

# Minutes

Cabinet

Tuesday, 10 October 2023



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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**The Leader:** Councillor Richard Cleaver, The Leader of the Council (Chairman)

**The Deputy Leader:** Councillor Ashley Baxter, Deputy Leader of the Council and Cabinet Member for Finance and Economic Development (Vice-Chairman)

## **Cabinet Members present**

Councillor Phil Dilks, Cabinet Member for Housing and Planning

Councillor Patsy Ellis, Cabinet Member for Environment and Waste (jobshare)

Councillor Philip Knowles, Cabinet Member for Corporate Governance and Licensing

Councillor Rhea Rayside, Cabinet Member for People and Communities

Councillor Paul Stokes, Cabinet Member for Leisure and Culture

## **Non-Cabinet Members present**

Councillor Tim Harrison

Councillor Ian Selby

Councillor Mark Whittington

## **Officers**

Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer)

Nicola McCoy-Brown, Director of Growth and Culture (Deputy Monitoring Officer)

Graham Watts, Assistant Director of Governance (Monitoring Officer)

Emma Whittaker, Assistant Director of Planning

Jodie Archer, Head of Housing Services

George Chase, Waste and Recycling Operations Manager

Ayeisha Kirkham, Head of Public Protection

Sarah McQueen, Head of Service (Housing Options)

James Welbourn, Democratic Services Manager

Patrick Astill, Communications Officer

Shaza Brannon, Planning Policy Manager

Molly-Mae Taylor, Communications Officer

## **33. Apologies for absence**

Apologies for absence were received from Councillor Rhys Baker.

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

The minutes of the meeting held on 11 September 2023 were approved as a correct record.

### **35. Disclosure of Interests**

There were no declarations of interests.

### **36. Managed Stores Contract**

#### Purpose of report

For members to approve the contractor providing the Managed Stores Contract for the management and provision of vehicle parts and consumables.

#### Decision

That Cabinet approves the award of the Managed Stores Contract delivered through a further competition tendering process via the Yorkshire Purchasing Organisation (YPO) Framework, Fleet Management, DPS, Lot 1117, Managed Stores to Fleetfactor Ltd. for a 4-year period with the option for a 2-year extension. The estimated contract value was £424,000 per annum.

#### Alternative options considered and rejected

A tendering process was considered to be the best option and no other options were identified.

#### Reasons for decision

The stores contract provided for all of the vehicle parts and consumables for the maintenance of the Council's fleet of vehicles including vehicles for the services of Waste and Recycling, Street Scene, Pool Cars and Housing repairs.

One tender was received through the YPO framework from Fleetfactor Ltd., who currently provided the service.

The proposed contract award had followed compliant procurement processes and would provide the Council with the appropriate contract to aid the delivery of the Corporate Priority to provide "Clean and sustainable environment". This would be done by ensuring that the vehicle fleet was maintained and fuel efficient, in turn ensuring that essential environmental and other services kept their vehicles on the road and remained productive.

### **37. Review of Public Space Protection Orders**

#### Purpose of report

To review the Public Spaces Protection Orders which applied in the District every three years.

#### Decision

That Cabinet:

1. Notes the results of the public consultation on the continuation of the existing Public Spaces Protection Orders.
2. Notes the results of the public consultation on the proposed amendment to the existing Public Spaces Protection Orders (Dog Exclusion) to include additional areas at the Recreation Ground, Stamford.
3. Notes the results of the public consultation on the request for a new Public Spaces Protection Orders for vehicle related nuisance and anti-social behaviour covering the following areas within Stamford: the Station Road car park (also known as Cattle Market), The Meadows and Bath Row car park.
4. Approves the Public Spaces Protection Orders, for the District of South Kesteven, relating to dog fouling for a 3-year period from 20 October 2023.
5. Approves the Public Spaces Protection Orders, for the District of South Kesteven, relating to the requirement for dogs to be placed on leads by order of an Officer, for a 3-year period from 20 October 2023.
6. Approves the Public Spaces Protection Orders, as specified in the Order, relating to alcohol control for a 3-year period from 20 October 2023
7. Approves the Public Spaces Protection Orders excluding dogs from enclosed children's play areas within the District of South Kesteven, which includes the additional areas proposed at the Recreation Ground Stamford, for a 3-year period from 20 October 2023.
8. Approves the Public Spaces Protection Orders requiring dogs to be kept on leads of no more than 1 metre in length in The Spinney, Market Deeping Cemetery for a period of 3 years from 20 October 2023.
9. Approves the implementation of a new Public Spaces Protection Orders for vehicle related nuisance and anti-social behaviour covering the following areas within Stamford: the Station Road car park (also known as Cattle Market), The Meadows and Bath Row car park, for a period of 3 years from 20 October 2023.

#### Alternative options considered and rejected

That the existing orders be allowed to expire. This would remove the ability to enforce against the matters covered by the Orders.

That the proposed amendments to orders not be put in place; this would prevent the ability to enforce against the matters covered by the proposed amended Orders.

The new Order was not put in place; this would prevent the ability to enforce against the matters covered by the proposed Order.

Cabinet may determine that the legal test had not been met in some or all of the Orders. In this case the Order(s) should not be extended/ approved.

If as a result of the consultation, changes to the draft orders were proposed, further consultation would be necessary.

#### Reasons for decision

To ensure an effective mechanism was available to deal with issues detailed in the Orders. PSPO related issues that were brought forward in the future would be discussed during the course of any review.

There were 366 responses to the four-week public consultation, which demonstrated a good level of engagement with the public.

A job advert for an additional full-time member of staff monitoring CCTV had been placed.

### **38. HRA Disposal & Acquisitions Policy**

#### Purpose of report

To seek approval of the adoption of the HRA Acquisition and Disposal Policy which set the framework for the way in which land or assets were acquired or disposed of from the Housing Revenue Account.

#### Decision

That Cabinet approves that the adoption of the Housing Revenue Account (HRA) Acquisition and Disposal Policy was in line with best practice and would provide clear operational guidance.

#### Alternative options considered and rejected

Continue without an adequate policy or procedure.

### Reasons for decision

The clarity provided by the HRA Acquisition and Disposal Policy enabled staff working in the service to make operational decisions efficiently and consistently. This in turn provided greater transparency and understanding for the reasoning and decision-making process in relation to property acquisitions and disposals within the Housing Revenue Account.

The report had been considered and recommended to Cabinet by Housing Overview and Scrutiny Committee at its meeting held on 21 September 2023. An additional £1 million of capital for the Housing Revenue Account had been approved by Full Council on 28 September 2023, in order to acquire properties which met the criteria set out in the HRA Disposal and Acquisitions Policy. The Policy set out the framework of these acquisitions and the agreed protocol.

## **39. Budget Monitoring Report Period 4 Forecast**

### Purpose of report

To present the Council's forecast 2023/2024 financial position as at the end of July 2023, covering the General Fund Revenue Budget, Housing Revenue Account Budget, Capital programmes (General Fund and Housing Revenue Account), and a Reserves Overview (Including the General Fund and Housing Revenue Account).

### Decision

That Cabinet notes the forecasted 2023/2024 outturn position for the General Fund and Housing Revenue Account (HRA) and Capital budgets as at the end of July 2023.

### Alternative options considered and rejected

Not to receive the update; the update had already been presented to the Finance and Economic Overview and Scrutiny Committee so this had been the next stage in the budget monitoring process.

### Reasons for decision

Committee Members should be updated on the financial position of the Authority, as effective budget management was critical to ensuring financial resources were spent in line with the budget and were targeted towards the Council's priorities. Monitoring enabled the early identification of variations against the plan and facilitated timely corrective action.

This report provided an overview of the forecasted 2023/24 financial position for the Council and focused on the position as at the end of July 2023.

The following points were raised during discussion:

- The information contained within the report had previously been considered by Finance and Economic Overview & Scrutiny Committee, with the exception of the additional HRA capital budget of £1 million that had been approved by Full Council on 28 September 2023.
- Electricity costs had been lower than expected, and business rates had been reduced. Proposed fuel increases were lower than expected.
- The results of the officer pay award were still awaited.
- Whilst it was still planned to utilise reserves in the current year, the level of usage was not as high as predicted.
- The Changing Places toilet scheme was on the agenda of Rural and Communities Overview & Scrutiny Committee for 11 October 2023.
- Caution should be afforded to fuel and electricity prices given the current situation in the Middle East.
- One area discussed at the Finance and Economic Overview & Scrutiny Committee in September was the underspend on enhancements to the Council's housing stock.

#### **40. Stamford North Statement of Common Ground**

##### Purpose of report

To consider the Stamford North Statement of Common Ground and accompanying Duty to Cooperate Board Terms of Reference.

##### Decision

That Cabinet:

1. Agrees to South Kesteven District Council becoming a signatory to Stamford North Statement of Common Ground, as amended (appended to these minutes), and in so doing, authorizes the Chief Executive to be the signatory.
2. Agrees to the establishment of a joint board consisting of South Kesteven District Council and Rutland County Council to oversee the potential proposed development of Stamford North, which will be governed by Terms of Reference.

##### Alternative options considered and rejected

The alternative of not signing the Statement of Common Ground may contravene the current duty to cooperate with neighbouring authorities. It may also have led to a less sustainable development at Stamford North. Therefore, the do nothing option was discounted.

##### Reasons for decision

The Statement of Common Ground sets out both the background and the two authorities' intentions for the entire proposed development. It would help to

demonstrate Duty to Co-operate on matters by Rutland County Council and South Kesteven District Councils. The reason for the recommendation was to help to enable both authorities to work together on the delivery of a comprehensive cross-boundary development at Stamford North which would include the provision of infrastructure to mitigate any impact on the local area through the collection and expenditure of developer contributions.

The Rutland Local Plan included a housing allocation for 1,350 houses at Stamford North which extended into Rutland, providing an additional 650 homes at Quarry Farm.

The site in Rutland was required to make the entire allocation developable due to the addition of a link road. Local Authorities had a legal duty to cooperate and needed to engage constructively on an ongoing basis to maximise the preparations for the Local Plan.

South Kesteven and Rutland Councils had a good track record of working together on Stamford North with joint discussions having taken place for more than five years. A Statement of Community Involvement had been jointly prepared, which set out proposed planning arrangements for the joint development, including the expenditure for developer contributions for the delivery of key infrastructure.

A Joint Strategic Planning Board would be established and governed by Terms of Reference. The South Kesteven and Rutland Local Plans would be drafted accordingly.

Small amendments to the printed Statement of Common Ground were proposed, seconded, and **AGREED**. It was noted that these amendments, contained within the copy appended to these minutes had not yet been agreed with Rutland County Council.

#### **41. Cabinet's Forward Plan**

Since the publication of the Forward Plan within the Cabinet papers further reports had been added to the Forward Plan. The following reports were highlighted as having been added to the November meeting of Cabinet:

- South Kesteven District Council Customer Service Point Relocation
- Domestic Battery Recycling Service

The remainder of the Forward Plan was noted.

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**Rutland**  
County Council



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

**Rutland Local Plan and South Kesteven Local Plan Review**  
**Statement of Common Ground**  
**Rutland County Council & South Kesteven District Council**  
**September 2023**

## **1. Introduction**

- 1.1 This Statement of Common Ground (SoCG) has been developed in order to address Strategic Planning Matters between the parties of Rutland County Council and South Kesteven District Council. A map of the area is shown in section 5.
- 1.2 The two Authorities are part of the Peterborough Sub-Region Housing Market Area (HMA) and Functional Economic Market Area (FEMA).
- 1.3 A separate Statement of Common Ground is considered necessary in order to address specific issues that relate to the two authorities regarding their respective development plan.
- 1.4 The Statement sets out the confirmed points of agreement between the parties with regard to:
  - Development of a Strategic Development Area at 'Stamford North' that crosses the administrative boundaries of Rutland County and South Kesteven District;
  - The distribution of housing requirements between Rutland CC and South Kesteven DC; and
  - Infrastructure implications arising from planned growth in the respective Local Authority areas, with particular respect to the Stamford North development.
- 1.5 The purpose of the Statement of Common Ground is to inform the preparation of the Rutland Local Plan and the South Kesteven Local Plan Review.
- 1.6 The Statement of Common Ground (SoCG) provides a framework for compliance with the Duty to Co-operate and obligations arising from Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2019). The statement is prepared in accordance with the Planning Practice Guidance.

## **2. Background**

- 2.1 Rutland County Council and South Kesteven District Council are public bodies that are the Local Planning Authorities (LPA) for their respective administrative areas. They are prescribed Bodies for the purposes of the Duty to Cooperate.

- 2.2 The development of 'Local Plans' for each Authority has involved ongoing cooperation between the parties in order to ensure that cross boundary and strategic issues are appropriately addressed.
- 2.3 This Statement of Common Ground reflects the agreed position between Rutland County Council and South Kesteven District Council to assist in the preparation of their respective development plans.
- 2.4 The South Kesteven District Local Plan was adopted in January 2020. The Inspector's final report on the current Local Plan (2011 - 2036) commits the Council to undertake an early review of the Local Plan from April 2020. The review enables necessary updates of evidence, and the Council to consider whether its local housing need has changed and needs to be re-evaluated taking into consideration changes to national planning guidance. South Kesteven District Council have completed an Issues and Options consultation and are currently proposing to undertake public consultation under Regulation 18 of the Local Plans Regulations regarding a draft Local Plan review in Winter 2023.
- 2.5 In September 2021, Rutland County Council committed to producing a new Local Plan for the County. It has also undertaken an Issues and Options consultation and is preparing a "Preferred Options" Local Plan for public consultation under Regulation 18 in Autumn 2023.
- 2.6 The Stamford North Urban Extension is a strategic development area that comprises a 153-hectare site, of which approximately 84 hectares is within South Kesteven District and approximately 69 hectares in Rutland County. The South Kesteven Local Plan allocates some 1,350 dwellings on the site and it is proposed that there will be no more than 650 dwellings allocated within Rutland County.
- 2.7 This SoCG commits the two Local Planning Authorities to working jointly to plan for a comprehensive development of the Stamford North site, including – where appropriate –the development of a joint evidence base; development of co-ordinated planning policies; governance of the planning process (including roles and responsibilities); mitigation of risks; and implementation of the joint planning process, including the co-ordination of infrastructure planning, funding, and delivery.
- 2.8 With regard to housing requirements and distribution, the SoCG seeks to agree the position between the parties with regards to meeting the identified housing needs for each authority area. This is on the basis that housing development within the separate two local authority areas of the Stamford North site (total

capacity of 2,000 dwellings) will contribute to each respective authority's housing needs (i.e. the proposed development of 1,350 dwellings within South Kesteven District Council would contribute to South Kesteven's housing needs and the proposed development of 650 dwellings with Rutland County Council would contribute to Rutland's housing needs). There is therefore no requirement on either authority to meet the unmet needs of the other.

### **3. Areas of Common Ground**

#### **Development of a Strategic Development Area at 'Stamford North'**

- 3.1 The South Kesteven Local Plan (SKLP) allocates a site of some 153 hectares of land at Stamford North. The allocation seeks to deliver some 2,000 houses (including 650 to be delivered within Rutland's administrative area at Quarry Farm) as well as the necessary supporting infrastructure.
  - 3.1.1 The parties agree that:
  - 3.1.2 The principle of development and associated infrastructure at Stamford North will be considered through the Rutland Local Plan and the South Kesteven Local Plan Review, whilst recognising that an allocation of land is already set out in Policy STM1 of the current adopted South Kesteven Local Plan.
  - 3.1.3 The proposed quantity (1,350 houses within South Kesteven District and no more than 650 houses within Rutland County's administrative area) and extent of the total 2,000 houses is agreed.
  - 3.1.4 With regard to housing requirements and distribution, the development within each local authority area will contribute to each authority's housing needs (i.e., the proposed development of 1,350 dwellings within South Kesteven District Council would contribute to South Kesteven's housing needs and the proposed development of 650 dwellings with Rutland County Council would contribute to Rutland's housing needs).
  - 3.1.5 Development within Rutland County's administrative area will include: a country park; a link road facilitating the east / west connection of the Old Great North Road, Little Casterton Road and Ryhall Road.
  - 3.1.6 Development within South Kesteven's administrative area will include a new link road, connecting Ryhall Road to Little Casterton Road and Old Great North Road (within Rutland's administrative area); a new primary school; expansion of school place capacity of the secondary school; a local centre; contributions to healthcare provision.

- 3.1.7 South Kesteven District Council will work with Rutland County Council to ensure that design principles for the entire site are agreed by both councils, be that through the preparation of a development brief and/or design code, to ensure a comprehensive cross boundary development. It is understood that whilst South Kesteven District Council has the policy basis to adopt any such brief as a Supplementary Planning Document, Rutland County Council will not be able to adopt it until the new Local Plan is in place.
- 3.1.8 Necessary community infrastructure to support the scale of development proposed will be provided within the administrative areas of Rutland County and South Kesteven District and will be agreed jointly by both parties. Provision of infrastructure will be secured either by direct 'on-site' provision or through financial contributions via Section 106/Community Infrastructure Levy (CIL) for off-site provision. Development in South Kesteven District is subject to Section 106 contributions; and development in Rutland County is subject to Community Infrastructure Levy and Section 106. Rutland County Council agrees to consult and reach agreement with SKDC in relation to the funding of infrastructure required to be delivered by statutory undertakers within Rutland County Council and South Kesteven District.
- 3.1.9 It is acknowledged that there is likely to be an impact on the existing infrastructure of Stamford, including schools, public transport, the town centre and health facilities. To ensure the development as a whole mitigates its impact on infrastructure, Rutland County Council agrees to prioritise expenditure of CIL receipts generated by the Stamford North development on projects that are either critical to enable the development to go ahead or are essential to mitigate the impact of the development on infrastructure, including infrastructure to be wholly located within South Kesteven District. It will consult and seek to reach agreement with SKDC through the governance arrangements set out below prior to any decisions made with regard to the CIL receipts generated from the Rutland County portion of the Stamford North development.
- 3.1.10 Joint working will take place at locations outside the immediate site boundary of Stamford North, where necessary, to support and / or enable development within that boundary (for example, necessary infrastructure upgrades).
- 3.1.11 The respective development plans for each party will make appropriate provision to enable the comprehensive development of Stamford North.
- 3.1.12 Measures to mitigate environmental impacts will be jointly pursued. These include: surface water flooding; ecology & biodiversity; geotechnical issues; the

existing movement network across the site, including public footpaths; views to and from heritage assets; and landscape and visual impacts.

- 3.1.13 Measures will be pursued to limit and mitigate any transport impacts, particularly in relation to the A1 which runs to the west of the proposed development.
- 3.1.14 Ongoing discussions will take place between the partners during the development and consideration of planning applications if any material cross boundary issues or impacts are identified in relation to the proposal.

#### Transport implications for the A1 and Local Highway network

- 3.2 The A1 trunk road falls within the administrative areas of both Rutland County and South Kesteven District. Proposed growth in both authorities (and in particular at Stamford North) has the potential to increase vehicular movements that access the strategic and local highway network. Both South Kesteven District Council and Rutland County Council have carried out transport assessments in order to understand the impacts of proposed growth. The assessments have identified that highway improvement schemes are required to mitigate potential impacts. The findings of the transport assessments have been shared with Highways England, Lincolnshire County Council and Rutland County Council Local Highway Authority.

The parties agree that:

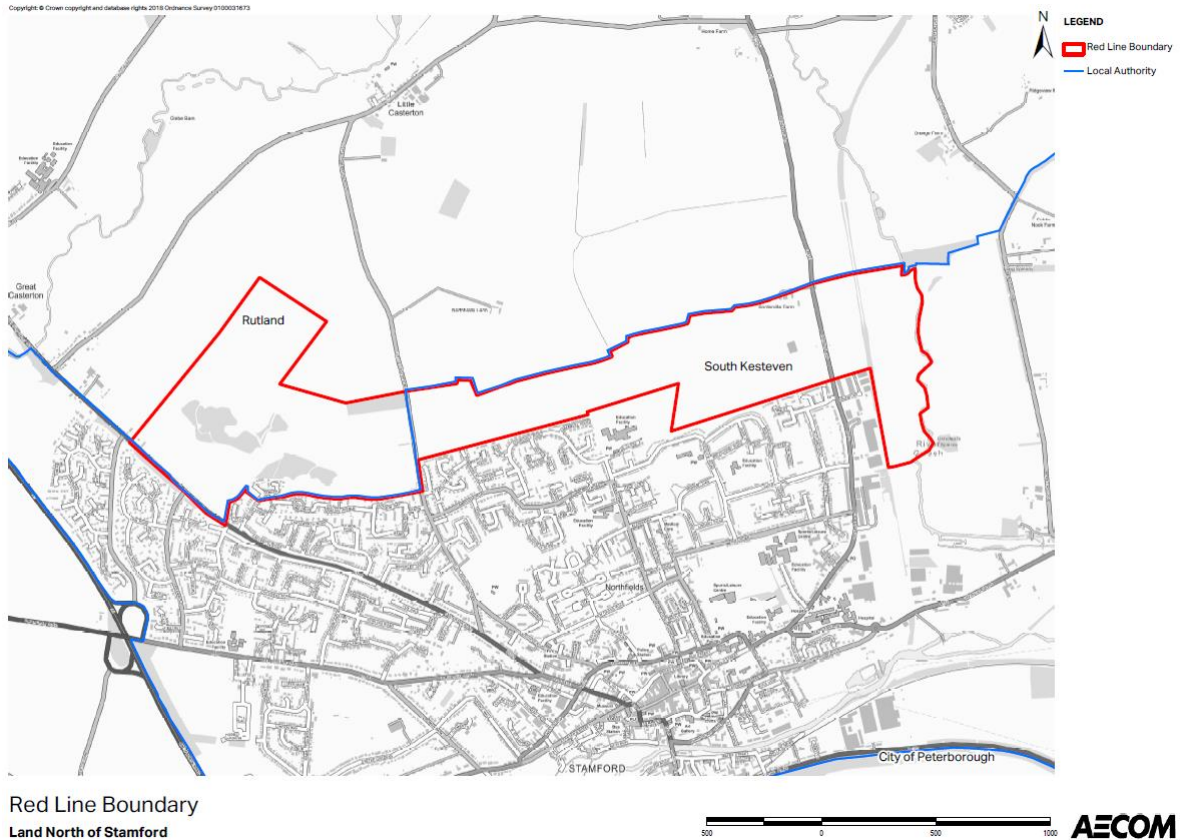
- 3.2.1 Based on available transport evidence, the impact of proposed growth identified within the Rutland Local Plan, when considered cumulatively with growth proposed in the South Kesteven Local Plan, is theoretically capable of being mitigated through improvements to links and junctions including, but not limited to, improvements to the A1 / A606 junction and provision of a link road facilitating the east / west connection of the Old Great North Road, Little Casterton Road and Ryhall Road. Mitigation measures are subject to final comment from Highways England and the respective Highways Authorities.

#### 4.0 Governance

- 4.1 This SoCG commits the strategic planning and democratic resources of both Councils to work together in the joint planning process. The terms of reference for the Project Board to be established are set out in Appendix 1 to this statement.
- 4.2 In terms of governance arrangements the two authorities agree to adopt the principles of open communication and the sharing of information. More specifically both Councils agree:

- That both parties will continue to work together to ensure that the Stamford North development is delivered in a comprehensive way;
- To produce a Project Plan showing key work stages and timetable to align and co-ordinate policy and evidence;
- Align decision-making;
- Seek to reach agreement prior to any decisions made with regard to these specific CIL generated from the Rutland County portion of the Stamford North development;
- To keep each other well informed on both an informal and formal basis of matters arising which are likely to have significant cross-boundary implications;
- To work together to achieve identified outcomes in relation to strategic matters;
- To review and update this Statement in light of any material change in circumstance such as: major changes to legislation or guidance; material changes to policy and strategy in the emerging plans;
- To adopt positive principles of cooperation; and
- Establish a bipartite structure of a Project Board for the purposes of the joint planning exercise and to work together to enable the delivery of the critical infrastructure required to support the level of development proposed across the whole site.
- To work together and ensure agreement of any development brief and/or design code produced (be that by the council or developers). Any such document must be cross boundary, covering the entire site.

## 5.0 Map of Strategic Planning Area



## Appendix 1 – Terms of reference

### Agreement

Signed on behalf of Rutland County Council

Mark Andrews

Chief Executive

Signed on behalf of South Kesteven District Council



**Karen Bradford**  
**Chief Executive**

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