granted over objections from local people and organisations. Where there are objections, and the Licensing Committee believes that changing the hours would undermine the licensing objectives, the Committee can reject the application or grant it with appropriate conditions or hours.
- 5.4 As far as the Licensing Authority's overall approach to licensing hours is concerned, it is not intended that any form of zoning will be introduced. Experience in other areas shows that this can lead to the significant movement of people across boundaries, in search of premises opening later, puts greater

pressure on town centres than is necessary and can lead to increased disorder and nuisance.

- 5.5 Shops, stores and supermarkets should generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes. However, in the case of individual shops that are known to be a focus of disorder and disturbance, then subject to receiving valid, relevant representations, a limitation on licensing hours may be appropriate.
- 5.6 Where off sales are permitted and late night takeaways exist, operators should recognise their responsibility to ensure that litter discarded in the area of their premises is cleared away regularly.
- 5.7 In largely residential areas the Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When issuing a licence, stricter conditions with regard to noise control and/or limitations to opening hours may be imposed in the case of premises which are situated in the area.
- 5.8 South Kesteven District Council's Licensing Team will always seek to provide informal advice and mediate between all parties involved in the application process, and strive to reach a mutually acceptable agreement. However, the team is subject to legislative restrictions and it may be that the matter will be put before the Licensing Committee.

## **6. Children and Licensed Premises**

- 6.1 The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Except as prohibited by law, access by children to all types of premises will not be limited in any way unless it is considered necessary to do so to protect them from harm.
- 6.2 When deciding whether or not to limit access to children, the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern in respect of children, would include premises where:
  - entertainment or services of an adult or sexual nature are commonly provided;
  - there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking;
  - there is a known association with drug taking or dealings;
  - there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines);
  - the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premise.
- 6.3 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit, in line

with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Licensing Authority itself.

- 6.4 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an acceptable number of appropriate adult staff to ensure public safety and their protection from harm.
- 6.5 The onus will be on the premise licence holder to ensure that members of staff are suitable to carry out the supervision of children, which may include a criminal record check from the Disclosure and Barring Service.
- 6.6 The options available for limiting access by children would include:–
  - limitations on the hours when children may be present;
  - limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
  - limitations on the parts of premises to which children might be given access;
  - age limitations (below 18 years of age);
  - requirements for accompanying adults
  - full exclusion of those people under 18 years of age from the premises when any licensable activities are taking place.
- 6.7 The Licensing Authority will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.
- 6.8 The body responsible for the interests of children is the Lincolnshire Safeguarding Children Board, who are contactable through Lincolnshire County Council.
- 6.9 The sale of alcohol to children and young people under the relevant age is a criminal offence, often resulting in harm to the child or young person concerned, along with disturbance and nuisance to local residents and businesses. Applicants are required to detail adequate control measures in their operating schedules to prevent under age sales to children and young persons.
- 6.10 The Licensing Authority recognises that Lincolnshire County Council Trading Standards, as part of their responsibilities and duties under legislation controlling the sale of age restricted products including alcohol, provides advice and guidance on the controls and systems that may be adopted to help prevent such sales. The Licensing Authority also recognises that, in liaison with the Police, Trading Standards conduct covert test purchasing exercises to check compliance with the legislation.

## 7. Cumulative Impact

7.1 The cumulative impact of licensed premises has been described within the Guidance since the commencement of the Act. Cumulative Impact Assessments (CIA) were introduced at Section 5A of the Act by the Police and Crime Act 2017, with effect from 6 April 2018.

7.2 Cumulative impact is the potential impact on the promotion of the licensing objectives in areas where there the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional and serious problems of nuisance and disorder may arise outside or some distance from those premises.

7.3 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Licensing Authority can take into account but must be evidence based. This should not however, be confused with 'need' which relates more to the commercial demand for a particular type of premises, e.g. a pub, off-licence, restaurant or hotel. The issue of need is therefore a matter for planning consideration or the market to decide and does not form part of this Licensing Policy Statement.

7.4 The Licensing Authority may receive representations from either a responsible Authority or other person, (both defined by the Act), that the cumulative impact of new licences is leading to an area becoming saturated with premises of a certain type, making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves. In such cases the issue of cumulative impact can be taken into account when considering the individual merits of any application.

7.3 The Licensing Authority will not operate a quota of any kind, which would predetermine any application, nor will it seek to impose general limitations on trading hours in particular areas. Instead, regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres and other clubs all sell alcohol, serve food and provide entertainment, but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

7.5 The Authority encourages the development of a variety of premises providing a range of licensable activities. The decision to include a special policy relating to cumulative impact with this policy will be evidentially based. The steps to be followed in considering whether to include such a special policy are:- Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on to includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;
- statistics on local anti-social behaviour offences;
- health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- environmental health complaints, particularly in relation to litter and noise;
- complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;
- residents' questionnaires
- evidence from local Councillors; and
- evidence obtained through local consultation.

• ~~identification of concern about crime and disorder or public nuisance~~  
 • ~~consideration of whether it can be demonstrated that crime, disorder and nuisance are arising and are caused by the customers of licensed premises and, if so, identifying the area from which problems are arising and the boundaries of that area, or that the risk factors are such that the area is reaching a point when a cumulative impact is imminent.~~  
 • ~~consultation with those specified by section 5 (3) of the 2003 Act as part of the general consultation required in respect of the whole statement of licensing policy.~~

7.6 If, subject to that consultation South Kesteven District Council decide to adopt a cumulative impact policy, they will adopt a policy and add it to this Statement of Licensing Policy.

7.7 Any cumulative impact policy is not absolute and the circumstances of each application will be considered properly.

7.8 Rather than adopt a special policy there are a number of other mechanisms for addressing issues of unruly behaviour which occur away from licensed premises, these include:

- planning controls;
- positive measures to create a safe and clean town centre environment, in partnership with local businesses, transport operators and other departments of the Local Authority;
- Public Spaces Protection Orders
- the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols;
- powers of Local Authorities to designate parts of the Local Authority area as places where alcohol may not be consumed publicly;
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- the confiscation of alcohol from adults and children in designated areas;

- Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance; and
- The power of the Police, other responsible Authorities or a local resident or business to seek a review of the licence or certificate in question.

7.9 These may be supplemented by other local initiatives that similarly address these problems.

7.10 The Licensing Authority may address a number of these issues through the ~~Local Community Safety Partnership~~ Safer Lincolnshire Partnership and County Licensing Group, in line with the strategic objectives for crime and disorder reduction within the district.

## 8. Nudity and striptease

8.1 The Authority recognises that Parliament has made it lawful to operate establishments providing adult entertainment, such as striptease and, that such businesses are a legitimate part of the retail and leisure industries. It is our role as a Licensing Authority to administer the licensing regime in accordance with the law.

8.2 This Authority has adopted the provisions of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 27 of the Policing and Crime Act 2009) so that it can licence sexual entertainment venues in the district. The Authority's policy and procedures in relation to the licensing of sexual entertainment venues can be viewed on the Authority's website.

8.3 The Authority recognises that some premises providing sexual entertainment may not be providing the entertainment at a frequency which requires the premises to be licensed as a sexual entertainment venue under the LGMP Act (no more than 11 occasions in any 12 month period, with none of those occasions lasting longer than 24 hours or taking place within a month of any other such occasion).

8.4 Where such premises are providing (or intending to provide) striptease or any other kind of nudity (for example pole or lap dancing or topless waitresses), the Authority will expect applicants to demonstrate in their operating schedule that considerable thought has been given as to how they intend to promote the licensing objectives.

8.5 In order to promote the licensing objectives, subject to receiving relevant representations, where the Licensing Authority grants premises licences that include striptease or any other kind of nudity, it will generally impose conditions relating to the following issues:-

- the location within the premises where the activity takes place;
- the absence of advertising the activities outside the premises;

- the measures taken to ensure no person under 18 years of age enters the premises
- the measures taken to ensure that the activities inside the premises cannot be seen from outside the premises
- the position of the performers dressing rooms in relation to the area in which they perform
- physical contact between performers and customers

8.6 Where premises licence applications include striptease or any other kind of nudity, the Licensing Authority will have particular regard to the location of the premises in relation to places of religious worship, schools, youth clubs or other premises where significant numbers of children are likely to attend.

**9. Conditions of Licence**

9.1 The Licensing Authority does not propose to implement standard licensing conditions across the board. It may draw upon the model pool of conditions issued by the Home Office or other such bodies and attach conditions as appropriate given the circumstances of each individual case.

9.2 The Licensing Authority is aware of the need to avoid measures which deters live music and theatre by imposing direct costs of a substantial nature and the Licensing Authority will take account of this.

9.3 Conditions not listed in the pool of model conditions may be specifically tailored by the Licensing Authority and attached to licences as appropriate.

**10. Reducing the Harm caused by Alcohol**

10.1 ~~In reviewing this policy, the Authority has had regard to the Government's Alcohol Strategy document published in March 2012 and~~ The Authority is aware of the link between the supply of excessively discounted liquor, irresponsible drinks promotions and incidents of alcohol related disorder as well as the impact excessive or binge drinking can have on public health.

10.2 The Authority will work in partnership with other responsible authorities and use the powers contained within the Licensing Act and any other powers available to them to ensure promotional activities etc do not undermine the licensing objectives or have a damaging effect on the health of its residents.

10.3 ~~Applicants should consider guidance documents on the responsible promotion of alcohol and on binge drinking, such as the British Beer and Pub Association's document Point of Sales Promotion Standards for the Management of Responsible Drinks Promotions including "Happy Hours" when completing their operating schedules.~~

**10.3 Applicants should be aware of the specific mandatory licence conditions, attached to all license authorising the sale or supply of alcohol for consumption on the premises, which effectively;**

- Ban irresponsible promotions;**
- Ban the dispensing of alcohol directly into the mouth; and**
- Ensure that customers have access to free drinking water if they ask for it**

**10.4** On receipt of relevant representations from a Responsible Authority or other persons, which demonstrates a clear link between sales or promotions and levels of crime and disorder or public nuisance on or in the area of the premises, the Licensing Authority will seriously consider the status of the premises licence.

## **11. Late Night Levy (LNL)**

**11.1** The Late Night Levy allows Licensing Authorities to raise a contribution from late opening alcohol retailers towards the policing costs generated by the late night economy. The levy will apply to all premises (on and off trade), throughout the Licensing Authority's area, which are authorised to sell or supply alcohol in the time period set by the Licensing Authority. This can be any time between midnight and 0600 hrs. A consultation process is required before introducing a LNL. The consultation process will include the Police, licence holders and others.

**11.2** Consultation was carried out with representatives of the Police for South Kesteven during 2013, it was agreed that there was no evidence that a late night levy would be necessary or beneficial for the district at that time.

**11.3** The Authority will, however, consider the introduction of a Late Night Levy at any time if circumstances change and evidence supports this course of action.

## **12. Early Morning Restriction Orders (EMRO'S)**

**12.1** EMRO's can be introduced by the Licensing Authority for any part of the District where it is considered that restricting the sale of alcohol between midnight and 0600 hrs is appropriate to promote the four licensing objectives in the Licensing Act 2003. It can apply either every day or for certain days and for an unlimited or time-limited period.

**12.2** Prior to introducing an EMRO, the Authority must consult directly with Responsible Authorities and licensed premises and more widely with residents and other parties likely to be affected. Any representations must be made within a 28-day period and be considered by the Licensing Committee; the EMRO itself must be endorsed by Full Council. Once introduced, the EMRO will make it an offence to sell alcohol during the times specified in the order, whether under a premises licence, club premises certificate or TEN (subject to certain specified exemptions).

12.3 It is the Authority's intention to support businesses whilst ensuring promotion of the licensing objectives. EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises. The introduction of an EMRO may have far-reaching, wider impacts on the socio-economic circumstances in an area and should be reasonable, justified and proportionate.

12.4 At the time of reviewing this policy statement a need to implement an EMRO has not been identified. The Authority will consider the introduction of an EMRO at any time if circumstances change and evidence supports this course of action.

### **13. Minor Variations to Premise Licences**

13.1 Officers acting under delegated powers will determine applications for the minor variation of a premise licence. Applicants are advised to contact the Licensing Team BEFORE submitting a minor variation in order to ascertain whether the proposed change does in fact qualify as a minor variation. Officers will reject any application that does not qualify as a minor variation.

13.2 It is the Authority's practice that any request to remove redundant conditions will result in the application being sent to specific responsible authorities.

### **14. Temporary Event Notice**

14.1 The system of permitted temporary activities is intended to be a light touch process and as such the carrying on of licensable activities does not have to be authorised by the Licensing Authority on an application. Instead, a person wishing to hold an event at which such activities are carried on gives notice to the Licensing Authority of the event (a "Temporary Event Notice" or TEN).

14.2 There are two types of TENs; a Standard TEN and a Late TEN. These have different notice periods. A Standard TEN is given to the Licensing Authority, Police and Environmental Health no later than 10 clear working days before the event to which it relates; a Late TEN is given not before 9 and no later than 5 clear working days before the event. Where the required notice period has not been given it will be returned as void and the activities to which it relates will not be authorised. The notification fee will not be returned.

14.3 Applicants for a Temporary Event Notice are required to submit their notifications to the Licensing Authority and Police and Environmental Protection, at least 10 working days before the event is due to take place, not including the day of application or the day of the event. There is nothing to prevent simultaneous notification of multiple events at a single time so long as the first event is at least ten days away.

14.3 Temporary Event organisers are encouraged to submit their notifications to the Licensing Authority, Police and Environmental Health as soon as is reasonably practical in order for them to consider whether or not there are any concerns and where there are concerns, to enable all parties to take the necessary steps to resolve them.

14.4 The Licensing Authority recommends that at least 20 working days and no more than 40 working days notification be given.

**14.5 TENs are subject to various limitations:**

- Working days do not include bank holidays, Saturday or Sunday, the day of the event or the day the notice is given
- Anyone aged 18 or over can give a maximum of 5 Standard or 2 Late TENs per calendar year
- Personal Licence holders can give a maximum of 50 Standard or 10 Late TENs per calendar year
- Late TENs count towards the total permitted number of TENs a person is permitted to give per year
- The maximum number of persons must not exceed 499
- The maximum number of hours must not exceed 168
- No more than 15 TENS can be given in respect of any particular premises in any calendar year
- Any particular premises can have a maximum aggregate duration of 21 days in any calendar year
- There must be a minimum of 24 hours between events at the same premises

**14.6 The Act prescribes that the Police or Environmental Health may, within the prescribed period, issue an objection notice where they believe the event would undermine one or more of the licensing objectives set out in the Act. In the case of a Standard TEN the objection will be considered by the Licensing Committee. If an objection is raised in relation to a late TEN then the TEN will not be valid and event will not be authorised as there is no scope for a hearing.**

**15. Large scale music and other similar events**

15.1 The Licensing Authority strongly recommends that event organisers contact the Responsible Authorities in advance of drafting/submitting a licence application for a large scale event. The Responsible Authorities are normally in a position to offer expert and specific advice on the promotion of the four licensing objectives and have practical experience of dealing with such events.

15.2 The Licensing Authority will expect organisers of large scale events to work in partnership with the Lincolnshire Event Safety Advisory Group (LESAG) Lincolnshire Event Safety Partnership (LESP). The LESP LESAG is an advisory group dealing with public events in the South Kesteven district and members comprise of officers from all emergency services, Lincolnshire

Emergency Planning, Lincolnshire Highways as well as representatives for the Council's regulatory services.

15.3 The role of LESAG LESP is purely advisory and it has no enforcement powers. Should incidents occur during an event, the individual agencies on LESP have enforcement powers which would come into effect.

## **16. Review of Premise Licence**

16.1 The Licensing Authority will consider the full range of powers available to it when a review of a premise licence becomes necessary. The power to review premise licences represents a crucial protection for the community, especially with regards to the promotion of the four licensing objectives. Reviews of licences may be triggered at any stage by Responsible Authorities or interested parties because of a matter arising at the licensed premises relating to one of the four licensing objectives.

16.2 It is the Authority's belief that the promotion of the licensing objectives is best achieved in an atmosphere of mutual co-operation between all stakeholders. Reviews should therefore be mainly reserved for circumstances where early warnings of concerns and the need for improvement have gone unheeded by the management of the licensed premises. Additionally, any application to review a premises licence must not be repetitious.

16.3 This Authority emphasises the importance of all parties working in partnership to achieve the promotion of the licensing objectives; the Authority expects that Responsible Authorities will aim to give licensees early warning of any concerns identified at the premises.

16.4 It is the Authority's role to administer the process and determine its outcome at a hearing where an evidential basis for the allegations made will need to be submitted.

## **17. Suspension of Premise Licence – Non payment of annual fee**

17.1 The 2003 Act requires a Licensing Authority to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due. However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee before or at the time of the due date. In either of these cases, there is a grace period of 21 days. This period is intended to allow the Licensing Authority and the licence or certificate holder an opportunity to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence will be suspended.

17.2 It is this Authority's intention that five working days notice will be given before the suspension takes effect.

17.3 A premise licence or certificate that has been suspended does not have effect to authorise licensable activities. However, it can be subject to a hearing or, in the case of a premises licence, an application for transfer. The licence will nevertheless only be reinstated when the outstanding fee has been paid. Formally, the debt is owed by the holder who held the licence at the time it was suspended.

## **18. Enforcement**

18.1 The Licensing Authority has established protocols with the Police and other enforcing Authorities. These protocols will provide for the targeting of agreed problem and high-risk premises, whilst applying a lighter touch to low-risk premises.

18.2 Action will only be taken in accordance with the Licensing Authority's own enforcement policy, which reflects the agreed principles that are consistent with the Regulator's ~~Compliance~~—Code. To this end, the key principles of accountability, consistency, transparency and proportionality will be maintained and enforcement action will only be taken if it is in the public interest.

18.3 The Licensing Authority will ensure that all types of licensed premises and their operators receive the appropriate level of attention, but on a risk based assessment basis. For example, high-risk town centre late night outlets of all types, including takeaway type food outlets, will be inspected more frequently than premises operating on more restricted hours that are unlikely to require the same level of inspection.

18.4 The Licensing Authority will always make available information and guidance to any interested party considering a review of a premise licence under the Act. It will often be appropriate for the Authority to give advice to licensees that would prevent the need for undertaking a review.

18.5 Results of enforcement or investigation will be made available to responsible Authorities who may wish to include this evidence in a review of a premises licence or club premises certificate.

18.6 Enforcement action will be considered against a personal licence holder where there has been a failure to comply with the requirements of the Licensing Act 2003.

## **19. Policy Review**

19.1 The policy statement will remain in existence for a period of five years and will be subject to review and further consultation before 6 January 20~~26~~21, but may be reviewed at any point during that five year period.

## **20. Advice and Guidance**

20.1 Further information and advice on the Licensing process can be obtained by contacting South Kesteven District Council Licensing team by telephoning (01476) 406080, by e-mail at [licensing@southkesteven.gov.uk](mailto:licensing@southkesteven.gov.uk) or by visiting the Business and Licensing area of the Council's website [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

## Appendix 1

### Delegation of Functions

The 2003 Act provides that functions of a Licensing Authority (including its determinations) are to be carried out by its Licensing committee (except those relating to the making of its Statement of Licensing Policy). These functions may be delegated to Sub-committees or in appropriate cases to Officers of the Licensing Authority. It is recognised that many of the decisions and functions will be purely administrative in nature and in the interests of speed, efficiency and cost effectiveness have been delegated to Officers.

The delegation of functions in relation to licensing matters are as follows:

Matter to be dealt with	Alcohol, Entertainment and Late Night Refreshment Licensing Committee or its Sub-Committee	Officers
Application for personal licence	If a Police objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representations made
Application for provisional statement	If a relevant representation made	If no relevant representations made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representations made
Application to vary designated premises supervisor	If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Disapplication of a designated premises supervisor	If a Police objection	If no relevant representation made and the premises meet the required standard.
Application for transfer of premises licence	If a Police objection	All other cases
Applications for Interim Authorities	If a Police objection	All other cases

Matter to be dealt with	Alcohol, Entertainment and Late Night Refreshment Licensing Committee or its Sub-Committee	Officers
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when the Licensing Authority is a consultee and not the relevant Authority considering the application	All cases	
Determination of a Police objection to a Temporary Event notice	All cases	
Acknowledgement of a Temporary Event Notice		All Cases
Determination of an application for the minor variation of a premise licence		All Cases

\*The sub-committee of the Alcohol, Entertainment and Late Night Refreshment Licensing Committee shall normally comprise of three Members of that Committee.

Document enhancement for the visually impaired available on request – tel. (01476) 406300 406080 or e-mail [frontdesk@southkeseteven.gov.uk](mailto:frontdesk@southkeseteven.gov.uk)  
[customerservices@southkeseteven.gov.uk](mailto:customerservices@southkeseteven.gov.uk)

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## SOUTH KESTEVEN DISTRICT COUNCIL

### Equality Impact (Initial Analysis)

### Statement of Licensing Policy

<b>Service Area:</b> Licensing	<b>Lead officer:</b> Anne-Marie Coulthard <b>Assessors:</b> Anne-Marie Coulthard <b>Neutral Assessor:</b> Carol Drury	<b>Date of Meeting</b> 08/09/20
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## 1. Name and description of policy/service/function/strategy

Section 5 of the Licensing Act 2003 requires Licensing Authorities to prepare and publish a statement of its licensing policy at least every five years. The current statement is under review for the period 2021-2026.

The Statement sets out the Authority's approach to making licensing decisions in respect of the sale of alcohol, regulated entertainment and late night refreshment.

All applications will be dealt with on a case by case basis, any decision should aim to promote the licensing objectives which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

**Is this a new or existing policy?** **Existing**

## 2. Complete the table below, considering whether the proposed policy/service/function/strategy could have any potential positive, or negative impacts on groups from any of the protected characteristics (or diversity strands) listed, using demographic data, user surveys, local consultations evaluation forms, comments and complaints etc.

Equality Group	Does this policy/service/function/strategy have a positive or negative impact on any of the equality groups?  Please state which for each group	Please describe why the impact is positive or negative. If you consider this policy etc is not relevant to a specific characteristic please explain why
Age	Positive	One of the licensing objectives is the protection of children from harm. Applicants are required to detail adequate control measures in their operating schedules to prevent harm to children: for example, underage sales. A range of conditions can be applied as appropriate to promote this objective which may limit access to premises by children if it is considered necessary.

<b>Disability</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Disability therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Race</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Race therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Gender Reassignment</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Gender reassignment therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Religion or Belief</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Religion or Belief therefore is not a relevant

		protected characteristic in relation to the implementation of a revised policy.
<b>Sex</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Sex therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Sexual Orientation</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Sexual Orientation therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Pregnancy and Maternity</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the requirements of the licensing objectives. Pregnancy and Maternity therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Marriage and Civil Partnership</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. The policy is applied under the

		requirements of the licensing objectives. Marriage and Civil Partnership therefore is not a relevant protected characteristic in relation to the implementation of a revised policy.
<b>Carers</b>	Neutral	The application of the policy statement will be carried out in an equitable manner with all applications considered on their individual merits and on a case by case basis. Whilst those with caring responsibilities are not identified by means of a specific protected characteristic they are protected under many of the characteristics listed above. Therefore, as the policy is applied under the requirements of the licensing objectives, caring responsibilities would not be relevant in relation to the implementation of a revised policy.
<b>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</b>  *(IMD = Indices of multiple deprivation)		

<b>General comments</b>	The promotion of the licensing objectives will have a positive effect on communities, local residents and businesses. Each objective is of equal importance and the promotion of the objectives is paramount in regard to the determination of licences.
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**3. What equality data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)**

Public consultation is required as part of the review of the policy statement. Any information obtained as a result of this consultation which may indicate that there may be a negative impact on an equality group will lead to further consideration.

**If there are any gaps in the consultation/monitoring data, how will this be addressed?**

See above

**4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please check one of the options.**

a)	No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken	<input checked="" type="checkbox"/>
<b><i>If you have checked option a) you can now send this form to the Lead Officer and your Neutral Assessor for sign off</i></b>		
b)	Adjust the proposal to remove barriers identified by equality analysis or to better promote equality.	<input type="checkbox"/>
<b><i>If you have checked option b) you will need to answer questions b.1 and b.2</i></b>		
c)	Adverse impact but continue	<input type="checkbox"/>
<b><i>If you have checked option c) you will need to answer questions c.1</i></b>		

d	Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful	<input type="checkbox"/>
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**b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?**

**b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.**

***If you have checked option b) you will need to complete a Stage 2 equality analysis***

**c.1 Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy.**

***If you have checked option c) you will need to complete a Stage 2 equality analysis. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.***

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**Signed (Lead Officer):** **AM Coulthard**  
 (Name and title) *Anne-Marie Coulthard, Head of Environmental*

**Date completed:** **08/09/20**

**Signed (Neutral Assessor):** **Carol Drury**  
 (Name and title) *Community Engagement and Policy Development Officer*

**Date signed off:** **14/09/20**

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## Cabinet

1 December 2020

**Report of:** Councillor Dr Peter Moseley

Cabinet Member for Commercial  
and Operations

## Food Waste

To provide an update on the food waste recycling service operating in part of South Kesteven and outline proposals for the future.

### Report Author

Ian Yates, Assistant Director, Commercial and Operational

Tel: 01476 406201

Email: [i.yates@southkesteven.gov.uk](mailto:i.yates@southkesteven.gov.uk)

Corporate Priority:	Decision type:	Wards:
Growth	Administrative	All Wards
Reviewed by:	Ken Lyon, Assistant Chief Executive	16 November 2020
Approved by:	Gary Smith, Strategic Director for Commercial and Operations	17 November 2020
Signed off by:	Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations	19 November 2020

### Recommendation (s) to the decision maker (s)

1. To continue the existing food waste collection service until at least March 2022, utilising the food waste financial reserve to fund and subject to the annual budget approval process.
2. To support in principle the ambition to expand food waste collections throughout the District, accepting that this will be dependent on future funding and/or the Government's proposals to make the service a statutory requirement.

## 1 The Background to the Report

1.1 South Kesteven District Council has been providing weekly food waste collections to 4,700 properties since June 2018. Initially it was a trial funded by Lincolnshire County Council (LCC) on behalf of the Lincolnshire Waste Partnership (LWP). The original aim was to identify how such a service would perform and be received by residents.

1.2 The results exceeded expectations. The food waste trial delivered:

- A step change in recycling performance, with recycling rates from participating households increasing by approximately 10%.
- Participation levels were much higher than anticipated, consistently 70-80+. This has been attributed to the standard of service provided, specifically the provision of caddy liners.
- Overwhelming customer support for the scheme. With 95.9% of residents who responded to our consultation agreeing with the trial, (see Appendix 1).

1.3 The food waste collection scheme supports DEFRA's ambitions to roll-out mandatory food waste collections nationally and aligns with their 'Our Waste, Our Resources: A Strategy for England' publication. This outlined a proposal for mandatory weekly separate food waste collections by 2023 from all residential properties.

1.4 On 12 May 2020 the Council received formal notification from LCC that, on behalf of the LWP, it was withdrawing support for food waste collection beyond the current year, which came to an end on 4 June 2020.

1.5 A decision was taken by the Leader on 29 May 2020 to continue to deliver the food waste collection service to the existing area to 31 March 2021. This fixed term extension provided time for this interim review to be completed. This also provided time to work with LCC to review the possible financial arrangements in relation to a treatment/disposal solution.

1.6 If this high achieving service was to cease, it is anticipated that there would be a high degree of negative customer feedback from those currently actively participating in the food waste collection area. It could also be counterproductive to stop a service that will need to be reintroduced if mandatory collections are implemented in 2023. The Council's recently approved Corporate Plan 2020-23 also included the key action to explore opportunities to build on the success of the food waste pilot and ensure the service is sustainable.

1.7 SKDC has the opportunity to continue with the successful food waste service through utilising the food waste reserve already set aside and agreed as part of the budget process. This allows time to gain further knowledge and experience to ensure SKDC can deliver the most cost-effective solution in its preparations for the government's aim of compulsory food waste collections.

## 2 Way forward

2.1 This paper sets out to identify the way forward, which enables the existing service to continue.

2.2 There are two cost components to delivering the food waste service.

1. Collection costs – normally funded by the District Council.
2. Disposal/treatment costs – normally funded by the County Council.

### Collection costs

2.3 In order to facilitate the collection of food waste from households there are two options available.

1. A separate food waste collection vehicle that requires a crew of 3 (driver and two loaders) and/or
2. A standard refuse collection vehicle (RCV) with a food waste collection “pod” built in. This requires one additional loader.

2.4 The current food waste collection service uses option 2, RCV with pod. The only additional costs incurred are for the loader and, as with either option, the food caddy liners.

2.5 Experience indicates that supplying caddy liners greatly assists in maintaining high participation levels. The financial costs of a food waste collection service are directly linked to the performance of the service specifically in respect of customer participation. The higher the level of participation the higher the level of recycling credits providing the maximum return on our fixed overheads. Any recycling credits will incentivise SKDC to ensure the levels of recycling are increased and maintained.

### **Disposal Costs**

2.6 Food waste is treated/processed at an anaerobic digestion plant. The current arrangement uses a plant located at Hemswell Cliff, north of Lincoln. This is currently the closest site offering the appropriate service. This operator has been treating the food waste from the start of the trial and are very keen to support the ongoing service.

### **Funding Arrangements**

#### **Recycling Credits**

2.7 Discussions with LCC have resulted in the principle of a ‘recycling credit’ being paid by LCC to SKDC for every tonne of food waste collected and recycled.

2.8 By diverting the food waste from the residual (black bin) waste stream, the disposal costs per tonne from the Energy From Waste plant are avoided. LCC has agreed to pay the equivalent disposal and related haulage costs per tonne as a recycling credit. The intention is to secure a formal ongoing written agreement with an appropriate notice period.

### **Commercial Food Waste Collection Service & Other Income Generating Services**

2.9 The learning and experience from the existing domestic food waste collection service and relationships forged as part of the commercial waste service could be used to roll-out a commercial food waste collection service. This commercial offer could generate funds contributing towards the overall corporate aims of the Authority which may (or may not) include a future expansion of domestic food waste collection, subject to the Council’s priorities and budget pressures at any point in time. Similarly, other income generating service growth provides SKDC with options.

### **Sponsorship/Grant Funding**

2.10 Opportunities to secure sponsorship arrangements supporting the service are being investigated. One example is in respect of the food caddy liners, potentially holding advertising linked to supermarket/food establishments or other innovative solutions.

2.11 Grant funding opportunities may also become available and will be sought utilising the successful connections made with the Department for Environment, Food and Rural Affairs (DEFRA).

## **SKDC Food Waste Reserve**

- 2.12 In order to continue with the existing trial, a reserve was established and approved for the year 2020/21 of £74,000.
- 2.13 The costs of the existing service with the collection and disposal costs and recycling credits taken into account give an operating cost of £36,546 per year.
- 2.14 This gives an option to run the existing service for a 2<sup>nd</sup> year (ending March 2022) without any further financial contributions.

## **Future Ambition**

- 2.15 In principle, linked to the ambitions in the recently approved Corporate Plan, there is an ambition to expand food waste collections throughout the District, accepting that this will be dependent on future funding and/or the Government's proposals to make the service a statutory requirement.
- 2.16 Any potential future expansion of the food waste service could be achieved on a phased basis utilising LCC's recycling credits and future SKDC budget allocations.
- 2.17 In order to expand the service in the most cost effective and efficient way in the future requires detailed round modelling and assessment of both pod and dedicated vehicle options. Round adjustments and options to include both collection methods (pod v dedicated vehicle) maybe required. Using innovation will be key to success. There are a number of key factors that influence the best collection methods, these included:
  - Capacity reductions on pod vehicles.
  - Location of waste transfer points/travel times.
  - Innovative food waste transfer solutions.
  - Efficiency of different collection methods in rural/urban locations.

This will require detailed work and due diligence to be undertaken to design the optimum future collection rounds with limited customer impact.

## **3 Consultation and Feedback Received, Including Overview and Scrutiny**

- 3.1 Positive feedback received as part of the customer survey, see Appendix 1.
- 3.2 An Environment Overview and Scrutiny update on food waste collection in South Kesteven was provided on 25 February 2020. The minutes of the meeting noted their recommendation:

“To recommend to Cabinet that the success of, and support for, the current Food Waste Trial is noted and that any effort to continue the trial and move towards a more permanent arrangement is endorsed”

## **4 Available Options Considered**

- 4.1 The options considered are:

- Continue using the waste reserve funding until March 2022 on the existing food waste collection service.
- Expand the service incrementally as funding becomes available from other waste income streams. This will be subject to Council priorities and the annual budget process.

- Stop the service. This is not considered appropriate as the authority has vehicles equipped with pod collection units, which can operate effectively for the next two years before needing to be replaced. There is the potential government requirements for a mandatory service and SKDC funding has already been earmarked.

## 5 Preferred Option

- 5.1 To continue using the Waste Reserve Fund on the existing service until March 2022.
- 5.2 During this time continue to assess how any future expansion of the service could be facilitated and funded.

## 6 Reasons for the Recommendation (s)

- 6.1 This supports the Corporate Plan and feeds into the Councils aim to ensure the food waste collection scheme becomes sustainable by using innovative approaches to waste management, maximising the commercial opportunities.
- 6.2 This proposal enhances our preparations for the collection of food waste which is expected to become mandatory in future years.

## 7 Next Steps – Communication and Implementation of the Decision

- 7.1 Complete the negotiations with both LCC and the anaerobic digestion plant provider, ensuring contracts/agreements are in place.
- 7.2 Commit to the ongoing work to assess the most effective and efficient way forward ready for any potential future expansion of the food waste collection service.
- 7.3 Seek budget approvals in line with recommendations.
- 7.4 Promotion of the continuation of the food waste collections in the current area will be carried out in liaison with our Communications Team.

## 8 Financial Implications

- 8.1 There is residual funding available from the money allocated and approved within the current budget framework. The residual funding has been set aside in a reserve (referred to at paragraph 2.13). Based on current operating costs the residual funding can fund the existing service up to March 2022. Thereafter any proposals to continue (and expansion of) the service will be considered as part of the budget formation proposals at the appropriate time within the context of the Council's financial position and the funding of other ambitions.

**Financial Implications reviewed by: Richard Wyles, Interim Director of Finance**

## 9 Legal and Governance Implications

- 9.1 Legislation to require local authorities to deliver separate food waste collection for domestic properties is not yet in place however the Department for Environment, Food & Rural Affairs (Defra) is planning to implement such legislation in or by 2023. The intention was introduced into Parliament in January 2020 through the Environment Bill 2019-21. It followed the Environment Bill 2019, which failed to proceed in December 2019.
- 9.2 Defra has published non statutory guidance for local authorities and other waste collectors in England concerning waste collection services during the COVID-19 pandemic. The guidance states collections of residual waste and food waste are high priority and should be

maintained to prevent waste from building up and to protect local amenities and public health.

**Legal Implications reviewed by: Darren Nicholls, Legal Officer, LGSS Law Ltd**

## **10 Equality and Safeguarding Implications**

10.1 Equality and safeguarding considerations have been considered in the preparation of this report and no significant issues have been identified.

## **11 Risk and Mitigation**

11.1 The main risks identified are LCC's recycling credit, this could be withdrawn with little notice, leaving SKDC with a significant financial shortfall. The key mitigation is in the appropriate partnership/contract agreement.

11.2 The anaerobic digestion provider withdraws support, either no longer accepting the waste for processing or significantly increases the gate fee. The key mitigation is in the appropriate contract agreement.

11.3 Food waste levels fall as public participation reduces. Sensitivity analysis will be incorporated in future planning – use of appropriate on-going communication messages and engagement as required.

## **12 Community Safety Implications**

12.1 None identified.

## **13 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

13.1 The food waste trial will encourage the recycling of food that would otherwise be disposed of in the residual waste black bins.

13.2 An agreement has been made to continue the recycling of the food waste at an anaerobic digestion plant.

13.3 The digestion plant has capacity to take more food waste if it is decided to expand the collection to other areas within the district.

13.4 Using collection pods, as opposed to dedicated vehicles uses vehicles on existing waste collection rounds, however they are heavier and more emptying journeys may be required once the food waste collection expands. This would only become an issue as the rounds are expanded but not in the short to medium term.

## **14 Other Implications (where significant)**

14.1 None identified.

## **15 Background Papers**

15.1 Report ENV674

<http://moderngov.southkesteven.gov.uk/documents/s19370/Cabinet%20Food%20wastev6F%20002.pdf>

15.2 Update to Environment and Overview Scrutiny committee February 2020

<http://moderngov.southkesteven.gov.uk/documents/s24978/Food%20Waste.pdf>

15.3 Food Waste Collection Service – Urgent Key Decision May 2020  
[http://moderngov.southkesteven.gov.uk/documents/s25727/Food\\_waste\\_v2.pdf](http://moderngov.southkesteven.gov.uk/documents/s25727/Food_waste_v2.pdf)

## 16 Appendices

16.1 Appendix 1 – Food waste trial feedback report

<b>Report Timeline:</b>	Date of Publication on Forward Plan (if required)	5 October 2020
	Previously Considered by: Environment Overview and Scrutiny Committee	25 February 2020
	Final Decision date	1 December 2020

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# FOOD WASTE TRIAL CONSULTATION

OCTOBER 2019



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

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## Purpose

1. The purpose of this report is to update members of South Kesteven District Council, Lincolnshire County Council and Lincolnshire Waste Partnership with the results of the food waste trial consultation.

## Scope

2. The scope of this consultation was restricted to householders who are on collection round 3<sup>1</sup> of South Kesteven District Council's household waste and recycling collection service. It included households who chose to take part in the trial, as well as those who chose not to.

## Objectives

3. The objectives of the consultation were identified as follows:
  - To inform all households on round 3 of the district council's waste and recycling collection round that the trial will continue for another year (until June 2020)
  - To communicate some of the outcomes of the scheme to date to those on the scheme – tonnes of food waste collected etc
  - To inform the evaluation of the scheme's effectiveness (alongside several other measures)
  - To find out why people chose to take part, what they liked about the scheme, what they didn't like and what improvements could be made
  - To identify what might make the scheme more attractive
  - To find out why people chose not to take part, what they didn't like about the scheme and what might encourage them to participate going forward

## Timescales

4. Preparatory work was undertaken during April and May 2019. The consultation was open for just under a month – from the beginning till the end of June 2019. Printed responses were then input during July, with results being made available for a presentation to the Department for the Environment, Fisheries and Rural Affairs (DEFRA) on 20<sup>th</sup> August 2019. These were also supplied to a meeting of the Environment Overview and Scrutiny Committee on 17 September 2019.

## Methodology

5. Several approaches were considered. These included:
  - visiting a small number of households on the trial to discuss the food waste trial face to face
  - contacting all households on the trial by letter and asking them to respond to a survey via a weblinkand the approach that was adopted which was

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<sup>1</sup> Round 3 was chosen as it has a mix of properties in both rural and urban locations and was thought to be representative of Lincolnshire

- Contacting all households on round 3 by letter. The letter included a weblink so that those who preferred to respond online were able to, but they were also able to complete a printed copy of the survey and return it using the pre-paid envelope provided if they wanted to.

## Details

6. To help Lincolnshire Waste Partnership evaluate the food waste trial, the consultation officer was asked to consult householders on round 3 about the food waste trial, during June 2019. Actions undertaken included:
  - Preparing, designing and setting up the on-line survey
  - Preparing, designing and setting up the printed version of the survey and the letter
  - Ensuring the database was accurate<sup>2</sup>
  - Commissioning Paragon<sup>3</sup> to contact, print and dispatch surveys to all households identified
  - Inputting and analysing feedback from 1,260 households
  - Preparing a report
7. The letter contained the following:
  - A thank you for participating
  - An undertaking that the trial will continue until June 2020
  - Statistics about the scheme – percentages of waste diverted from the waste stream etc
  - A weblink which directed households to the council's website so that they could respond online if they wanted to
  - A printed copy of the survey with a prepaid envelope so that households could respond by post if they preferred
8. The survey included the following sections:
  - An introduction. This included the purpose of the consultation, why we needed their help and how their feedback will be used to inform the evaluation that will take place
  - An overview of the trial to date. This included the percentage of households taking part, the amount of waste that has been diverted from landfill and the impact the scheme has had on the percentage of waste that is recycled.
  - A section identifying the approximate frequency of participation (enabling cross tabulation of the results for both participants and non-participants)
  - A section for those who took part in the scheme
  - A section for those who didn't participate in the scheme
  - A section asking for respondents' overall opinions
  - Demographic information
  - A section asking if respondents had any questions

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<sup>2</sup> Database excluded those who had contacted the council because they didn't want to take part and those who lived in flats with communal waste facilities

<sup>3</sup> Paragon Customer Communications -based in Peterborough. Printed and dispatched all survey materials for £2,870

- A thank you and closing date for the consultation

9. The letter, survey and prepaid envelope were dispatched to 4,159<sup>4</sup> households during the first week of June.

10. The consultation closed on 30<sup>th</sup> June 2019. 1,260 responses were received, a response rate of 30.3%. Most households (1,163 or 92.3%) completed the postal survey with 97 households (7.7%) choosing to complete the survey via a weblink as illustrated in the infographics below:



Just over  
**4,000 households**  
**(4,159)**  
 were contacted during the second  
 week of June 2019



**1,260 households**  
 responded – a response  
 rate of  
**30.3%**



**92.3% (1,163)**  
 of households chose to return  
 the printed version of the  
 survey



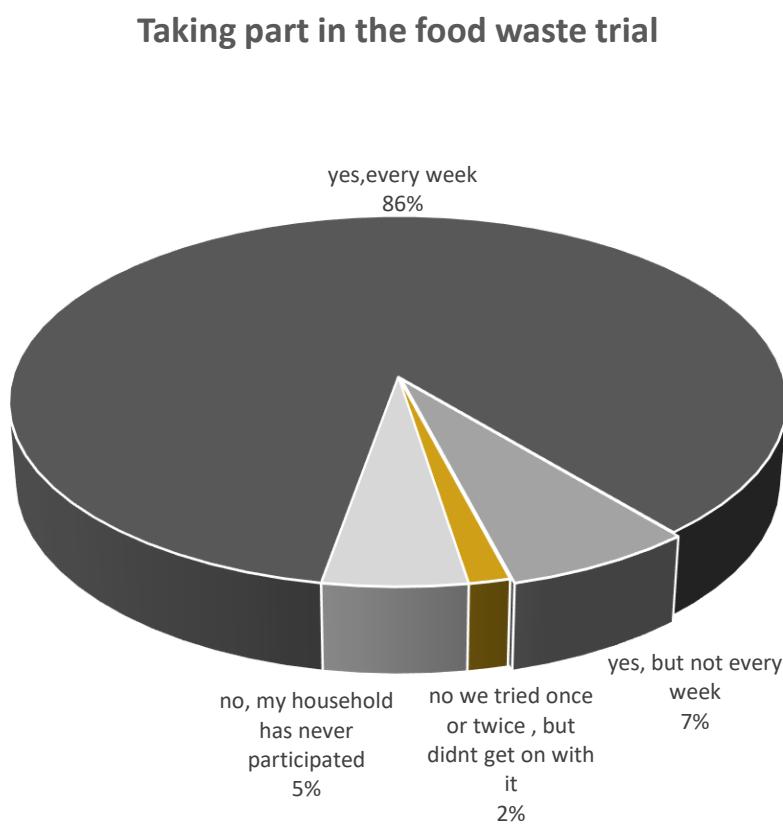
**7.7% (97)**  
 of households chose to  
 complete the survey online

<sup>4</sup> The total number of households on collection round 3 is 4,260. Excluding those who had contacted the council and stated that they didn't want to take part, households with communal waste facilities and duplicate addresses, the number of households contacted was 4,159.

## The results

### Section 1 - Participation

11. The first question on the survey asked respondents to state whether their household has been taking part in the food waste trial, or not and the extent of participation. Over 90% (93.2%) stated that they had taken part in the food trial either every week, or when necessary, as illustrated below:

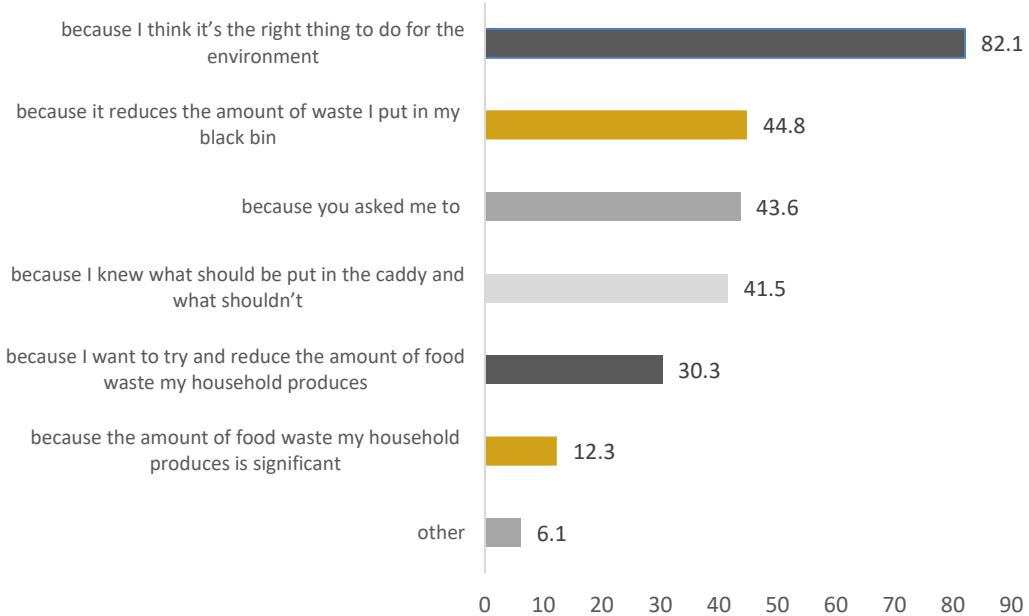


12. Those who answered that they had taken part were asked to complete section 2. Those who hadn't taken part were asked to go straight to section 3.

### Section 2 – Taking part

13. Respondents were then asked to identify why they had chosen to take part in the trial. They could choose as many reasons as they wanted. Doing the right thing for the environment was the most popular reason for taking part, as shown overleaf:

## percentage of respondents choosing reason for participation



14. An analysis of the responses under “other” revealed that other motivating factors were:

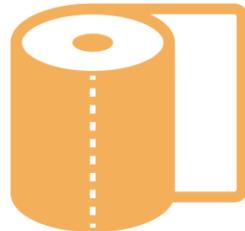
- The black bin doesn’t smell (chosen by 23 respondents)
- Because the trial is good for the environment (chosen by 10 respondents)
- Taking part in a similar scheme where they lived previously (chosen by 6 respondents)

A significant proportion of respondents are motivated by environmental concerns.

More than 8 out of 10 respondents (82.1%) chose to take part in the trial because they think it is the right thing to do for the environment. It is perhaps worth noting that this was the most popular choice, attracting more responses than the more practical considerations – because it reduces the amount of waste they put in their black bin and makes space for other non-recyclable waste, for example.

Just under a third of respondents (30.3%) chose to take part because they actively want to try and reduce the amount of food waste their household produces and think this scheme will help them to do this – thereby reducing the impact of the food waste their household generates, on the environment.

15. Respondents were then asked to identify what they liked about the scheme. There was strong support for all elements of the scheme with percentages ranging from 68.9% stating that they liked that enough liners have been provided, and that they can get more if needed, through to 91.7% of respondents stating that they liked that food waste is collected weekly. The results are illustrated in infographics below:



**76%**  
of respondents liked that  
liners had been provided



**68.9%**  
liked that enough liners have  
been provided, and that they  
can get more if needed



**77.2%**  
liked that there are  
separate caddies



**7 out of 10**  
respondents liked that the  
caddies were lockable (to  
prevent vermin)



Over  
**90%**  
of respondents liked that food  
waste is collected weekly

16. An analysis of responses under “other” revealed other things respondents liked about the scheme were:

- Food waste is being put to good use
- That they are doing their bit for the environment
- It is easy to take part
- That their black bin is cleaner

The positive feedback received on each of the various parameters of the scheme (liners that are provided free of charge, the ability to request more liners if they are needed, the provision of separate caddies for inside and outside peoples’ properties, lockable caddies and weekly collection) is both important and valuable.

It is important because it shows that there is strong support for each of the various parameters of the scheme. This may help to explain the high levels of participation.

It is valuable because it provides feedback from existing participants. This can be used to inform an extension of the trial, to other areas of the district.

17. When asked to identify what they don’t like about the trial, the top three comments were all related to the liners that have been supplied as part of the trial. These were:

- The quality and strength of the liners
- The size of the liners
- That they needed more liners and weren’t sure how to get them

18. Respondents were then asked to describe what steps could be taken to improve the scheme. The top three were:

- To improve the quality and strength of the liners supplied
- To increase the size of the liners
- To extend the trial and include more households in the scheme

The responses to questions 17 and 18 illustrate that there does appear to be an issue with the strength, size and overall quality of the liners that have been provided as part of the scheme. They have been the item most frequently mentioned by respondents as needing improvement, and the one thing they dislike most about the scheme. As such, it may be prudent to review the liners that are provided, prior to extending the scheme to other parts of the district.

19. When asked if they thought that taking part in the food waste trial had reduced the amount of food waste their household produces, around two thirds of respondents (65.9%) thought that it hadn't. Below are reasons given by respondents which are indicative. They included:

**“Because I just do the same as I have always done”**

**“Because our household has always tried hard not to waste food”**

**“Because I compost any surplus waste”**

Three out of ten respondents (28.6%) thought that the amount of food waste their household had gone down as a result of the trial. Reasons given by respondents included:

**“Because we have the bins, we are more aware of our food waste, and have changed our shopping habits. We buy less, more frequently and use it in good time”**

**“We try to use all leftovers”**

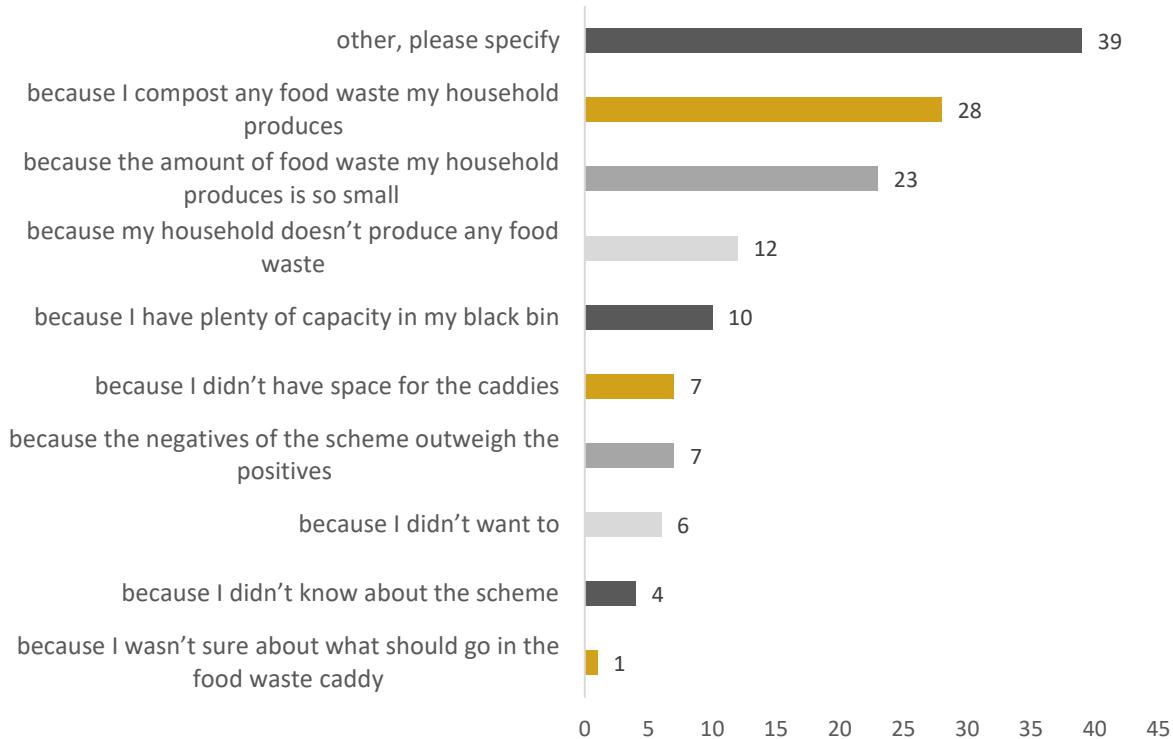
The responses to this question are interesting. Just under 30% (28.3%) of respondents reported that their behaviour had changed as a result of the trial, and that the amount of food waste they generated had gone down. This is interesting because it is almost the same as the proportion of respondents who have taken part in the trial because they want to try and reduce the amount of food waste their household generates (30.3%). Two thirds of respondents (65.9%) however, stated that the trial had not changed their behaviour and consequently had not had an impact on the amount of food waste generated by their household. This finding backs up the figures on the tonnage that has been collected (which have not shown a marked reduction).

### **Section 3 – Not taking part**

20. Question 8 asked householders to identify the reasons for not taking part. The graph overleaf shows the numbers of respondents who chose each of the options. The most popular choices were:

- Because they compost the food waste their household produces
- Because the amount of food waste their household produces is so small
- Because their household doesn't produce any food waste

## No of respondents choosing reason



Those choosing “other” did so because they were not included in the scheme (13), they were disabled (2), they had recently moved in (2) and various other reasons.

21. Respondents were then asked what would encourage them to take part in any future food waste recycling schemes. The most popular responses were:

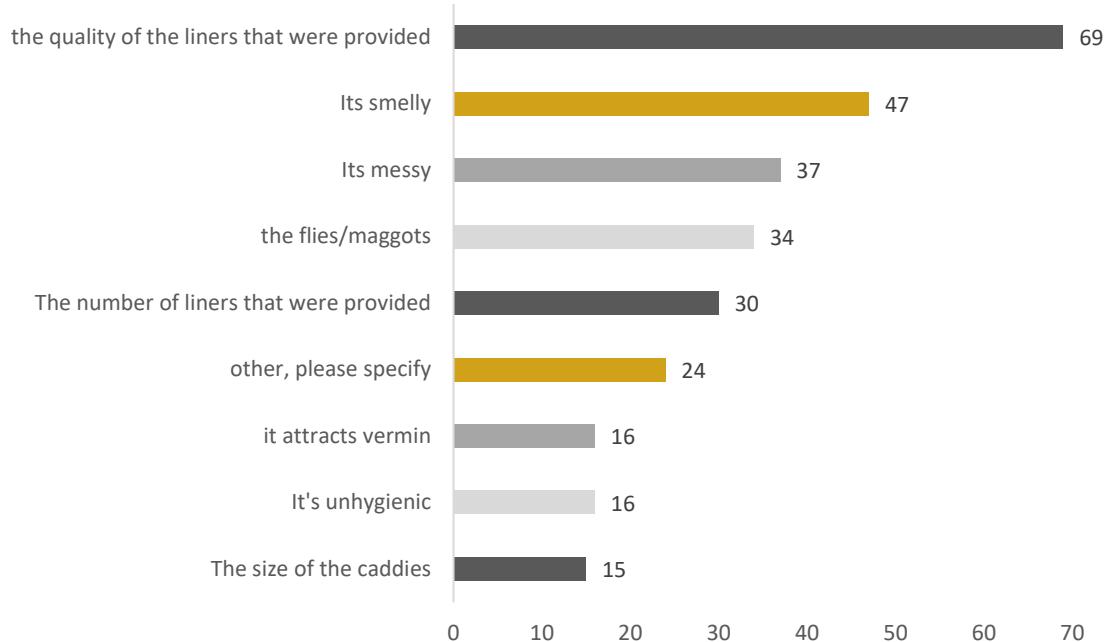
- I would take part if I had received the caddies
- I would take part if the quality of the liners was improved
- Nothing, as my household doesn't generate enough food waste

These responses illustrate that some would take part if the caddies were delivered to them so those supplying their details have been contacted by the refuse and recycling customer services operative and asked if they would like to join. There does also appear to be an issue with the strength and quality of the liners, which is preventing some from taking part in the scheme. This issue probably merits further consideration.

22. When asked to describe what they liked about the scheme, the small number of respondents answering this question liked the fact that it resulted in a reduction in the amount of waste they would put in their black bin, which in turn meant that the black bins were less smelly. They also liked the fact that the scheme would result in less waste being sent to landfill (which it isn't) and that waste is collected weekly.

23. Question 11 asked respondents to identify what they didn't like about the scheme. They could choose as many elements as they liked from the following and were also asked if there were any other reasons. The quality of the liners, along with the smelliness and messiness of the trial were the most popular reasons as shown below:

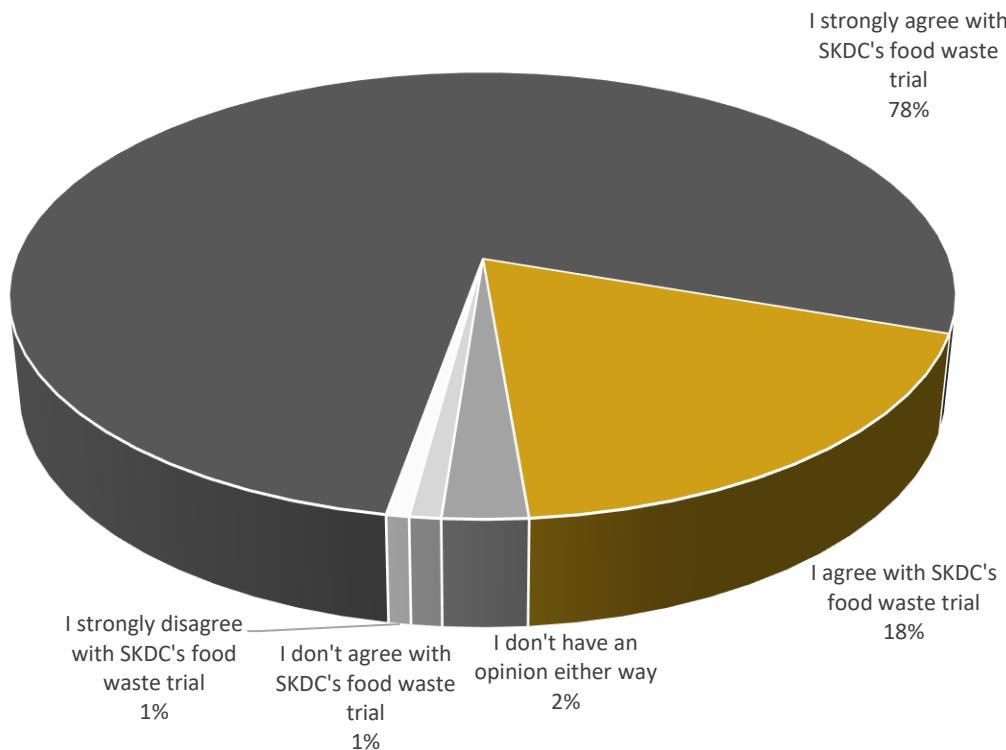
### What respondents didn't like about the scheme



### Section 4 – Your opinion overall

24. South Kesteven District Council, Lincolnshire County Council and the Lincolnshire Waste Partnership wanted to know the extent to which respondents agreed or disagreed with the trial, in principle. 96% of respondents supported the scheme, as illustrated overleaf:

## Overall opinion of food waste trial



This is an interesting result as it illustrates the overwhelming degree of support for the food waste trial, from those who chose to take part in the trial but also from those who didn't. The overwhelming majority of respondents (1,147 or 95.9%) agreed with the trial. A very small number of respondents (19 or 1.6%) didn't support the trial.

The main reason for citing this opinion is reflected in the word cloud overleaf. Respondents agree with the trial because they think it is the right thing to do for the environment, because it is easy to take part and because it diverts refuse away from landfill (which it doesn't as residual waste is sent to an incinerator).



## Section 5 - Demographics

25. To see if the households who participated in this trial are representative of the households in our area, respondents were asked to supply some demographic information.

## Gender

The table below shows the percentage of respondents choosing each option compared to the gender characteristics of the district. It shows that the proportion of female respondents is representative, but the proportion of male respondents is slightly lower than it should be.

Gender	Sample %	District %
Male	32.9	47.7
Female	67.1	52.3
Total	100.0	100.0

### Age Band

The table overleaf shows the percentage of respondents choosing each option compared to the age characteristics of the district. It shows that the sample is representative of those aged between 45 and 64, but the proportion of respondents under 35 is lower than it should be. It is important to

acknowledge that there will be other factors influencing this – the average age at which people move out of family homes, for example.

Age Band	Sample %	District %
18 to 24	0.1	7.7
25 to 34	3.9	12.9
35 to 44	9.4	14.4
45 to 54	17.4	19.0
<b>55 to 64</b>	<b>20.8</b>	<b>17.4</b>
<b>65 and over</b>	<b>48.4</b>	<b>28.6</b>
<b>Total</b>	<b>100.0</b>	<b>100</b>

### Disability

The table below illustrates that those with a disability are slightly under-represented in the sample, those without are not. This should be borne in mind - particularly prior to extending the scheme to other areas of the district.

Do you consider yourself to have a disability	Sample %	Nationwide %
Yes	10.4	21.0
No	89.6	79.0
Total	100.0	100.0

### Tenure

When asked to describe the property they live in, the majority of respondents lived in accommodation that was owned outright or with a mortgage or loan. The table below shows that in the sample, the proportion of households owned outright is slightly higher than the national average and the proportion of properties privately rented is lower.

Tenure	Sample %	Nationwide %
Owned outright	61.5	38.4
Owned with a mortgage or loan	25.6	32.8
Shared ownership	1.4	0.8
Social rented	5.2	9.8
Privately rented	6.0	14.7
Living rent free	0.3	0.1
Other, please specify	0	3.4
<b>Total</b>	<b>100.0</b>	<b>100</b>

## Section 6 – Anything else

### Conclusion

26. One of the main objectives of this consultation was to inform the evaluation of the scheme's effectiveness (alongside several other measures). By:

- establishing why people chose to take part, what they liked about the scheme, what they didn't like and what improvements could be made
- identifying what might make the scheme more attractive
- finding out why people chose not to take part, what they didn't like about the scheme and what might encourage them to participate going forward

the council can be confident that the views that have been collected will inform both the evaluation and any possible extension to the trial.

27. It illustrates the degree of support the scheme has had from the households on collection round 3 of the council's waste and recycling service – why they chose to take part and what they liked about the scheme. It provided feedback on the things people didn't like and what might encourage them to take part (if they weren't already).

A significant proportion of respondents are motivated by environmental concerns and there has been strong support for each of the various parameters of the scheme - including weekly collection and providing separate caddies for inside and outside peoples' properties. This is backed up by the responses to question 12 which asked respondents for their overall opinion on the food waste trial. The vast majority (1,147 or 95.9%) agreed with the trial. A very small number of respondents (19 or 1.6%) didn't support the trial.

28. There does however appear to be an issue with the strength and quality of the liners that have been supplied as part of the food waste trial. It was the top reason given for non-participation in the trial and improving the quality of liners was also one of the reasons cited by respondents when asked what would encourage them to take part in a food waste trial in the future. This issue should be considered prior to extending the scheme to other areas.

29. The demographic characteristics of the sample and how they compare to district or nationwide statistics should also be taken into consideration. The sample is representative in some areas but not in others. This needs to be borne in mind when evaluating the scheme.

30. The feedback gathered from this consultation should now be considered in detail, and alongside other outcomes, used to inform the future of SKDC's trial.

Prepared by Deb Wyles  
Communications and Consultation  
October 2019

23 no



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Cabinet

1 December 2020

**Report of:** Councillor Kelham Cooke

The Leader of the Council

## Key and Non-Key Decisions taken under delegated powers

This report provides an overview of decisions taken by individual Cabinet Members since the last meeting of the Cabinet on 3 November 2020.

### Report Author

Lucy Bonshor, Democratic Officer

**Tel:** 01476 406120

**Email:** l.bonshor@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Administrative	Administrative	All Wards
Reviewed by:	Julie Edwards, Elections Team Leader	16 November 2020
Approved by:	Karen Bradford, Chief Executive	23 November 2020
Signed off by:	Councillor Kelham Cooke, The Leader of the Council	23 November 2020

### Recommendation (s) to the decision maker (s)

1. It is recommended that the Cabinet notes the contents of this report.

1.1 Since the Cabinet last met on 3 November 2020, the following Key and Non-Key decisions have been taken under delegated authority:

**1.1.1 Property Maintenance Reserve Release of Funds**

Non-Key decision taken by the Leader of the Council on 28 October 2020

Date decision effective: 6 November 2020

Report and decision notice attached as Appendix 1

**1.1.2 Installation of Webcasting Equipment in the Council Chamber**

Non-Key decision taken by the Leader of the Council on 28 October 2020

Date decision effective: 6 November 2020

Report and decision notice attached as Appendix 2

**1.1.3 Procurement and award of contract for essential roofing repair works to Stamford Art Centre**

Non-Key decision taken by the Leader of the Council on 28 October 2020

Date decision effective: 6 November 2020

Report and decision notice attached as Appendix 3

1.2 Any decision made after the publication of the agenda will be reported at the next meeting of the Cabinet.



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Non-key Decision

Councillor Kelham Cooke

The Leader of the Council

## Property Maintenance Reserve - Release of Funds

To seek approval to release £80,000 from the property maintenance reserve in order to maintain existing general fund Council stock.

### Report Author

Chris Pike – Asset Manager

**Tel:** 01470 406080

**Email:** c.pike@southkesteven.gov.uk

Approved for publication:

Councillor Kelham Cooke, The Leader of the Council

20 October 2020

### Recommendation (s) to the decision maker (s)

**To approve the release of funds in the sum of £80,000 from the property maintenance reserve, to maintain existing general fund Council stock as follows:**

1. To instruct a building surveying firm to complete condition surveys on eight Council owned assets and to put in place a planned maintenance programme for future building maintenance and budgeting purposes.
2. To undertake a non-intrusive structural survey, lift condition survey and drainage clearance on the Welham Street Car Park, Grantham in advance of any capital works.
3. To undertake essential upgrades to the lighting provision to the roof of the Grantham Cinema Complex.
4. To undertake algae treatment to the Council stretch of Grantham Canal.
5. To undertake an environmental clean to the roof space of Stamford Arts Centre.
6. To redecorate Stamford Arts Centre ballroom.

## 1 The Purpose of the Report

To obtain authorisation for the release of £80,000 from the property maintenance reserve, which currently has a remaining total of £382,000. £500,000 was allocated at full Council on the 2 March 2020. The release will enable the Council to:

- 1.1 Instruct a building surveying firm to complete up to date condition surveys on eight General Fund Assets and to put in place a planned maintenance programme for future building maintenance and budgeting purposes. This cost is estimated at £31,000
  - (a) The General Fund Asset base does not have a dedicated system to plan maintenance works to Council buildings, and each year manually reviews condition surveys and identified works from inspection to plan for the financial year ahead. It is proposed to upload all condition surveys onto the Apex system currently used by the Housing Revenue Account. This will save officer time and enable the Council to better manage its stock. As part of the exercise we plan to instruct a building surveying firm to complete up to date condition surveys on eight key General Fund assets with a view of setting up a planned maintenance programme on Apex. This will give the Council better sight of the condition of their stock, and a high level pricing structure for the necessary works.
- 1.2 Undertake a non-intrusive structural survey, lift condition survey and drainage clearance on the Welham Street Car Park, Grantham in advance of any capital spend at the site. The cost is estimated at £20,000.
  - (a) Welham Street Car Park, which is a multi-storey car park in Grantham, is owned freehold by the Council.
  - (b) The Council has a capital programme of works to (1) resurface levels 5 and 6 and (2) replace the lifts. Water damage has caused the upper floors to deteriorate, which is believed to be linked to a fault with the drainage system and the system not being able to cope with the water capacity passing through. Before the Council commits spend to resurface the upper floors, it is proposed that a structural survey is undertaken to give the Council confidence that there are no unforeseeable issues before instructing the works. This includes clearing the drainage system. We foresee as part of a separate request, that there may have to be adaptations to the drainage system if this continues to cause a problem.
- 1.3 To undertake essential upgraded to the lighting provision to the roof of the Grantham Cinema Complex. The cost is estimated at £2,000.
  - (a) The Grantham Cinema premise, which was completed in July 2019 was built to shell condition. As a result, the lighting provision at roof level, which is required to access the plant room, needs to be upgraded/extended. There is currently restricted access to the roof after 5pm due to the health and safety concerns. The plant room is secured by an 8 ft fence and low level barrier. The lighting upgrades will help prevent any trips or falls.
- 1.4 To undertake algae treatment to the Grantham Canal as recommended by the Environment Agency. The cost is estimated at £9,000.
  - (a) The Council has freehold ownership of a stretch of Grantham Canal. Last year the treatment was carried out but requires a higher dosage of treatment this financial year. The canal requires this treatment to manage the weed bed and to support better water flow.
- 1.5 To undertake an environmental clean to the roof space of Stamford Arts Centre. The cost is estimated at £9,000.

(a) Pigeons have entered the roof space over recent years and although they have been appropriately removed, the roof space has been infested with droppings. The roof spaces will be cleared and cleaned by a reputable firm with the necessary experience in advance of the roof replacement and repair capital project starting in November 2020.

1.6 To instruct works to redecorate Stamford Arts Centres ballroom which is a popular wedding and hire venue. The costs are estimated at £9,000.

(a) Stamford Arts Centre ballroom was last painted 10 years ago. The ballroom is fit for purpose, however, is looking a bit tired and in need of redecoration. Whilst the building remains shut, it would be appropriate to undertake these works. Due to a number of wedding cancellations in 2020 due to Covid-19, we expect there to be an increase demand in 2021.

All costs above are based on quotations and have been appropriately procured in line with the Council's Procurement Procedures.

## **2 Available Options Considered**

2.1 Planned Maintenance Programme – The options available include:

- (a) Instructing a surveyor to undertake condition surveys to help maintain and budget for maintaining stock
- (b) Not carrying out a condition survey. This is not a recommended option as failure to maintain Council assets will only cause a build-up of reactive maintenance works in the future.

2.2 Welham Street Car Park –

- (a) Instructing a surveyor to undertake the structural survey, lift survey and drainage clearance before any capital spend.
- (b) Not carrying out the pre investigation works of the structure (including the lifts) and clearing the drains before the Capital works would mean that the Council would not be fully informed to enable it to confidently commit future Capital spend. It would be a poor use of Capital funds if these initial checks were not commissioned.

2.3 Grantham Cinema Complex –

- (a) To Instruct an electrician to upgrade the lighting and visibility and to reduce the risk of a trip or fall
- (b) Leave the lighting in its current condition and do not instruct an electrician to carry out the works. This will increase the chances of a claim being made against the Council and is not an option that should be considered.

2.4 Grantham Canal Algae Treatment

- (a) Undertake treatment and better controlling the algae, water quality and weeds to part of the Grantham Canal which falls within the Council's ownership.
- (b) Do not undertake these works which would cause long term issues to the canal and increase future spend.

2.5 Stamford Arts Centre – Roof Environmental Clean

- (a) Instruct an appropriately qualified firm to undertake an environmental clean of the roof space. This will support access requirements to the roof for contractors to undertake the roof repair and replacement works.

(b) To not undertake the cleaning works, which would mean contractors were unable to complete the full extent of the capital project repair and replacement works.

## 2.6 Stamford Arts Centre – Ballroom redecoration

(a) Instruct the works to paint the ballroom whilst the building remains closed to the public so that this main area is in a good condition for hiring/weddings when the venue reopens. The venue ballroom was last painted 10 years ago.

(b) Not undertaking the works could impact upon more prestige events such as wedding hirers using the space.

## 3 Preferred Option

3.1 Planned Maintenance Programme – Instructing a surveyor to carry out condition surveys to help maintain and budget for maintaining stock.

3.2 Welham Street Car Park – Instructing a surveyor to undertake the structural survey, lift survey and drainage clearance before any capital spend.

3.3 Grantham Cinema Complex – Instructing an electrician to upgrade the lighting and to reduce the risk of a trip or fall

3.4 Grantham Canal Algae Treatment - Undertaking the treatment and better controlling the algae, water quality and weeds.

3.5 Stamford Arts Centre – Roof Environmental Clean - Instructing an appropriately qualified firm to undertake an environmental clean of the roof space. This will support access requirements to the roof for contractors undertaking the roof repair and replacement works.

3.6 Stamford Arts Centre – Ballroom redecoration - Instructing the works to paint the ballroom whilst the building remains closed so that this main area of hire is in a good condition for hiring/weddings when the venue reopens.

3.7 To grant the full release of the £80,000 for the purposes set out in this report.

## 4 Reasons for the Recommendation (s)

4.1 It is recommended that authority is given to release funds of £80,000 from the property maintenance reserve to carry out the essential works linked to the maintenance of the Council General Fund assets and to support with planning for future maintenance. The spend of the £80,000, on the required works, is fundamental for protecting the Council's position from a risk and management perspective and is in accordance with the proposed draft Asset Management Strategy 2020, which was considered by the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee on 4 February 2020.

## 5 Financial Implications

A £500,000 property maintenance reserve was approved by Council on 2 March 2020 this reserve has an unallocated balance of £382,000 which can be used to fund the essential property maintenance works detailed in this report.

**Financial Implications reviewed by: Alison Hall-Wright, Head of Finance**

## 6 Legal and Governance Implications

6.1 The Council, as an owner of land, has a duty to ensure such land and property is safe to use by all visitors and members of the public. Accordingly, the spend of the £82,000, from the property maintenance reserve, as outlined in this report, is essential to maintain health

and safety. The actions show a consistent basis on which the Council is managing its corporate land assets.

**Legal Implications reviewed by: Shahin Ismail, Director of Law and Governance**

## **7 Equality and Safeguarding implications**

7.1 The actions will support equality and safeguarding measures for all members of the public and Council staff too, not just to those with protected characteristics

## **8 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

8.1 **Planned Maintenance Programme** - There will be carbon benefits for putting in place a future programme of works to the General Fund asset base, which will include lighting upgrades to LED (if not already in place) and thermal insulation building upgrades. There will be future benefits including reducing the amount of time that heating is switched on, reducing power supply and ultimately reducing the Council's running costs. There will also be a reduction in officers time inspecting and reinspection buildings once in place, so a reduction in car travel.

8.2 **Welham Street Car Park** - Although there are no direct carbon reduction benefits from undertaking the survey of the car park, there could be measures put in place depending on the Council's position to reduce the energy efficiency of the building.

8.3 **Grantham Cinema Complex** – There will be no carbon benefits, however LED lighting will be fitted as part of the works.

8.4 **Grantham Canal Algae Treatment** – There are no considerable carbon benefits by undertaking these treatment works

8.5 **Stamford Arts Centre Roof Environmental Clean** – Although there are no direct carbon reduction or benefits with the environmental clean, there is likely to be a small benefit to the Council's revenue costs by making the building watertight.

8.6 **Stamford Arts Centre Ballroom Redecoration** – There are no carbon benefits by undertaking these works. There however are discussions taking place about upgrading all lighting within the art centre to LED lighting.

## **9 Background papers**

9.1 Council - 2 March 2020

<http://moderngovsvr:8080/mgAi.aspx?ID=24062>

9.2 Finance, Economic Development and Corporate Services Overview and Scrutiny Committee - 4 February 2020

<http://moderngovsvr:8080/ieListDocuments.aspx?CId=664&MId=3823>

<b>Report Timeline:</b>	Date decision due to be made	27 October 2020
	Call-in deadline	4 November 2020
	Date decision effective (subject to call-in)	5 November 2020

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# CABINET MEMBER DECISION



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Decision:

That approval is granted to release funds in the sum of £80,000 from the property maintenance reserve, to maintain existing general fund Council stock as follows:

1. To instruct a building surveying firm to complete condition surveys on eight Council owned assets\* and to put in place a planned maintenance programme for future building maintenance and budgeting purposes.
2. To undertake a non-intrusive structural survey, lift condition survey and drainage clearance on the Welham Street Car Park, Grantham in advance of any capital works.
3. To undertake essential upgrades to the lighting provision to the roof of the Grantham Cinema Complex.
4. To undertake algae treatment to the Council stretch of Grantham Canal.
5. To undertake an environmental clean to the roof space of Stamford Arts Centre.
6. To redecorate Stamford Arts Centre ballroom.

\*Eight Council owned assets:

- St Peters Hill Council Offices, Grantham.
- South Kesteven House, Grantham.
- Mowbeck House, Grantham.
- Repairs/DWO building, Grantham.
- Depot, Grantham.
- Stamford Arts Centre, Stamford.
- Guildhall Arts Centre, Grantham.
- Bourne Cap and Corn Exchange, Bourne.

### (1) Details of Decision

To seek approval to release £80,000 from the property maintenance reserve in order to maintain existing General Fund Council stock.

## (2) Considerations/Evidence

The release of £80,000 from the property maintenance reserve will enable the Council to:

1. Instruct a building surveying firm to complete up to date condition surveys on eight General Fund Assets and to put in place a planned maintenance programme for future building maintenance and budgeting purposes. This cost is estimated at £31,000
  - (1) The General Fund Asset base does not have a dedicated system to plan maintenance works to Council buildings, and each year manually reviews condition surveys and identified works from inspection to plan for the financial year ahead. It is proposed to upload all condition surveys onto the Apex system currently used by the Housing Revenue Account. This will save officer time and enable the Council to better manage its stock. As part of the exercise we plan to instruct a building surveying firm to complete up to date condition surveys on eight key General Fund assets with a view of setting up a planned maintenance programme on Apex. This will give the Council better sight of the condition of their stock, and a high level pricing structure for the necessary works.
2. Undertake a non-intrusive structural survey, lift condition survey and drainage clearance on the Welham Street Car Park, Grantham in advance of any capital spend at the site. The cost is estimated at £20,000.
  - (1) Welham Street Car Park, which is a multi-storey car park in Grantham, is owned freehold by the Council.
  - (2) The Council has a capital programme of works to (1) resurface levels 5 and 6 and (2) replace the lifts. Water damage has caused the upper floors to deteriorate, which is believed to be linked to a fault with the drainage system and the system not being able to cope with the water capacity passing through. Before the Council commits spend to resurface the upper floors, it is proposed that a structural survey is undertaken to give the Council confidence that there are no unforeseeable issues before instructing the works. This includes clearing the drainage system. We foresee as part of a separate request, that there may have to be adaptations to the drainage system if this continues to cause a problem.
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  - (1) The Grantham Cinema premise, which was completed in July 2019 was built to shell condition. As a result, the lighting provision at roof level, which is required to access the plant room, needs to

be upgraded/extended. There is currently restricted access to the roof after 5pm due to the health and safety concerns. The plant room is secured by an 8 ft fence and low level barrier. The lighting upgrades will help prevent any trips or falls.

4. To undertake algae treatment to the Grantham Canal as recommended by the Environment Agency. The cost is estimated at £9,000.
  - (1) The Council has freehold ownership of a stretch of Grantham Canal. Last year the treatment was carried out but requires a higher dosage of treatment this financial year. The canal requires this treatment to manage the weed bed and to support better water flow.
5. To undertake an environmental clean to the roof space of Stamford Arts Centre. The cost is estimated at £9,000.
  - (1) Pigeons have entered the roof space over recent years and although they have been appropriately removed, the roof space has been infested with droppings. The roof spaces will be cleared and cleaned by a reputable firm with the necessary experience in advance of the roof replacement and repair capital project starting in November 2020.
6. To instruct works to redecorate Stamford Arts Centres ballroom which is a popular wedding and hire venue. The costs are estimated at £9,000.
  - (1) Stamford Arts Centre ballroom was last painted 10 years ago. The ballroom is fit for purpose, however, is looking a bit tired and in need of redecoration. Whilst the building remains shut, it would be appropriate to undertake these works. Due to a number of wedding cancellations in 2020 due to Covid-19, we expect there to be an increase demand in 2021.

All costs above are based on quotations and have been appropriately procured in line with the Council's Procurement Procedures.

**(3) Reasons for Decision:**

The spend of the £80,000, on the required works, is fundamental for protecting the Council's position from a risk and management perspective and is in accordance with the proposed draft Asset Management Strategy 2020, which was considered by the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee on 4 February 2020.

**Conflicts of Interest**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).**

None

**Dispensations**

**(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).**

None

**Decision taken by:**

Name: Councillor Kelham Cooke  
The Leader and Cabinet Member for Corporate Services and Property

**Date of Decision:** 27 October 2020

**Date of Publication of Record of Decision:** 28 October 2020

**Date decision effective** (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):

5 November 2020



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Non-key Decision

01 October 2020

Councillor Kelham Cooke

The Leader of the Council

## Installation of Webcasting Equipment in the Council Chamber

The report sets out the funding requirements to enable the installation of equipment to enable webcasting of meetings from the Council Chamber, along with the installation of a meeting application for all Councillors to allow meeting to be conducted with both onsite and remote delegates.

### Report Author

Gary Andrew, Future Technology Lead

**Tel:** 07834 049725

**Email:** g.andrew@southkesteven.gov.uk

Approved for publication:

Councillor Kelham Cooke, The Leader of the Council

5 October 2020

### Recommendation (s) to the decision maker (s)

1. To allocate £36,371 from the ICT reserve for the project for the first year costs. Subsequent yearly costs will be met by agreed budgets.

## 1 The Purpose of the Report

1.1 To seek authority from the Cllr Kelham Cooke, Leader of the Council to allocate £36,371 from the ICT reserve for the project for the first year costs. With the current Covid-19 pandemic the Council had to rapidly adapt and change working practices to facilitate and maintain services. Council Meetings have been managed through Skype for Business which has enabled local democracy to continue but does not provide the required functionality or meet the longer-term aspirations of the Authority. A better solution for hosting and broadcasting of the meetings is required.

## 2 Background Information

2.1 In March 2020 lockdown measures were introduced meaning officers and Councillors moved to working remotely. Legislation was changed to remove the legal requirement for public meetings to be held in person. The Government has temporarily removed the legal requirement for local authorities to hold public meetings in person. This means that councils have powers to hold public meetings virtually by using video or telephone conferencing technology. [Appendix A](#)

2.2 Skype for Business was setup to facilitate council meetings remotely. The software has enabled meetings to be held, with public access being permitted. However, the limited functionality sees some delay in meeting procedures and is not appropriately tailored to running meetings of this nature.

2.3 Officers examined the market to identify and procure a purpose-built solution. This will enable improved support to remote, onsite and hybrid meetings of the Council. The solution includes cameras within the chamber, a link to the onsite microphones, recording and broadcasting of meetings and have functionality for requests to speak, voting and motions.

2.4 The procurement process was in accordance with the Council's Contract and Procurement Procedure Rules by inviting three suppliers, who have responded to a request for quotation. Following the completion of the procurement exercise, the winning supplier was Public-i.

### Preferred Option

2.5 Whilst funding can be built into ICT budgets for future years, the utilisation of the ICT reserve is required to enable the project to commence in 2020/21. Recent announcements have confirmed that existing Covid-19 restrictions are likely to be in place for at least another six months. It is, therefore, essential that appropriate technologies are in place to support the smooth operation of Council meetings.

## 3 Financial Implications

3.1 The cost for installation is £22,836 and there is £13,535 annual costs for licensing, support and maintenance. The cost for year one will be £36,371 and can be funded from the IT reserve in order that the project can be implemented this financial year. Thereafter the annual costs will be incorporated into annual budgets.

**Financial Implications reviewed by: Richard Wyles, Interim Director of Finance**

## 4 Legal and Governance Implications

4.1 On the 31 January 2019 Council approved that the utilisation of the ICT reserve be delegated to the Cabinet Member for Business Transformation and Commissioning in

consultation with the Council's S151 Officer. The Cabinet Member for this is now known as the Cabinet Member for Corporate Services and Transformation.

**Legal Implications reviewed by: Shelley Hardy Legal Services**

## **5 Equality and Safeguarding implications**

5.1 The software to connect to meetings for councillors and officers is available via the devices supplied by the Council. IT will support all users and testing will be carried out before each meeting. Public access is available via our Modern.gov platform which is accessed via the internet.

## **6 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

6.1 If the Government legislation is permanently amended to allow remote delegates to attend public meetings it could lead to reduced travel for Members who wish to make use of the technology.

## **7 Appendices**

7.1 Appendix A : <https://www.local.gov.uk/our-support/guidance-and-resources/remote-council-meetings/regulations>

## **8. Background Papers**

7.2 Minutes from Council on 31st Jan 2019 - <http://moderngovsvr:8080/mgAi.aspx?ID=22432>

<b>Report Timeline:</b>	Date decision due to be made	28 October 2020
	Call-in deadline	5 November 2020
	Date decision effective (subject to call-in)	6 November 2020

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# CABINET MEMBER DECISION



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Decision:

**That approval is granted to allocate £36,371 from the ICT reserve for the project\* for the first year costs. Subsequent yearly costs will be met by agreed budgets.**

*(\*Project - to enable the installation of equipment to enable webcasting of meetings from the Council Chamber, along with the installation of a meeting application for all Councillors to allow meetings to be conducted with both onsite and remote delegates).*

### **(1) Details of Decision**

To seek approval to allocate funding for the installation of equipment to enable webcasting of meetings from the Council Chamber, along with the installation of a meeting application for all Councillors to allow meetings to be conducted with both onsite and remote delegates.

### **(2) Considerations/Evidence**

With the current Covid-19 pandemic, the Council had to rapidly adapt and change working practices to facilitate and maintain services. Council Meetings have been managed through Skype for Business which has enabled local democracy to continue but does not provide the required functionality or meet the longer-term aspirations of the Authority. A better solution for hosting and broadcasting of the meetings is required.

In March 2020 lockdown measures were introduced meaning officers and Councillors moved to working remotely. Legislation was changed to remove the legal requirement for public meetings to be held in person. The Government has temporarily removed the legal requirement for local authorities to hold public meetings in person. This means that councils have powers to hold public meetings virtually by using video or telephone conferencing technology.

Skype for Business was setup to facilitate council meetings remotely. The software has enabled meetings to be held, with public access being permitted. However, the limited functionality sees some delay in meeting procedures and is not appropriately tailored to running meetings of this nature.

Officers examined the market to identify and procure a purpose-built solution. This will enable improved support to remote, onsite and hybrid meetings of the Council. The solution includes cameras within the chamber, a link to the onsite microphones, recording and broadcasting of meetings and have functionality for requests to speak, voting and motions.

The procurement process was in accordance with the Council's Contract and Procurement Procedure Rules by inviting three suppliers, who have responded to a request for quotation. Following the completion of the procurement exercise, the winning supplier was Public-i.

**(3) Reasons for Decision:**

Whilst funding can be built into ICT budgets for future years, the utilisation of the ICT reserve is required to enable the project to commence in 2020/21. Recent announcements have confirmed that existing Covid-19 restrictions are likely to be in place for at least another six months. It is, therefore, essential that appropriate technologies are in place to support the smooth operation of Council meetings.

**Conflicts of Interest**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).**

None

**Dispensations**

**(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).**

None

**Decision taken by:**

Name: Councillor Kelham Cooke  
The Leader and Cabinet Member for Corporate Services and Property

**Date of Decision:** 28 October 2020

**Date of Publication of Record of Decision:** 29 October 2020

**Date decision effective (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):**

**6 November 2020**

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SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Non-key Decision

14<sup>th</sup> October 2020

Councillor Kelham Cooke

The Leader of the Council

## Procurement and award of contract for essential roofing repair works to Stamford Art Centre

To seek approval for the appointment of the successful roofing contractor following an open tender of the essential roofing repairs to the Stamford Arts Centre. The contract will be for a period of 6 months. The successful bidder is Hardy Construction (Stamford) Limited.

### Report Author

Gyles Teasdale – Senior Assets Officer

Tel: 07980 794584

Email: g.teasdale@southkesteven.gov.uk

Approved for publication:

Councillor Kelham Cooke, The Leader of the Council

21 October 2020

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### Recommendation (s) to the decision maker (s)

Approves the appointment of Hardy Construction (Stamford) Ltd for the essential roofing repairs at Stamford Art Centre for a term of 6 months and at a cost of £188,564.10.

## **1 The Purpose of the Report**

1.1 To obtain authority to approve the appointment of Hardy Construction (Stamford) Ltd for roofing repairs at Stamford Art Centre for the period of 6 months and for the amount of £188,564.10. The contract will commence once this decision is effective

## **2 Available Options Considered**

2.1 Consultation has been held with Welland Procurement to establish the most appropriate route of procurement from either framework, restricted tender or an open tender exercise.

2.2 From this consultation an open tender exercise has been identified as the most appropriate route for the roof repair works to Stamford Arts Centre. This is an advertised process using the mandatory procurement portals. This process included no shortlisting and therefore, any interested bidder had the opportunity to submit a full tender. The criteria meant that the winning bidder would be the bidder with the highest evaluation score, based on 60% cost and 40% quality. Approval to proceed with this approach was provided by the Director of Growth within the Procurement Initiation Document dated 27 July 2020.

## **3 Preferred Option**

3.1 Following the completion of the open tender procurement process, it is recommended that Hardy Construction (Stamford) Ltd is awarded the works contract based of their achievement of the highest overall evaluation score from the tender process, see Appendix 1 (Exempt) for the breakdown of the submissions and scoring. This process is in accordance with the Council's Contract and Procurement Procedure Rules and the Public Contract Regulations 2015.

## **4 Reasons for the Recommendation (s)**

4.1 The contract is for roofing replacement/repairs and associated works including the removal or restoration of the existing Collywestern slate roof covering to the Stamford Arts Centre, which is a listed building. These works include replacement/refurbishment of the coverings, leadworks, rainwater goods and associated timber treatment/repair works.

4.2 In accordance with the Public Contract Regulations 2015, this Tender opportunity was advertised on Contracts Finder (published 21<sup>st</sup> August 2020).

4.3 On publication of the Contract Notice, organisations were asked to register their interest via the Council's "ProContract" e-Sourcing portal, where Tender documents were available. A total of 25 expressions of interest were received, resulting in six Tender submissions.

4.4 The Tender was made up of two questionnaire sets: one questionnaire for the selection criteria questions, and one for award criteria questions.

4.5 The award criteria questions considered the merit of the eligible Tenders in order to identify the most economically advantageous Tender.

4.6 The Council evaluated the award criteria with a quality assessment worth **40%** and a price assessment worth **60%**. See Appendix 1 (Exempt) for the details of the tender submissions.

4.7 The bidder's response to each quality question was evaluated and marked a maximum of 10 marks.

Section Title	Section Weighting (%)	Question Number	Question Sub Weighting (%)
<b>Award Criteria – Quality</b>	40%	1	25%
		2	37.5%
		3	25%
		4	12.5%

Price scores were calculated based on the potential supplier with the lowest overall compliant price being awarded the full score of 60%. The remaining bids were scored in accordance with the following calculation:

$$= \left( \frac{\text{lowest submitted price}}{\text{potential supplier's submitted price}} \right) \times \text{price weighting}$$

4.8 Following the completion of the evaluation and moderation process the scores awarded to the participants were as follows:

1 <sup>st</sup>	Bidder 1	79%
2 <sup>nd</sup>	Bidder 2	62.45%
3 <sup>rd</sup>	Bidder 3	61.01%
4 <sup>th</sup>	Bidder 4	55.38%
	Bidder 5	NA (rejected due to timescales)
	Bidder 6	NA (rejected before evaluation)

4.9 Pricing evaluation:

Bidder	Total cost	% Score (out of 60%)
Bidder 4	£280,157	40.38%
Bidder 2	£215,830	52.42%
Bidder 1	£188,564.10	60%
Bidder 3	£248,600	45.51%

4.10 Following the completion of the procurement process, it is recommended that Bidder 1, which is Hardy Construction (Stamford) Ltd is awarded the contract.

4.11 Once this recommendation has been approved, the preferred bidder and all unsuccessful bidders will be notified of the outcome simultaneously. Subject to due diligence being completed to the Council's satisfaction, the Council intends to enter into the Contract with Hardy Construction (Stamford) Limited for a period of 6 months, commencing on this decision being effective.

## **5 Financial Implications**

5.1 The cost of these works can be met from the budget of £195k that has been allocated to the General Fund capital programme - Stamford Arts Centre roof repairs.

**Financial Implications reviewed by: Alison Hall-Wright, Head of Finance**

## **6 Legal and Governance Implications**

6.1 This is a non-key decision, and one which the Cabinet Member for Property has power to make. This contract award is compliant with procurement law. The contract will need to be monitored for quality to ensure the specification is delivered.

**Legal Implications reviewed by: Shahin Ismail Director of Law and Governance**

## **7 Equality and Safeguarding implications**

N/A

## **8 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

8.1 As part of the works SKDC are looking to insulate the Box office roof while stripped to assist in improving the thermal efficiency of the building.

## **9 Appendices**

**10** Appendix 1 – EXEMPT - Welland Procurement – Procurement Summary Report - (Exempt from publication due to details of bidders' financial information)

<b>Report Timeline:</b>	Date decision due to be made	28 October 2020
	Call-in deadline	5 November 2020
	Date decision effective (subject to call-in)	6 November 2020

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# CABINET MEMBER DECISION



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Decision:

**That approval is granted to appoint Hardy Construction (Stamford) Ltd for the essential roofing repairs at Stamford Art Centre for a term of 6 months and at a cost of £188,564.10.**

### **(1) Details of Decision**

To seek approval for the appointment of the successful roofing contractor following an open tender of the essential roofing repairs to the Stamford Arts Centre. The contract will be for a period of 6 months.

### **(2) Considerations/Evidence**

Consultation has been held with Welland Procurement to establish the most appropriate route of procurement from either framework, restricted tender or an open tender exercise.

From this consultation an open tender exercise has been identified as the most appropriate route for the roof repair works to Stamford Arts Centre. This is an advertised process using the mandatory procurement portals. This process included no shortlisting and therefore, any interested bidder had the opportunity to submit a full tender. The criteria meant that the winning bidder would be the bidder with the highest evaluation score, based on 60% cost and 40% quality. Approval to proceed with this approach was provided by the Director of Growth within the Procurement Initiation Document dated 27 July 2020.

### **(3) Reasons for Decision:**

The contract is for roofing replacement/repairs and associated works including the removal or restoration of the existing Collywestern slate roof covering to the Stamford Arts Centre, which is a listed building. These works include replacement/refurbishment of the coverings, leadworks, rainwater goods and associated timber treatment/repair works.

In accordance with the Public Contract Regulations 2015, this Tender opportunity was advertised on Contracts Finder (published 21<sup>st</sup> August 2020).

On publication of the Contract Notice, organisations were asked to register

their interest via the Council's "ProContract" e-Sourcing portal, where Tender documents were available. A total of 25 expressions of interest were received, resulting in six Tender submissions.

The Tender was made up of two questionnaire sets: one questionnaire for the selection criteria questions, and one for award criteria questions.

The award criteria questions considered the merit of the eligible Tenders in order to identify the most economically advantageous Tender.

The Council evaluated the award criteria with a quality assessment worth **40%** and a price assessment worth **60%**. See Appendix 1 (Exempt) for the details of the tender submissions.

The bidder's response to each quality question was evaluated and marked a maximum of 10 marks.

Following the completion of the evaluation and moderation process the scores awarded to the participants were as follows:

1 <sup>st</sup>	Bidder 1	79%
2 <sup>nd</sup>	Bidder 2	62.45%
3 <sup>rd</sup>	Bidder 3	61.01%
4 <sup>th</sup>	Bidder 4	55.38%
	Bidder 5	NA (rejected due to timescales)
	Bidder 6	NA (rejected before evaluation)

### **Conflicts of Interest**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).**

None

### **Dispensations**

**(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).**

None

### **Decision taken by:**

Name: Councillor Kelham Cooke  
The Leader and Cabinet Member for Corporate Services and Property

**Date of Decision: 28 October 2020**

**Date of Publication of Record of Decision:** 29 October 2020

**Date decision effective** (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):

**6 November 2020**

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## Cabinet

1 December 2020

**Report of:** Councillor Kelham Cooke

The Leader of the Council

## Cabinet Forward Plan for the period 1 January 2021 to 31 December 2021

This report highlights matters on the Cabinet's Forward Plan for the period 1 January 2021 to 31 December 2021.

### Report Author

Lucy Bonshor, Democratic Officer

**Tel:** 01476 406120

**Email:** l.bonshor@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Administrative	Administrative	All Wards
Reviewed by:	Julie Edwards, Elections Team Leader	16 November 2020
Approved by:	Karen Bradford, Chief Executive	23 November 2020
Signed off by:	Councillor Kelham Cooke, The Leader of the Council	23 November 2020

### Recommendation (s) to the decision maker (s)

1. It is recommended that the Cabinet notes the contents of this report.

- 1.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 set out the minimum requirements for publicity in connection with Key Decisions. The Council meets these legislative requirements through the monthly publication of its Forward Plan.
- 1.2 Cabinet may also receive reports on which it is asked to make recommendations to Council or review the contents and take necessary action. These items are also listed on the Forward Plan.
- 1.3 To help Cabinet understand what issues will be put before it in the longer-term, items for consideration during the proceeding year have been included in the Cabinet's Forward Plan. The Forward Plan also includes details of items scheduled for each of the Council meetings due to be held within the plan period.
- 1.4 The Forward Plan for 1 January 2021 to 31 December 2021 is attached as Appendix 1.



**CABINET FORWARD PLAN**  
**Notice of decisions to be made by Cabinet**  
**1 January 2021 to 31 December 2021**

At its meetings, the Cabinet may make Key Decisions and Non-Key Decisions. It may also make recommendations to Council on matters relating to the Council's budget or its policy framework.

A Key Decision is a Cabinet decision that is likely:

1. To result in the District Council incurring expenditure which is, or the making of savings which are, significant having regard to the District Council's budget for the service or function to which the decision relates (for these purposes, South Kesteven District Council has agreed £200,000 as the threshold at which a decision will be considered significant); or
2. To be significant in terms of its effects on communities that live or work in an area comprising two or more wards.

A Non-Key Decision is one that is not a Key Decision.

**The Forward Plan**

The Cabinet Forward Plan is a rolling, 12-month plan that will be updated on a regular basis. It includes those matters that are scheduled to be considered by Cabinet during the plan period. This plan also includes details of those decisions that are due to be made by the full Council.

**Overview and Scrutiny**

The Forward Plan will be circulated to all Overview and Scrutiny Committees and be considered at each meeting as Members set the Overview and Scrutiny Committee work programmes. Scrutiny members will be able to pick from the Forward Plan, those items relevant to their remit that they wish to scrutinise.

Notice of future Cabinet decisions and recommendations to Council

<b>Summary</b>	<b>Date</b>	<b>Action</b>	<b>Contact</b>
<b>Draft Budget Proposals 2021/22 - Budget</b>			
To consider the draft budget proposals for 2021/22.	12 Jan 2021	To agree the draft budget proposals for 2021/22 for consultation	<p>Cabinet Member for Finance and Resources (Councillor Adam Stokes)</p> <p>Interim Director of Finance, Section 151 Officer</p> <p><b>Tel:</b> Tel: 01476 40 63 75</p> <p><b>E-mail:</b> r.wyles@southkesteven.gov.uk</p>
<b>Hackney Carriage and Private Hire Policy - Key Decision</b>			
To consider any proposed changes following consultation	12 Jan 2021	To approve the policy	<p>Cabinet Member for Commercial and Operations (Councillor Dr Peter Moseley)</p> <p>Head of Public Protection</p> <p><b>Tel:</b> Tel: 01476 40 63 19</p> <p><b>E-mail:</b> a.coulthard@southkesteven.gov.uk</p>
<b>Proposed Development brief for Land at Stamford North - Key Decision</b>			
To consider the proposed development brief for land at Stamford North prior to consultation	12 Jan 2021	To approve the draft Supplementary Planning Document in respect of land at Stamford North for consultation	<p>Cabinet Member for Housing and Planning (Councillor Robert Reid)</p> <p>Head of Planning Policy</p> <p><b>Tel:</b> Tel: 01476 40 64 38</p> <p><b>E-mail:</b> r.ranson@southkesteven.gov.uk</p>
<b>Rectory Farm - Supplementary Planning Document - Key Decision</b>			
To consider the Rectory Farm Supplementary Planning Document following consultation on a draft document	12 Jan 2021  Council 28 Jan 2021	To approve a Supplementary Planning Document in respect to Rectory Farm	<p>Cabinet Member for Housing and Planning (Councillor Robert Reid)</p> <p>Special Projects Manager</p> <p><b>Tel:</b> 01476 40 61 64</p> <p><b>E-mail:</b> p.moore@southkesteven.gov.uk</p>

Summary	Date	Action	Contact
<b>South Kesteven District Council's Carbon Reduction Plan - Key Decision</b>			
To consider the Council's carbon reduction plans	12 Jan 2021	To make a decision around the Council's carbon reduction plans and make any consequential budget changes	Cabinet Member for Commercial and Operations (Councillor Dr Peter Moseley)  Strategic Director, Commercial and Operations <b>Tel:</b> 01476 40 63 44 <b>E-mail:</b> gary.smith@southkesteven.gov.uk
<b>Procurement of New Build Works - Key Decision</b>			
To seek approval for the award of a JCT Design and Build Contract for the construction of 12 Council properties to D Brown Building Contractors Limited	12 Jan 2021	To approve the awarding of a contract to carry out the development of 12 Council properties, using the Blue Skies Framework	Cabinet Member for Housing and Planning (Councillor Robert Reid)  Development Manager Housing <b>Tel:</b> 01476 40 6259 <b>E-mail:</b> g.harte@southkesteven.gov.uk
<b>Review of Data Protection Policies - Key Decision</b>			
Cabinet will be asked to review the following policies: - Acceptable use of IT policy - Breach reporting form - Data protection policy - Information governance guidance - IT security policy - Bring your own device - Procedure for reporting breaches - Procedure for undertaking a DPIA - Protocol for protection personal data	12 Jan 2021	To approve any changes/updates to these policies to ensure compliance with legal requirements	The Leader and Cabinet Member for Corporate Services and Property (Councillor Kelham Cooke)  Data Protection Support Officer <b>Tel:</b> 01476 40 60 80 <b>E-mail:</b> stacy.carter@southkesteven.gov.uk

Summary	Date	Action	Contact
<b>Voids Performance and Revised Void Policy - Key Decision</b>			
There is an urgent need to take measures around amending void policy and process to move towards good practice. This will in turn increase the number of social housing properties available per year to homelessness and housing applications on the register	12 Jan 2021	To review the current void property process and policy to substantially reduce void period and increase revenues to the Council's housing revenue account and make more properties available per annum to those in housing need	Cabinet Member for Housing and Planning (Councillor Robert Reid)  Interim Assistant Director of Housing <b>Tel:</b> Tel: 01476 40 60 80 <b>E-mail:</b> chris.stratford@southkesteven.gov.uk
<b>Strategic Regeneration Acquisitions - Key Decision</b>			
To make strategic regeneration acquisitions  Information relating to this decision is exempt under paragraph 3 of Schedule 12A of the Local Government Act 1972 as amended because it contains information which relate to the financial or business affairs of an individual or an organisation	Jan 2021		The Leader and Cabinet Member for Corporate Services and Property (Councillor Kelham Cooke)  <b>Tel:</b> 01476 40 60 80 <b>E-mail:</b> karen.bradford@southkesteven.gov.uk
<b>Budget Proposals 2021/22 - Budget</b>			
To agree the budget proposals for 2021/22.	2 Feb 2021  Council 1 Mar 2021	To recommend the budget for 2021/22 to Council	Cabinet Member for Finance and Resources (Councillor Adam Stokes)  Interim Director of Finance, Section 151 Officer <b>Tel:</b> Tel: 01476 40 63 75 <b>E-mail:</b> r.wyles@southkesteven.gov.uk

Summary	Date	Action	Contact
<b>Leisure Centre Investment Proposals - Key Decision</b>			
Consider leisure centre investment proposals	2 Feb 2021	To approve proposals	Deputy Leader and Cabinet Member for Growth and Leisure (Councillor Barry Dobson) Head of Leisure <b>Tel:</b> 01476 40 62 39 <b>E-mail:</b> karen.whitfield@southkesteven.gov.uk
<b>Pay Policy Statement - Legislative</b>			
To receive recommendations from the Employment Committee on the Council's Pay Policy Statement 2021/22	1 Mar 2021	To adopt the Pay Policy	The Leader and Cabinet Member for Corporate Services and Property (Councillor Kelham Cooke) Head of Organisational Development and Change <b>Tel:</b> 01476 40 61 32 <b>E-mail:</b> e.pepper@southkesteven.gov.uk
<b>Housing Allocation Policy 2021 to include Choice Based Lettings - Key Decision</b>			
To consider the policy and recommendations from the Rural and Communities OSC	30 Mar 2021	To adopt a refreshed Housing Allocation Policy incorporating a Choice based Lettings Scheme	Cabinet Member for Housing and Planning (Councillor Robert Reid) Interim Assistant Director of Housing <b>Tel:</b> 01476 40 60 80 <b>E-mail:</b> chris.stratford@southkesteven.gov.uk
<b>Design Guide Supplementary Planning Document - Final - Key Decision</b>			
To consider the Design Guide Supplementary Planning Document following public consultation	20 May 2021	To approve the Design Guide Supplementary Planning Document	Cabinet Member for Housing and Planning (Councillor Robert Reid) Head of Planning Policy <b>Tel:</b> 01476 40 64 38 <b>E-mail:</b> r.ranson@southkesteven.gov.uk

Summary	Date	Action	Contact
<b>Housing Asset Management Strategy 2021-2026 - Key Decision</b>			
To consider the strategy	Nov 2021	To adopt a Housing Asset management Strategy	Cabinet Member for Housing and Planning (Councillor Robert Reid)  Interim Assistant Director of Housing <b>Tel:</b> Tel: 01476 40 60 80 <b>E-mail:</b> chris.stratford@southkesteven.gov.uk