

Cabinet



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Tuesday, 10 October 2023 at 2.00 pm
Council Chamber - South Kesteven House, St. Peter's
Hill, Grantham. NG31 6PZ

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

Councillor Rhys Baker, Cabinet Member for Environment and Waste (jobshare)
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

Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-1 Channel](#)

- 1. Apologies for absence**
- 2. Minutes of the previous meeting** (Pages 3 - 15)
Minutes of the meeting held on 11 September 2023.
- 3. Disclosure of Interests**

Items for Cabinet Decision: Key

4. Managed Stores Contract

(Pages 17 - 36)

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

The procurement was completed through a compliant procurement process, with the contract to be awarded through the Yorkshire Purchasing Organisation (YPO) framework.

5. Review of Public Space Protection Orders

(Pages 37 - 134)

The Council is required to review the Public Spaces Protection Orders which apply in the district every three years. This report considers whether the existing orders be extended, that an existing order be amended and that an additional order be implemented.

Items for Cabinet Decision: Non-Key

6. HRA Disposal & Acquisitions Policy

(Pages 135 - 150)

To seek approval from Cabinet of the adoption of the new HRA Acquisition and Disposal Policy which sets the framework for the way in which we acquire and dispose of land or assets to and from the Housing Revenue Account.

7. Budget Monitoring Report Period 4 Forecast

(Pages 151 - 177)

To present the Council's forecast 2023/24 financial position as at the end of July 2023. The report covers the following areas:

- General Fund Revenue Budget
- Housing Revenue Account Budget
- Capital Programmes – General Fund and Housing Revenue Account
- Reserves overview – General Fund and Housing Revenue Account

8. Stamford North Statement of Common Ground

(Pages 179 - 208)

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

Items for information

9. Cabinet's Forward Plan

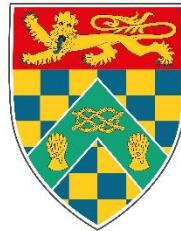
(Pages 209 - 218)

This report highlights matters on the Cabinet's Forward Plan.

Minutes

Cabinet

Monday, 11 September 2023



SOUTH
KESTEVEN
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COUNCIL

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 Rhys Baker, Cabinet Member for Environment and Waste (jobshare)

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 Virginia Moran

Councillor Charmaine Morgan

Councillor Ian Selby

Councillor Lee Steptoe

Councillor Mark Whittington

Officers

Karen Bradford, Chief Executive

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

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

Craig Spence, Acting Director of Housing

Graham Watts, Assistant Director of Governance (Monitoring Officer)

Fran Beckitt, Interim Head of HR

Debbie Roberts, Head of Corporate Projects, Policy and Performance

James Welbourn, Democratic Services Manager

Patrick Astill, Communications Officer

Charles James, Policy Officer

Adam Murray, Principal Planning Officer

19. Introduction to the meeting

Prior to the commencement of business, Members of Cabinet and those others present stood for a minute's silence to mark the recent passing of their colleague, Councillor Ray Wootten.

20. Apologies for absence

There were no apologies for absence.

Councillor Patsy Ellis was acting as Cabinet Member for Environment and Waste for the meeting, under the job share arrangement with Councillor Rhys Baker.

21. Minutes of the previous meeting

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

22. Disclosure of Interests

There were no disclosures of interests.

23. Proposed Replacement Depot Turnpike Close Grantham

Purpose of report

To consider the proposals and agree the next steps to enable the development of a new depot at Turnpike Close in Grantham.

Decision

To recommend to Council:

1. That an allocation of £8million be included in the General Fund Capital Programme to provide funding to construct a new depot at Turnpike Close, Grantham.
2. A delegation of authority to the Council's Section 151 Officer, in consultation with the Leader and Deputy Leader of the Council, to allocate further funding if required due to unforeseen costs during the project.
3. A request that the Finance and Economic Overview and Scrutiny Committee adds the replacement depot to its work programme and establishes a working group to receive regular updates and monitor the project.

Alternative options considered and rejected

Option 1 - To do nothing, not approve the budget for the construction of a new depot and remain at Alexandra Road. This had been discounted due to the growth of the District as identified in the Local Plan and the inability of the existing site to meet growth demands.

Option 2 – Investigate whether Alexandra Road (under the ownership of South Kesteven District Council) could be re- modelled to reconfigure the site.

Option 3 – Sell the Turnpike Close site and look for another site to purchase.

Reasons for decision

The site was chosen and purchased as the ideal situation for a replacement depot. The costs for the scheme were volatile but the building of the site was a priority due to potential changes in the Environment Act.

The Council needed to find an alternative provision for delivering its statutory function of this service. The site at Alexandra Road was geographically constrained and therefore could not accommodate any further service growth to meet future operational needs as identified in the Local Plan.

The welfare facilities did not meet modern standards for the Council's workforce. A new facility would provide drying areas, new locker provisions as well as canteen and training facilities. The training room could be used by officers and Members providing a multipurpose space.

The ability to maximise sustainable systems so that the operational cost of the facility was lower showed a progressive approach working towards a carbon reduction target of 30% by 2030 and zero carbon by 2050.

The Leader of the Council and Cabinet Member for Property and Public Engagement highlighted several key points on the depot:

- An options appraisal on the Alexandra Road site still needed to be undertaken.
- The Lincolnshire County Council waste recycling centre must remain on the Alexandra Road site until at least April 2025 so as not to disrupt crucial services.
- The priority of delivering a new depot was highlighted in the Corporate Plan when it was being drafted in 2020, under the priority 'building a fit for purpose depot'. The current site was not fit for purpose and had no capacity for key areas such as welfare facilities and the workshop to expand into.
- The Design team had worked on plans for a fit for purpose depot, which would allow for services to be housed together, whilst retaining land for future growth.
- The Joint Meeting of the Finance & Economic, and Environment Overview & Scrutiny Committees recommended to Cabinet at its meeting held on 25 July 2023 that an allocation of £8 million should be included in the General Fund Capital Programme in order to construct the new depot at Turnpike Close, Grantham.

The following points were highlighted during discussion:

- The engagement with the external cost consultants had led to the assurance that a contingency fund of 4.8% would be sufficient for the project. The Outline Programme for the works had to be ambitious, and the indicative timeline reflected that it was.

- It was important that a contingency was built into the project to allow for unforeseen issues. If further major events impacted the project, then the relevant approvals would be sought from members and officers.
- As much of the information as possible seen by any working group set up by the Finance and Economic Overview and Scrutiny Committee should be in the public domain.

24. Proposals for the upgrading of District Council street lights to LED units

Purpose of report

An overview regarding South Kesteven District Council's potential to upgrade District Council operated streetlights to energy efficient LED (Light Emitting Diode) units.

Decision

1. Cabinet recommended to Council the allocation of funding of £1 million to accelerate the replacement of the Council operated streetlights with LED energy efficiency lamps. The scheme to be funded as follows:
 - £500k Invest to Save Reserve
 - £250k Budget Stabilisation Reserve
 - £250k Local Priorities Reserve
2. Cabinet requested that Environment Overview and Scrutiny Committee review the current Street Lighting Policy with regard to further reducing energy costs at specific times and locations.

Alternative options considered and rejected

Option 1: Accelerate programme to upgrade all existing lights to LED. Indicative costs were obtained to upgrade all possible streetlight units to LED within a year of contract commencement. This included an allocation for the potential upgrade of obsolete street light columns where required, estimated at 5% of the total stock of lights. A dimming schedule between midnight and 6am was assumed, where lights were dimmed to 50% of full illumination, in line with current policy. An overall energy saving by upgrading to LED with 6 hours of dimming of 63% was assumed based on supplier projections.

Option 2: Accelerate programme to upgrade all existing lights to LED and implement policy to switch off lighting between midnight to 6am. This option used the same assumptions as Option 1, but rather than using the existing dimming profile assumed streetlights would be dark between midnight and 6am, with an assumed energy saving of 75%.

Option 3: Review provision of streetlighting with the aim to upgrade every other unit to LED and decommission remaining units. The potential to reduce the overall stock of streetlights which the Council had the responsibility to illuminate had also been explored.

Regarding option 3, consideration would need to be made on the placement of individual lamps to ensure the remaining provision of lighting was adequate around decommissioned columns. Once agreed, the Council would need to remove fuses from streetlights to be decommissioned at a cost per lamp. The lamps would remain liable for a standing charge for electricity when not in use. Once the light was declared as obsolete, the Council was obliged by the National Grid to potentially disconnect and remove lighting columns after a 2-year period, at a further cost. The Council also had a duty of care to ensure the obsolete lighting column was inspected annually to ensure they remained safe. Finally, adequate signage would need to be added to every lighting column decommissioned, to help minimise the number of reports to the Council of faulty lights. Given the number of impediments to decommissioning and removing lamps, detailed costs had not been provided to Cabinet.

Option 4: The Council could choose not to pursue a proactive programme of LED upgrades. This would require no upfront investment and lamps would only be replaced by LED when a streetlight has failed. This would mean a significantly longer programme of replacement and would need to have considered a potential scarcity of replacement parts for existing lamps.

Reasons for decision

South Kesteven District Council was responsible for 3893 streetlights within the district which were all funded from the Council's General Fund.

The majority of lights operated by the Council were 35W (or 36W) low pressure sodium lamps, responsible for just over 4% of the Council's total carbon emissions – a significant contribution.

Several different options had been considered in the past regarding the most efficient management of the Council's stock of streetlights. Following a recommendation by Environment Overview and Scrutiny Committee, Cabinet on 12 July 2018 considered and approved a policy, addressing how the Council's streetlights were to be managed.

Following a decision at Cabinet on 11 June 2019, a project was initiated to accelerate the upgrade of the Council's stock of streetlights to LED lamps, replacing the existing policy to upgrade only failed lamps. This allocated £100,000 from the Council's Invest to Save reserve as part of a 12-year overall programme. Benefits noted from the upgrades included a reduction in electricity use and associated costs, with a consequent reduction in carbon emissions.

In tandem with project development work required for the main LED upgrades, repair and maintenance arrangements for existing lamps had also been reviewed. Current arrangements were for ongoing reactive maintenance of non-LED lamps where feasible, and where lamps were beyond repair they were now being updated to LEDs. Currently, there was no budget to replace every failed unit with an LED upgrade. To date, 699 street lights had been upgraded to LED.

Through upgrading existing units to LED (with capability for dimming), the energy reduction achieved in the latest month, across the whole stock of lights, was 12%.

Since the agreement of the Invest to Save budget, South Kesteven District Council, like many other organisations, had seen vastly escalating utility costs. The electricity budget for streetlighting for 2022/23 was set at £171k and the total spend for 2022/23 was £221k.

The original expectations of reinvesting savings from reduced electricity use could no longer be met, as the increased cost of energy had outpaced the savings made through reduction. There had been no agreed standalone budget for upgrading the streetlights to LED, beyond an existing fund for reactive maintenance of broken lights.

As a result of the sharp escalation in energy costs, the business case for an accelerated programme of upgrades to LED across the whole stock of streetlights became stronger. Prices for wholesale electricity and gas appeared to have 'spiked' last winter. Nevertheless, current costs remained at a historic high and, given the volatility of energy markets and potential for further disruption next winter, it was reasonable to expect continuing high prices for both gas and electricity.

Reducing energy consumption from streetlighting would contribute to the Council's declared carbon reduction target of at least 30% by 2030.

Four options had been explored to fulfil the Council's obligations to provide lighting in the most cost and environmentally effective way. It was recognised that several other options could have been considered but these will depend upon the scope and scale of any replacement programme.

The Finance and Economic Overview and Scrutiny Committee met on 22 June 2023 to review the four options, with particular regard to the financial, environment and service level implications. They agreed to pursue the full upgrade programme of Option 1 or 2, with the recommendation to allocate funding from Council reserves.

Whilst £1 million was a large outlay, it would mean that savings could be made on lighting in a relatively short period of time.

The Environment Overview & Scrutiny Committee would be asked to investigate whether streetlights operated by the Council would remain on or off at night.

Any impacts on surrounding wildlife would need to be considered; assurances on this would be sought through the operational stage of the LED rollout. In rural areas where there wouldn't normally be a light source special coloured lighting could be considered.

25. Housing Revenue Account Acquisitions Capital Budget

Purpose of report

To recommend to Council the amendment of the 2023/2024 Housing Revenue Account (HRA) capital allocation of Housing Development Investment by an additional £1m to be able to respond promptly to opportunities to purchase properties to increase the Council's housing stock.

Decision

That Cabinet recommended to Council the amendment of the Housing Revenue Account 2023/2024 Capital Programme Housing Development Investment by an additional £1m.

Alternative options considered and rejected

The Council could have decided not to purchase any additional properties. This would not have met the housing needs priority of the Corporate Plan and would not have supported the pipeline of delivering new housing in the District.

Reasons for decision

The decision enabled the increase of the housing stock to meet the needs of South Kesteven's residents. The Council currently loses around 40 units per year through the 'right to buy' scheme.

The £3 million capital programme had already been committed towards two new-build schemes at Swinegate in Grantham and Elizabeth Road in Stamford.

If possible, the Council wanted to develop a hybrid approach of building their own units and also purchasing from larger, existing developments. The additional budget would give the flexibility to do this.

The following points were raised during discussion:

- The additional £1m of funding was for the period from now for the remainder of the financial year.
- There was a need for social housing across the district and on a national level.
- The Council were coming to the end of their Housing Regulatory Compliance period and once out of this period would have more options to increase their housing stock.
- A number of housing associations who were registered providers of social housing were finding themselves in a difficult position with the increase in interest rates, as they found it harder to purchase and manage properties on larger developments. This funding enabled the Council to take opportunities in the housing market when they arose.
- The £1 million of funding was taken from the Housing Revenue Account (HRA), and would not affect Council Tax rates.

26. Contract Awards in relation to social landlord responsibilities

Purpose of report

This report was for the contract award for installation of new fire doors and associated safety works identified as part of the fire door inspection programme.

This award would complement the award for compartmentation works approved at Cabinet on 30 May 2023.

Decision

Cabinet approved the direct award of a contract for Fire Door and associated works via the CPC East England regional lot to Global HSE Solutions Ltd. for a two-year period with the option for two one-year extensions. The estimated contract value was £500,000 per annum for the life of the contract.

Alternative options considered and rejected

There were no other options available.

Reasons for decision

The proposed contract award had followed compliant procurement processes and would provide the Council with the appropriate contracts to aid the Council on delivering their Corporate Priority to provide *“Housing that meets the needs of all residents”*.

The award of the contract was aimed at protecting council tenants and aiming to ensure that the Council remained free of any regulations imposed as part of the Housing Regulatory Compliance.

27. Control Room Relocation

Purpose of report

The relocation of the Control Room (containing CCTV) to the Grantham Police Station.

Decision

That Cabinet:

1. Approved the relocation of the Control Room to the Grantham Police Station.
2. Approved a budget amendment of £16,800 to be funded from the Council's Local Priorities Reserve.

Alternative options considered and rejected

The Control Room could have remained at its current location, but this would have impacted on any future options for Alexandra Road if the depot relocation was to be approved at Full Council.

The Control Room could be included in the new depot site, but this would remove the benefits that came with sharing the Police Station site.

Reasons for decision

The relocation of the Control Room would remove the limitations of the current location, increase partnership working with the Police and would also bring a number of benefits to the Council, such as:

- Reduced timeline for the Police to review CCTV footage
- Reduced lone working as the CCTV operatives would be based at the Police Station
- Provision of modern facilities for the CCTV operatives
- Reduction in operating costs from the current location

There was a requirement to sign a 20-year lease agreement, but this came at no cost to the Council.

28. Comprehensive Masterplan for Local Plan allocation at Low Road, Barrowby

Purpose of report

To approve the Comprehensive Masterplan document for the Local Plan residential development site allocation at Low Road, Barrowby.

Decision

Cabinet approved the proposed Comprehensive Masterplan (dated June 2023) (Revision Q) enclosed at Appendix 1 of the report as the agreed Masterplan for the Low Road, Barrowby Local Plan allocation.

Alternative options considered and rejected

The alternative of not approving the submitted Comprehensive Masterplan had been discounted. Failure to approve the Masterplan document would have resulted in the planning applications for the remaining parcels of the site allocation being determined in the absence of an agreed masterplan, and this may have resulted in the applications being deemed contrary to the Local Plan policy requirements. This may also have resulted in planning permission being delayed and/or withheld for the site allocation.

This course of action would have implications for the Council in respect of the requirement to maintain a 5-year housing land supply and, as a result, could have led to planning applications for speculative development within the District. Similarly, it may have also resulted in appeals against the refusal/non-determination of planning applications for the remaining site allocation, and the Council may have been liable for costs incurred for defending any decision.

Reasons for decision

The submitted masterplan document was approved to ensure that there was an agreed masterplan for the Low Road, Barrowby Local Plan allocation, which would ensure the comprehensive and co-ordinated delivery of the remainder of the site allocation. This was important because it assisted in ensuring the Council met its corporative objectives in respect of delivering housing that meets the needs of all residents, through the delivery of high-quality, well-designed developments.

The Low Road, Barrowby was within the adopted Local Plan for a development of up to 270 dwellings. There were three parcels of land under three different developers; Persimmon Homes, Allison Homes, and Platform Housing. The Comprehensive Masterplan was the result of extensive engagement between officers, developers and the local community and had included formal consultation with Barrowby Parish Council, local residents and statutory consultees; this would ensure that the site was developed in a holistic and co-ordinated manner. The consultation had identified that the Masterplan had support.

The County Councillor for Barrowby was present and highlighted to Cabinet that there had been good communication with both Persimmon and Allison Homes prior to their houses being built. Platform Housing had built their planned house and supermarket prior to the agreement of the Masterplan. They had however listened to subsequent design concerns. The potential loss of Section 106 monies as a result of this would be raised through the relevant Council channels.

The Council was in continued discussion with Barrowby Parish Council with regard to Persimmon and Allison Homes. The Masterplan was not the end of the process; future applications coming forward for planning permission would have to take into account Section 106 funding.

29. State of the District Report 2023

Purpose of report

To present to Cabinet the State of the District report.

Decision

Cabinet approved the State of the District Report 2023.

Alternative options considered and rejected

Not producing or publicly releasing the State of the District Report 2023.

Reasons for decision

The release of the State of the District Report 2023 ('the Report') provided a useful resource for all stakeholders: partner, businesses, civil society organisations and members of the public, whether resident to the district or beyond who wished to learn more about South Kesteven. All the information included in the State of the District Report was publicly available, but this report was a coherent and factually accurate one that was proposed to be updated annually. It also aided the Council's Corporate Plan.

The Report was updated annually to reflect the overall state of the district. It provided an up to date, balanced, objective view of performance across South Kesteven and highlighted the characteristics of the area whilst also outlining the strategic challenges that the district faced. These four key long-term strategic challenges could be summarised as:

1. Economic underperformance relative to neighbouring areas
2. Persistent pockets of severe deprivation
3. Increasingly aged population
4. Leading the district in tackling the climate emergency

Included was a suite of socio-economic indicators that corresponded to areas where the Council wished to see change.

The following points were raised during discussion:

- This document was the type of evidence that would be useful in a forum such as the Health Scrutiny Committee at Lincolnshire County Council.
- Many of the sources of data had information that was broken down to below Ward level, known as 'super lower output areas'. This could be made available by officers.
- The level of Gross disposable household income (GDHI) was the amount of money that all of the individuals in a household had available for spending or saving after they have paid all direct and indirect taxes and received any direct benefits. The level of GDHI per head in South Kesteven was the highest in Lincolnshire.
- This document was already being used by officers as part of the new Corporate Plan.
- The Office for Local Government (OFLOG) performance indicators also fed into this Report. These performance indicators also assisted, for example, with Levelling Up funding from the government. A specific study and discussion on the Earlsfield Estate in Grantham had commenced with the Department for Levelling Up, Housing and Communities (DLUHC); South Kesteven was 'Grade 3' in the levelling up gradings, which meant that it was difficult to access funding. The level of detail in the Report would mean that any hidden deprivation in areas such as Earlsfield could be highlighted.
- The Report would be made available in full to all members of the Council.

30. Refreshed Corporate Values

Purpose of report

An update on the refresh of South Kesteven District Council's corporate values and the activity that had taken place to identify potential new values. The proposed new values had been recommended by Employment Committee.

Decision

Cabinet approved the new Corporate Values of Trust, Empowerment, Accountability, Making a Difference, Supportive to All and Kindness.

Alternative options considered and rejected

Other popular options for proposed values included:

At #TeamSK:

- We care
- We're fair
- We make it happen

And:

- We're positive
- We trust
- We make a difference
- #TheTeamSKWay

The consensus was that the chosen proposed values encompassed the Council most accurately and the acronym style made the values memorable.

Reasons for decision

The values combined feedback from the employee and member workshops. In total, more than 200 individuals were involved in providing feedback on Corporate Values. The Values were unanimously recommended by Employment Committee in June 2023.

A new set of values would form the basis of recruitment, policies and processes as a consistent focus on nurturing the desired culture.

The layout of the log was as follows:



31. Key and Non-Key Decisions taken under Delegated Powers

The Key and Non-Key Decisions taken since the previous meeting of Cabinet on 11 July were noted.

32. Cabinet's Forward Plan

The Cabinet Forward Plan was noted.

The meeting closed at 3:16pm.

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SOUTH
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Cabinet

Date 10th October 2023

Report of Councillors Rhys Baker and
Patsy Ellis Cabinet Members for
Environment and Waste

Managed Stores Contract

Report Author

George Chase, Waste & Recycling Operations Manager

George.chase@southkesteven.gov.uk

Purpose of Report

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

The procurement was completed through a compliant procurement process, with the contract to be awarded through the Yorkshire Purchasing Organisation (YPO) framework.

Recommendations

That Cabinet:

1. Approves the award of the Managed Stores Contract delivered through a further competition tendering process via the 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 is £424,000 per annum.

Decision Information	
Is this a Key Decision?	Yes
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Clean and sustainable environment - by maintaining the Council's vehicle fleet.
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 The annual value of the contract is within budgeted levels and will ensure value for money is achieved through the purchase of materials via a compliant route.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

1.2 The award of this contract has followed the necessary processes in accordance with Contract Procedure Rules.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

2. Background to the Report

2.1 The Managed Stores contract is currently provided by Fleetfactors Ltd via the YPO framework. The stores contract provides for all the vehicle parts and consumables for the maintenance of Council's fleet of vehicles including vehicles for the services of Waste and Recycling, Street Scene, Pool Cars, Housing repairs. They provide a very efficient service and the majority of parts and

consumable are supplied within 24 to 48 hours. This contract has been running for 2 years with a 1-year extension which ends on the 31st October 2023.

- 2.2 We have ensured compliance with the procurement process for this contract by engaging both Welland Procurement and our in-house Procurement Officer. The contract is proposed to be awarded via a national framework to ensure deliverability, minimal risk and compliance with procurement guidelines.
- 2.3 The specification can be found at Appendix 1 – Managed Stores Contract Specification
- 2.4 Should Cabinet approve this contract award; the Council shall enter into a contract for an initial 4 years with the option for a 2-year extension dependent upon the Councils satisfaction with performance and quality of work completed.

3. Key Considerations

- 3.1 A fully compliant procurement process has been undertaken resulting in the identification of a supplier to undertake this important aspect of work.

4. Other Options Considered

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

5. Reasons for the Recommendations

- 5.1 The proposed contract award has followed compliant procurement processes and shall provide the Council with the appropriate contract to aid us to deliver on our Corporate Priority to provide “Clean and sustainable environment” by ensuring that our Vehicle Fleet are maintained and fuel efficient to ensure essential environmental and other services keep their vehicles on the road and remain productive.

6. Appendices

- 6.1 Appendix 1 – Managed Stores Contract Specification

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Further Competition Template



Driving your world | Fleet & Highways

Further Competition Ref: DN663229 - YPO DPS 1117 Fleet Management (Lot 3 Managed Stores) on behalf of South Kesteven District Council – October 2023

Contracting Authority Name:	South Kesteven District Council (the Council)
Contract Authority Contact	George Chase email: george.chase@southkesteven.gov.uk
YPO e-tendering portal	Yes

Introduction

The Council is seeking to form a contract with a suitable Provider to deliver a Managed Service for:

The supply of vehicle parts, and workshop consumables via managed store and 'on demand' delivery.

The commissioning of some associated ad-hoc services required to operate a vehicle maintenance and repair service.

The Council owns, operates, and hires a diverse range of vehicles ranging from small cars and vans, light and heavy commercials, municipal waste collection vehicles and small and large items of plant associated grounds maintenance.

These assets are managed, maintained and repaired by the Council's in-house vehicle workshops, known as "Transport Services".

Transport Services employs vehicle technicians and supporting staff based in its workshop located at Mowbeck Way, Grantham, NG31 7AH.

The operation of the Council's fleet is integral to the delivery of critical front-line services, which have a direct impact on the lives of the residents and visitors to The. The supply of vehicle spare parts is essential to ensure that vehicles are available to enable The Council to always deliver these services.

1. Organisations Requirement/Specification

The scope of this contract is for a managed service to deliver a single approach to the Council's Transport Services for provision of all the following:

- Supply of vehicle and plant parts
- Supply of workshop consumables including oils and lubricants
- Supply of materials and consumables for light engineering
- Management of Impress Stock
- Management the 'on demand' delivery of non-routine items
- Commissioning of some ad-hoc services, associated with vehicle maintenance.

The range and volume of parts and consumables supplied shall be sufficient to meet all the repair and maintenance requirements for the Council's fleet throughout the period of the contract.

The nature of the Council's business includes demanding work for its fleet so the expected operation of the asset must be considered when selecting parts or components.

Detailed knowledge and understanding of the vehicle parts and maintenance industry will be required to provide effective advice which will support the operation of all Council's Transport Services.

The service required will be made available to the normal hours of operation for the Council's Vehicle Fleet which on occasion may include out of hours, weekend, and bank holiday working.

Effective management of onsite storage facilities and the supply chain will be required to meet the Council's Transport Services timescales.

The Council's fleet and locations of operations will be subject to change throughout the period of the contract, to meet the service requirements of the Council. Therefore, the type and volume of items supplied by this contract shall also be expected to change in order to meet the needs of the Council.

Based on the historic spend for the services required the anticipated value of this contract is up to £420,000 per year. However, no guarantee is given or implied, as to the quantities of goods or services that will be required under this arrangement.

The contract term shall be for a primary period of 4 years with the option to extend for a further 2 years on a year-by-year basis based on completion of satisfactory annual reviews, to a maximum period of 5 years.

This Contract does not prevent the Council from doing similar work with its own labour or contracting with other suppliers for similar work where this may be beneficial for the Council. The Provider has no claim for additional costs when the Council carries out the work or uses others.

2. Background

Current Service

The services provided by our Directorates touch the lives of every resident in the South Kesteven District. Our environmental infrastructure forms the Council's most valuable asset, providing the landscape in which we live.

Future Requirements

The Council is open to any proposed method of service delivery for this Contract that demonstrates delivery of the requirements of this Specification.

During the period of this contract there may be further restructuring of public authorities and services within The Council. Where these changes result in an adjustment in the scope of services delivered by Transport Services the Contract will correspondingly need to adjust in scope, in particular, the volume and range of items and services provided. It is probable that during the life of this contract, The Council will introduce alternatively fuelled vehicles to the fleet. The Provider must be prepared to support the servicing and maintenance of these vehicles.

The Council Transport Services

Transport Services provides fleet management support for all the Council's vehicle assets. Transport Services aims to provide a single approach for fleet management to the Council by:

- Providing a full vehicle maintenance and transport support function
- Supporting compliance with the requirements of the Council's Operators' Licence granted by the Traffic Commissioner
- Ensuring tighter financial controls and better governance for the procurement, maintenance, running, replacement, and disposal of vehicle assets
- Working with service managers to ensure the fleet is fully utilised

Working Hours

The appointed supplier shall have the capacity and ability to deliver during the normal working hours as stated below, subject to change

Normal working hours:

Monday – Friday 07:00 to 16:00

Additional cover will be required to cover winter maintenance and Bank Holidays as and when requested by the Council.

ICT and Fleet Management Systems

Transport Services use Chevin Fleet Solutions, Fleet Management software known as Fleetwave. The supplier is expected to work together with The Council and Chevin Fleet Solutions to ensure "real time costing" of vehicle maintenance to allow for better control of costs.

For other administrative ICT processes associated with this Contract the Council will use products based on Microsoft Office, e.g., Excel, Word, Access, Outlook.

3. Implementation Process

The implementation period shall commence from the notice of conditional award. The length of the implementation period will be proposed by the Provider as part of their tender submission but shall not exceed a total period of two calendar months.

The following actions are required for the implementation of this managed service:

Clarification Meeting and Site Visit

A clarification meeting and visit to site will be arranged for the Provider that ranks top following the tender process. The Provider will use this meeting and visits to confirm that their tender submission is compliant with the service requirements.

Contract Award

The 1st notification of Award and 10-day Standstill period will follow the satisfactory completion of the clarification meeting and site visit.

Development of the Supply Chain

The Provider will ensure that the supply chain management is established to ensure delivery of the service from the Contract start date.

Acquisition of routine stock items located in on site storage facilities

The Provider will establish, in consultation with Council Transport Services, the range and volume of items to be stored on site. These items will then be sourced in order to be available from the Contract start date.

Start of Service Delivery

The Contract will commence on the 1st November 2023

First Contract Review Meeting

The first contract review meeting shall be held one month from the Contract start date.

4. Overarching Principles

The following are the overarching principles of this contract. These principles shall apply at all times in the delivery of the service to the Council.

Best Value

The Provider shall use their knowledge, understanding and competitive buying power in the industry to make effective decisions on behalf of the Council to source the best value, fit for purpose, goods and services required by this contract.

Best value shall mean either of the following, that goods and services are fit for purpose and at the lowest available cost to the Council (or) fit for purpose and demonstrates relevant added value over comparable goods or services.

Reducing Vehicle Downtime

Maintaining vehicle downtime to a minimum is critical for Transport Services to deliver its Services to the Council.

Through effective programming of tasks and consultation with Transport Services the Provider shall manage the volume and replenishment of routine items available from stores facility on the Council site and ordering and delivery of non-routine items.

The Provider shall at all times have sufficient capacity and resources to meet the requirements of the Council throughout the life of the contract. This will include a sufficient number of suitably equipped and trained representatives.

Council Employees shall be able to access the service at a time and a way that suits the Council's business needs.

Continuous Improvement

The Provider shall work with Transport Services throughout the period of this contract to identify and implement continuous improvement and efficiencies in the delivery of this service.

This may include, but is not limited to, cost reductions for equivalent goods or services, improved quality, time savings, a reduction in administrative processes, the implementation of industry best practices and the use of sustainable products.

Minimise Environmental Impact

In 2019 The Council declared a climate emergency with the goal of being carbon neutral by 2030.

The Provider shall take all reasonable measures to minimise the impact on the environment from the delivery of this contract. This covers the whole life of the part from manufacture to disposal

Safe and Legal

The Provider shall ensure that the Service is delivered safely and complies with all relevant health & safety and environmental legislation. Also, proportionate levels of security should be in place to protect the Council's assets.

5. Statement of Requirements – Goods Supplied

This contract will require the supply of vehicle parts, items of plant, workshop consumables and other associated items to be used by Council Transport Services in the delivery of its services.

On occasion it may be necessary for The Council to procure parts and services direct from suppliers without involving the parts provider

Scope of Parts Required

The following is a list of the type of goods that shall be sourced by the Provider and supplied to the Council Transport Services. This list is not exhaustive. Where items are not defined, then these items may be requested by the Council and supplied in agreement with the Provider:

- Vehicle body parts,
- Vehicle chassis parts,
- Engine parts
- Electrical and Lighting Components,
- Suspension, transmission and braking parts
- Hydraulic parts,
- Filtration,
- Lubricants,
- Fitted ancillary equipment parts for Highway's maintenance and other waste collection vehicles e.g., lifting equipment, pressure vessels, sweeper gear, brushes, gritter/plough parts
- Workshop consumables including welding equipment, oxygen, acetylene and argon cylinders
- Agricultural equipment and parts

The Council has in place contracts for the following goods, so they are not included in the scope:

- Tyres and associated parts
- Vehicle Fuel

Design and Performance Criteria

The Council may on occasion and at its discretion request that specific Brand Name or OEM (Original Equipment Manufacturer) and pattern parts are supplied.

OEM Parts shall mean: Parts that are manufactured by or for the manufacturer of the vehicle.

Parts manufactured by the OE Contractor and branded with the logo of the vehicle manufacturer and part manufacturer; Technically identical parts manufactured by the original equipment manufacturer and branded as such which are sold through the independent aftermarket.

In general, all parts and consumables supplied by this contract shall be Matching Quality Parts

Matching Quality Parts shall mean: Parts made by any manufacturer which can be certified as matching in overall quality and performance to parts used in the original assembly of the vehicle or asset in question.

All parts supplied shall be fit for their intended purpose and properly identifiable as to the manufacturer.

For the purpose of the pricing evaluation OEM part prices will be required to ensure a fair and equal evaluation.

All parts supplied shall be certified or certifiable as to their performance, quality and health and safety characteristics as being equivalent to parts as originally fitted to the vehicle. All parts shall meet the requirements of Block Exemption for vehicles, where relevant.

The Provider will ensure that items subject to COSHH assessment will have a copy of all relevant Data sheets for new products supplied, which will be submitted to the Team leaders in each workshop for filing.

Warranties

The Provider shall obtain appropriate warranties for all goods supplied to limit the impact on the Council, including labour costs and downtime, which could result from item failure. Any warranty claims, which result from the supply and fitment of faulty items, shall be managed by the provider.

The Council will require, as a minimum, the industry standard warranty on all items supplied. The Provider shall make the Council aware and provide advice on any warranty limits when considered appropriate.

Part failure and replacement

The Provider shall use its knowledge of the market to minimise the incidents of part failure.

The Provider shall manage all logistics for the return and replacement of any faulty or not fit for purpose items which will be at the Provider's expense. The Council will not incur any costs associated (including carriage returns) with the supply of incorrect or faulty parts.

All incidents of failure of parts shall be reviewed by the Provider with the Council. The Provider shall demonstrate appropriate remedial measures and consult with the Council providing reasons to support the replacement decision.

Unit measurements

Universally accepted or clearly indicated units of measurement will apply to all volumes and costs for items supplied under this contract.

6. Statement of Requirements – Managed Service

This contract will require a managed service to provide a single approach for the supply of goods and services associated with Fleet maintenance and repair.

Management of Storage Facilities

The Council will make available to the Provider, storage facilities located initially within Transport services at Mowbeck Way, Grantham; when this site moves, the service will be provided at Turnpike Road Grantham. These facilities shall be used by the Provider to make service critical and routine items available on demand to the Council. These facilities will be provided at no cost to the Contractor.

The Provider shall be responsible for the security of the storage facilities and items of stock therein. Aside from guarding against misappropriation of stock securing also means the safe storage in line with the manufacturers' guidelines for all parts held in the storage facilities made available to the Provider.

All stored items shall be on an Impress basis at no cost to the Council. The Provider shall retain ownership and risk for all Impress stock items until they are received from the store and used by the Council.

The Council shall be able to access all service critical and routine items held within in the on-site storage facilities in a simple and efficient way.

The Provider shall ensure that all items, accepted by the Council as held in the onsite storage facilities at the date of contract award, shall be made available to the Council from the commencement date.

The Provider shall use their knowledge of the Council's fleet of assets and industry supply chain to decide the range and volume of the stored items in consultation with the Council.

The Provider shall regularly and routinely (no less than six monthly) evaluate the range and volume of stored items in order to reduce vehicle downtime. The council shall be able to check the current range and level of stock held within on-site stores at any time.

The Provider shall inform the Council in advance of all potential obsolescence of items and manage the provision of alternatives.

Orders and Deliveries

The Council shall place order requests directly with the Provider for goods and services covered by this Contract.

The Council shall be able to raise orders for goods and services, and be able to track the progress, in a simple and efficient way.

Delivery priority levels will be agreed and set in advance for specific items, where practicable, but will always be based on the operational requirements of the Council. Priorities will be clearly stated by the Council when parts are requested.

The Provider may be required to return any goods received by the Council after the agreed time.

For larger, one-off purchases of goods or services the Council will make available to the Provider a detailed specification of the requirements. The Provider shall utilise their supply chain leverage and market knowledge to deliver the best value solution for the Council.

The Provider shall make available to the Council a dedicated out of hour's contact(s) to cover emergency and any out of hours working arrangements. This must be someone at the end of a telephone and not an answering machine and at no cost to the council.

The Provider shall effectively manage the supply chain for all goods and services ordered by the Council. This shall include the order and commissioning process and all delivery and logistical arrangements in order to meet the Council's priority timescales.

ICT Integration

The Council will grant the Provider sufficient access to its ICT systems as appropriate for the delivery of the services of the Contract. The Provider shall work with the Council to reduce any unnecessary administration processes and procedures.

The Provider shall maintain its own sufficiently capable ICT system to effectively meet the requirements of this service and establish and maintain an effective process of integration with the ICT systems operated by the Council. This ICT integration shall deliver, as a minimum, the following key outputs:

- live tracking of all parts ordered by the Council.
- update job status for parts ordered and parts received as soon as the parts are ordered and/or received, and a daily report produced by 15:00 hours and sent to the Workshop Manager and supervisors.
- update of all parts supplied daily.
- update immediately when requested.
- update the vehicle parts profiles.

Commissioning Services (not exclusive to)

The Provider shall commission services associated with vehicle maintenance on behalf of the Council Transport Services. The following shows the type of services routinely required. This list is not exhaustive. Where a service is not defined in this list then these services may be requested by the Council and commissioned in agreement with the Provider:

- Vehicle Recovery and/or Breakdown repair services
- Fleet Valeting Services
- Some specialist breakdown and repair services e.g., hydraulic hose repairs
- Ad-hoc vehicle workshop services
- Warranty recharges
- Primary vehicle provider (Dennis Eagle, etc) workshop repairs

The Provider shall be responsible for the delivery of all services commissioned on behalf of the Council.

Provider's Staff

All representatives shall treat all customers involved in the delivery of this contract with courtesy and respect. This will include Council employees and any member of the public aware that the Provider is delivering a service under the contractual arrangement to the Council.

All representatives of the Provider shall demonstrate sufficient knowledge and relevant skills to be able to undertake any tasks assigned to them in the delivery of this contract.

Periodic training needs to be provided to ensure that the Provider's staff are up to date with any manufacturer's parts product development.

The Provider shall appoint a designated Contract Manager, available for the Council to communicate all issues relating to the contract and to take responsibility for the effective resolution.

Any representative of the Provider present on Council premises must adhere to all relevant Council and site policies and procedures for security, environment and health & safety.

The Council workshops are in an operational depot which are shared with other council services. The Provider must ensure that their employees are aware of other non-workshop activities being carried out, some of which can expose said employees to other risks such as vehicle movements. The Provider must ensure that all third-party suppliers and contractors are aware of these activities and associated risks.

7. Outcomes and targets

Invoicing

The Provider will apply a set mark-up %, referred to as the 'Providers Management Fee' (PPF), to all the goods and services supplied to the Council under this contract. This mark-up % shall be applied to the cost incurred by the Provider to source the item required by the Council as supported by invoices. The % fee, as agreed in the tender, will not change throughout the period of the contract. Pricing Schedule Column D is where PPF is added in.

This % fee will not be applied to parts and services incorrectly supplied or delivered outside contractual timescales.

Where the Provider's % fee applied to an item or service would result in the final cost to the Council exceeding the standard retail price then the Council should be advised immediately and offered an alternative.

All charges to the Council for the provision of goods and services under this contract shall be made by the Provider through a consolidated Monthly invoice. All invoices shall be supplied in a manner and format that meets the needs of the Council and its ordering and payments systems. All invoices must be sent to the requested accounts payable team.

Consolidated monthly invoices shall include a fully itemised list of every item and service provided during the month and the charge being made to the Council. The itemised list shall identify as a minimum:

- the goods or service supplied,
- the relevant job reference number provided by the Council
- registration number

- project code
- the date and time of order
- the date of delivery
- requested date with Provider
- the cost incurred by the Provider for the item supplied
- the value of the Providers Management Fee added

All parts to be invoiced by end of following month i.e., September delivery/October invoice latest.

Management Information

Every month the Provider shall produce and supply to the Council a single report that will include the following information for the past month:

- Itemised list of the value, volume, of all OEM and Matching parts and services supplied (see example)
- Date of parts ordered and actual date of delivery.
- Number of warranty claims plus progress tracking per month; Running total of warranty claims made and total number accepted.
- Number of incorrect parts supplied and returned Value of parts management fee deducted by Provider for incorrectly supplied parts.
- Number of parts incorrectly ordered by the Council and returned.
- Details of all failed parts.
- % Parts supplied same day by order.
- Value of impress stock held within the Councils facilities

The report supplied shall be compatible with Microsoft Office products as used by the Council.

Example Monthly Total Supply of Goods and Services - By General Description

General Description	£ Volume	Percentage
OEM part from onsite store	£	%
OEM part ordered on demand	£	%
Matching Quality parts from onsite store	£	%
Matching Quality part ordered on demand	£	%

Lubricants / Antifreeze / Grease	£	%
3rd Party Repair LABOUR only	£	%
3rd Party Repair PARTS Content Only	£	%
Miscellaneous / Consumables / Gas	£	%
Workshop Tools / Workshop Supplies	£	%
TOTAL:	£	100%

Contract Review Meetings

Formal contract review meetings will be held to review the performance of the contract including Key Performance Indicators and any other matters arising.

Contract review meetings will be undertaken monthly from the commencement of the Contract for period of six months. Following satisfactory performance, the frequency of the contract review meetings may be extended to a quarterly basis where agreed by both parties. This will revert to monthly meetings should the need arise.

The meetings shall be attended by at least the Provider's appointed Contract Manager and representatives of the Council.

Price Monitoring

The Council shall monitor the costs incurred in the delivery of the service.

The Council shall review the itemised breakdown of costs included with the consolidated monthly invoices and request from the Provider original invoices of costs for specific goods or services.

The Provider shall supply to the Council all invoice of costs requested within a period not exceeding 14 calendar days.

For Price Monitoring purposes the Council shall not request original invoices from the Provider more frequently than once a month and the total number of invoices requested shall not exceed 50 in any one month.

The Council will use the invoices provided to undertake the following checks:

- That the correct % for the Providers Management fee has been applied,
- That the cost of item to the Provider does not exceed cost achievable by the Council,
- To identify that the item selected by the Provider demonstrates best value in benchmarking against possible alternatives.



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

10 October 2023

Report of Councillor Rhea Rayside
Cabinet Member for People and
Communities

Review of Public Spaces Protection Orders

Report Author

Ayeisha Kirkham, Interim Head of Public Protection

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Purpose of Report

The Council is required to review the Public Spaces Protection Orders which apply in the district every three years. This report considers whether the existing orders be extended, that an existing order be amended and that an additional order be implemented.

Recommendations

That the Committee:

- 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.

Decision Information

Is this a Key Decision? **Yes**

Does the report contain any exempt or confidential information not for publication? **No**

What are the relevant corporate priorities? **Healthy and Strong communities
Clean and sustainable environment**

Which wards are impacted? **All**

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no budget implications related to the proposed consultation. This will be identified from existing budgets and therefore does not require additional financing being sought.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

- 1.2 The Anti-Social Behaviour, Crime and Policing Act 2014 sets out the requirements for consultation. A PSPO can be made if, on reasonable grounds, the local authority is satisfied that the required conditions are met. As stated in the report, the PSPOs can last for up to three years once approved and can be varied or extended more than once.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Diversity and Inclusion

- 1.3 An equality impact assessment has been completed for the consultation process and is at **Appendix A**.

2. Background to the Report

- 2.1 Public Spaces Protection Orders (PSPO) were introduced by the Anti-social Behaviour, Crime and Policing Act 2014 to deal with nuisance or problems in specific areas that are detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. They can apply to any public space. The definition of public space is wide and includes any place to which the public or any section of the public has access.
- 2.2 A PSPO can be made by the Council if it is satisfied, on reasonable grounds, that the activity or behaviour concerned, carried out, or likely to be carried out in a public space:
 - has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions imposed.

Existing Orders

- 2.3 Orders must be reviewed every three years and can be extended up to a further three years if it is considered that they are necessary to prevent the original behaviour from occurring or recurring. The existing Orders can be found within the background papers.
- 2.4 Table 1 shows the current Orders that are in place which expire on the 20 October 2023:

Table 1: Existing Orders

Alcohol Control
Anti-social behaviour caused by drinking alcohol in a designated public space (specified areas): Grantham Stamford Bourne The Deepings
Dog Exclusion
Excludes dogs from specified enclosed children's play areas.
Dog Fouling
It is an offence to fail to pick up dog faeces if a dog, which an individual is in charge of, defecates (district wide)
Dogs on Leads by Order
An authorised officer can request an individual in charge of a dog to put (and keep) a dog on a lead, if such restraint is considered reasonably necessary (district wide). In addition, dogs must be kept on leads at all times whilst in The Spinney, Market Deeping.

Evidence (pre consultation)

- 2.5 Evidence to support the continuation of the existing Orders has been gathered and reviewed and is provided within this report.
- 2.6 Table 2 shows data from Lincolnshire Police of the numbers of reported alcohol related anti-social behaviour incidents, broken down by year from 2020 to date.

Table 2: Lincolnshire Police Data

	2020 (Oct-Dec)	2021	2022	2023 (up until 31 st May)	Grand Total
Grantham Rural North	1	3	6	1	11
Grantham Rural South	1	8	3	5	17
Grantham Town West	4	27	15	5	51
Grantham Town East	1	19	18	6	44
Grantham Town Centre	13	48	53	10	124
Bourne & Billingborough	2	20	16	6	44
Market Deeping	3	19	10	6	38
Stamford Town	4	42	44	8	98
	29	188	170	47	434

2.7 Dog fouling in particular continues to prompt complaints. Patrols are carried out in hot spot areas and signage has been erected in key areas across the district in order to act as a deterrent. The numbers of dog fouling complaints received by SKDC is outlined in Table 3 below which demonstrates that numbers of complaints are dropping, this may be attributable to the existence of the PSPO and ongoing activity.

Table 3: SKDC Dog Fouling Complaints

Year	Number of Dog Fouling Complaints
2019	211
2020	207
2021	150
2022	128

2.8 The report recommends that the PSPO requiring dogs to be kept on a lead in the enclosed area of The Spinney, Market Deeping continues unchanged. Correspondence with Market Deeping Town Council supports the continuation of the PSPO (unchanged) and whilst they are unable to provide any supportive data, they have provided the following statement:

"The Council are keen to continue with the licence. The Spinney is an area for the scattering of cremated remains; a peaceful, respectful area, and dogs on leads is something the Council supports. Park Keepers have had on occasion to ask dog owners to put their dogs on leads, and the clerks in the office here have informed me that they have had complaints about dogs being off-lead. As this is an area of quiet reflection the Council very much supports having the PSPO".

2.9 It is proposed that the existing Orders continue, these can be found within **Appendix B**. Within **Appendix B** the Dog Exclusion Zone, Plan 16, has been amended as referred to below.

Amended Order

2.10 It is proposed the Dog Exclusion Zone Order, Plan 16, is amended to include additional enclosed areas on the Recreation Ground, Stamford. These are the bowling green, tennis court and the skatepark. The associated map and indicated areas are attached in **Appendix B**.

Proposed New Order

2.11 Following complaints of vehicle related anti-social behaviour and subsequent partnership working with the Police. It is proposed a new PSPO is considered to tackle vehicle related nuisance and anti-social behaviour. This would include the area of the Station Road car park (also known as Cattle Market), The Meadows and Bath Row car park, Stamford. The draft Order and associated map are included within **Appendix C**. Details of the supporting evidence are included within **Appendix D**. It is proposed that this Order be in effect for a period of three years.

3. Consultation

3.1 Under s72 of the Anti-social Behaviour, Crime and Policing Act 2014, a local authority must carry out the necessary consultation before extending, varying or making a PSPO. Necessary consultation means consulting with the Chief Officer of Police, the local policing body whatever community representatives the authority deems appropriate and the owner or occupier of land within any of the restricted area.

3.2 The Environment Overview and Scrutiny Committee considered the orders at their meeting on the 5 July 2023 and recommended to the Cabinet Member for People and Safer Communities that public consultation was undertaken in respect of the existing and proposed orders (new and amended).

3.3 A four-week public consultation was undertaken from 9th August 2023 to 6 September 2023. The draft Orders which were subject to consultation are at **Appendix E**.

3.4 The consultation took the form of a questionnaire on the council's website. This was promoted through social media and press releases. Parish councils were contacted directly and provided with the link to the questionnaire and a copy of the poster to display should they wish. Statutory consultees were contacted directly via email.

3.5 Full details of the consultation, a list of consultees and breakdown of responses is at Appendix E. In total, 366 responses were received. A summary of responses is detailed below.

3.6 **Consultation Results- Existing Orders**

- Over 78% said that dog fouling was an issue that bothered them; and over 95% agreed with the proposal to extend the current PSPO for dog fouling.
- Over 43% had experienced dogs not being kept under control by their owners whilst being walked in a public space; and over 75% agreed with the proposal to extend the current PSPO for dogs to be placed on a lead when requested.
- Over 54% agreed with the proposal to extend the current PSPO which requires a person in charge of a dog to put (and keep) the dog on a lead of no more than 1 metre in length when walking in The Spinney, Market Deeping Cemetery. To note, this is a location specific PSPO and may not be relevant to all those completing the consultation, 33% neither agreed nor disagreed with the proposal.
- Around 31% had experienced or were concerned about dogs being permitted to enter and/or remain in enclosed children's play areas; over 86% agreed with the proposal to extend the current PSPO excluding dogs from specific enclosed play areas.
- Over 48% had experienced or were concerned about problematic behaviour associated with drinking in public spaces; over 91% agreed with the proposal to extend the current PSPO relating to alcohol control.

3.7 **Consultation Results- Amended Order**

- Around 55% agreed to extend the existing Public Spaces Protection Order (Dog Exclusion) so that it includes the specific additional enclosed areas located within Stamford Recreation Ground. To note, this is a location specific PSPO and may not be relevant to all those completing the consultation, 35% neither agreed nor disagreed with the proposal.

3.8 **Consultation Results- New Order**

Over 71% agreed to the proposed PSPO to prohibit vehicles being used to cause a nuisance and anti-social behaviour in Station Road Car Park (also known as the Cattle Market Car Park), The Meadows and Bath Row Car Park, Stamford. Over 34% identified that they were concerned with or had experienced issues with vehicle related nuisance and/or antisocial behaviour in these locations. However, this is a location specific PSPO and may not be relevant to all those completing the

consultation as they may not have visited this location. When asked if the introduction of this PSPO would have a negative impact, around 96% of those completing the survey answered no.

3.9 Additional Information from the Survey

- As part of the consultation information was requested in relation to if there are particular areas where dog fouling is a problem. 163 of those completing the survey took the time to provide this information which, if the PSPO is extended, will be used to appropriately co-ordinate and plan patrols within the District.
- As part of the consultation information was requested in relation to if there are particular areas where dog control is a problem. 104 of those completing the survey answered this question this information, which if the PSPO is extended, will be used to appropriately co-ordinate and plan patrols within the District.
- As part of the consultation information was requested in relation to if there are particular locations where dogs are being allowed by their owners to enter/ remain within enclosed play areas. 66 of those completing the survey answered this question this information, which if the PSPO is extended, will be used to appropriately co-ordinate and plan patrols within the District.
- As part of the consultation information was requested in relation to if there is a particular location where problematic behaviour associated with drinking in public spaces is a problem. 100 of those completing the survey answered this question this information, which if the PSPO is extended, will be used to appropriately co-ordinate and plan patrols within the District and be shared with Lincolnshire Police.
- Respondents were given the opportunity to make free comments. Stakeholder feedback is detailed in the consultation report at Appendix 3. Throughout the survey, respondents have used the opportunity to raise areas of concern in their locality. Where details have been provided and where appropriate individual comments will be responded to. In addition, relevant information will be used to support patrols and further investigative to enable enforcement action as appropriate.

3.10 Lincolnshire Police and the Police and Crime Commissioner were contacted directly for their comments. The following response was received from Neighbourhood Policing Inspector Mark Hillson:

'Lincolnshire Police fully support the renewal of existing and the implementation of new PSPOs in South Kesteven. They are an important part of our joint agency tool kit to enable us to deal effectively with anti-social behaviour in our communities. We particularly welcome the additional PSPO for Vehicle Nuisance and ASB in Stamford, which we believe will benefit many of the residents in the town'.

4. Key Considerations

4.1 PSPOs are a useful tool in local authorities, working in partnership with the Police, being proactively able to tackle specific issues occurring in particular public spaces. The prohibition of certain activities acts as a deterrent and gives authorised officers the tools in which to tackle the behaviours which are affecting the wider community.

4.2 If the existing PSPOs are not renewed, and the proposed new and amended PSPOs are not approved, South Kesteven District Council and Lincolnshire Police will have a reduced ability in which to tackle these behaviours.

5. Available Options Considered

- 5.1 That the existing orders be allowed to expire. This would remove the ability to enforce against the matters covered by the Orders.
- 5.2 That the proposed amendments to orders not be put in place, this would prevent ability to enforce against the matters covered by the proposed amended Orders.
- 5.3 The new Order is not put in place; this would prevent ability to enforce against the matters covered by the proposed Order.
- 5.4. Cabinet may determine that the legal test has not been met in some or all of the Orders. In this case the Order(s) should not be extended/ approved.
- 5.5 If as a result of the consultation, changes to the draft orders are proposed, further consultation will be necessary.

Preferred Option:

- 5.6 The consultation has demonstrated broad support for the continuation of all the existing Orders. It is likely that the existing PSPOs and associated sanctions have had a deterrent effect and should be extended to ensure an effective enforcement mechanism is in place.
- 5.7 The consultation has demonstrated support for the amendment to the Dog Exclusion Zone Order, Plan 16, to include additional enclosed areas on the Recreation Ground, Stamford.
- 5.8 The consultation has demonstrated support for the new PSPO to tackle vehicle related nuisance and anti-social behaviour. This would include the area of the Station Road car park (also known as Cattle Market), The Meadows and Bath Row car park, Stamford.

6. Reasons for the Recommendations

- 6.1 To ensure an effective mechanism is available to deal with issues detailed in the Orders

7. Next Steps– Communication and Implementation of the Decision

7.1 If approved, in accordance with The Anti-social Behaviour Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014, the Orders will be published on the Council's website. Signage will be erected/refreshed on or adjacent to the area(s) the Order relates to, setting out the effect of the Order. Where the Orders apply to the entire district area, signage will be focused on populated areas.

8. Background Papers

8.1 [Cabinet Report Tuesday 13 October 2020](#)

8.2 [SKDC Public Space Protection Orders Existing](#)

8.3 [Rural and Communities OSC Report 5th July 2023](#)

9. Appendices

9.1 Appendix A: Equality Impact Assessment
Appendix B: Draft proposed Orders and associated maps;
Appendix C: Draft Order for vehicle related ASB at Meadows area, Stamford;
Appendix D: Supporting evidence for proposed new PSPO;
Appendix E: Consultation Report.



Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	<p>The council must review the Public Space Protection Orders (PSPOs) in place in the district every 3 years to determine whether or not they should be renewed in addition to proposing any new PSPOs.</p>
2. Summary of aims and objectives of the policy/funding activity/event	<p>To renew the existing PSPOs;</p> <ol style="list-style-type: none">1. Fouling of Land Order (district-wide). This makes it an offence to fail to pick up dog faeces if a dog, which an individual is in charge of, defecates.2. Dogs on Leads Order (district-wide). An authorised officer can request an individual in charge of a dog to put (and keep) the dog on a lead, if such restraint, is considered reasonably necessary.3. Dog exclusion Order (selected areas). This excludes dogs from enclosed children's play areas in specified locations.4. Alcohol Control Zone (selected areas). This makes it an offence for a person to continue to drink alcohol in a designated place after being asked not to do so by a police officer or other designated person. The police also have the power to require the surrender of opened alcohol containers. The PSPO does not prohibit responsible drinking in public spaces, only problematic drinking causing a nuisance to others.5. Dogs on Leads Order in the enclosed area of The Spinney at Market Deeping Cemetery, where ashes are scattered. <p>To amend the current PSPO for the Dog Exclusion Order to include additional enclosed play areas on The Recreation Ground, Stamford.</p> <p>To add a new PSPO for Vehicle Nuisance ASB in the restricted area of Station Road Car Park (Cattle Market), The Meadows and Bath Row, Stamford. This order will control the activities of anyone being the driver of a vehicle</p>



	(motorised or otherwise) performing any of the following activities a. Revving of engine(s) as to cause a public nuisance b. ii. Sudden and/or rapid acceleration as to cause a public nuisance c. Repeated sudden and/or rapid acceleration as to cause a public nuisance d. Racing by two or more vehicles e. Performing stunts as to cause a public nuisance vi. Sounds horns as to cause a public nuisance f. Playing music from a vehicle as to cause a public nuisance.
3. What involvement and consultation has been done in relation to this policy? (e.g. with relevant groups and stakeholders)	A consultation was carried out as per section 72 of the Anti-Social Behaviour, Crime and Policing Act 2014. Stakeholders including Parish, District and County Councillors, Town Councils, Lincolnshire County Council, Lincolnshire Police, The Office of the Police and Crime Commissioner and Community Groups within South Kesteven were contacted with the relevant information to enable them to participate in the consultation which was undertaken over 4 weeks between 9 th August 2023 – 6 th September 2023. There were over 350 responses to the consultation survey.
4. Who is affected by the policy/funding activity/event?	All residents, visitors and other stakeholders within South Kesteven.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	Review and analysis of all enforcement action is undertaken on a monthly basis. The PSPOs will be reviewed in 3 years time.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <small>(The Action Log below should be completed to provide further detail)</small>
Age	Neutral	The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti - social act perpetrated by an individual or a dog for which they have responsibility.	The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.



		<p>Age therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	
Disability	Neutral	<p>The provisions of the PSPOs relating to the control of dogs do not apply to any person who is registered blind in accordance with section 29 of The National Assistance Act 1948, to any person who is deaf and in charge of a dog trained by Hearing Dogs for Deaf People or to any person suffering a disability and in charge of a dog trained to assist with his/her mobility, manual dexterity, physical coordination or ability to lift and carry everyday objects and the said dog has been trained by a prescribed charity. Assistance Dogs UK member-trained assistance dogs will wear ID tags and a branded dog jacket/harness. They also have an ID booklet. This will make some assistance dogs clearly identifiable. It is not however a legal requirement for assistance dogs to wear a harness, jacket or lead slip and consideration of this will need to be made should any alleged breach of the PSPO be identified.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Gender Reassignment	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti - social act perpetrated by an</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>



		<p>individual or a dog for which they have responsibility. Race therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	
Marriage and Civil Partnership	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility. Marriage and Civil Partnership therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Pregnancy and Maternity	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti - social act perpetrated by an individual or a dog for which they have responsibility. Pregnancy and Maternity therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>



Race	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility. Race therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Religion or Belief	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility. Religion or Belief therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Sex	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility. Sex therefore is not a relevant protected characteristic in relation to</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>



		<p>the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	
Sexual Orientation	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility.</p> <p>Sexual Orientation therefore is not a relevant protected characteristic in relation to the implementation of powers offered through the use of a PSPO unless the offender can offer mitigating circumstances that relate directly to this protected characteristic.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Other Factors requiring consideration			
Socio-Economic Impacts	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>
Carers (those who provide unpaid care to a family member, friend or partner)-	Neutral	<p>The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility.</p>	<p>The review of the Orders included a public consultation. The initial assessment has been reviewed taking into consideration the responses.</p>



Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.

Group/Organisation	Date	Response

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.

Negative Impact	Action	Timeline	Outcome	Status

Evaluation Decision

Question	Explanation / justification		
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility.		
Final Decision	Tick	Include any explanation/justification required	
1. No barriers identified, therefore activity will proceed	X	The application of powers and tools available to the district council under a PSPO are utilised in an equitable manner. Any use of these powers will be as a direct result of an anti-social act perpetrated by an individual or a dog for which they have responsibility.	
2. Stop the policy or practice because the data shows bias towards one or more groups			
3. Adapt or change the policy in a way that will eliminate the bias			
4. Barriers and impact identified , however having considered all available options			



carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		
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Sign off

Name and job title of person completing this EIA	Kati Conway – Senior Neighbourhoods Officer
Officer Responsible for implementing the policy/function etc	Kati Conway – Senior Neighbourhoods Officer
Date Completed	18 th September 2023
Line Manager	Ayeisha Kirkham, Interim Head of Service - Public Protection
Date Agreed <i>(by line manager)</i>	22 nd September 2023
Date of Review <i>(if required)</i>	n/a

Completed EIAs should be sent to equalities@southkesteven.gov.uk . Completed EIAs will be published on the Council's website before any decision is made.

The Anti-social Behaviour, Crime and Policing Act 2014 Section 59

South Kesteven District Council (Alcohol Control Areas) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the _____ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to all land in the Restricted Areas to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions:

5. Alcohol control areas

The activities which are to be controlled are:

- a) A person consuming alcohol in breach of an authorised officer's request to cease the consumption in public spaces within the Restricted Areas specified in the Schedule to this Order, where the consumption is associated with disorder, nuisance or annoyance to members of the public.
- b) A person having an unsealed container of alcohol in breach of an authorised officer's request to surrender the alcohol or container for disposal in public spaces within the Restricted Areas specified in the Schedule of this Order, where the consumption is associated with disorder, nuisance or annoyance to members of the public.

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order.

- (b) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order or a police constable or a community support officer designated under the Police Reform Act 2002.
- (c) Alcohol has the meaning given in section 191 of the Licensing Act 2003.
- (d) Surrender the alcohol or container for disposal – an authorised officer may dispose of anything surrendered which they reasonably believe to be alcohol in whatever way he/she thinks appropriate.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)

COMMON SEAL of SOUTH KESTEVEN)

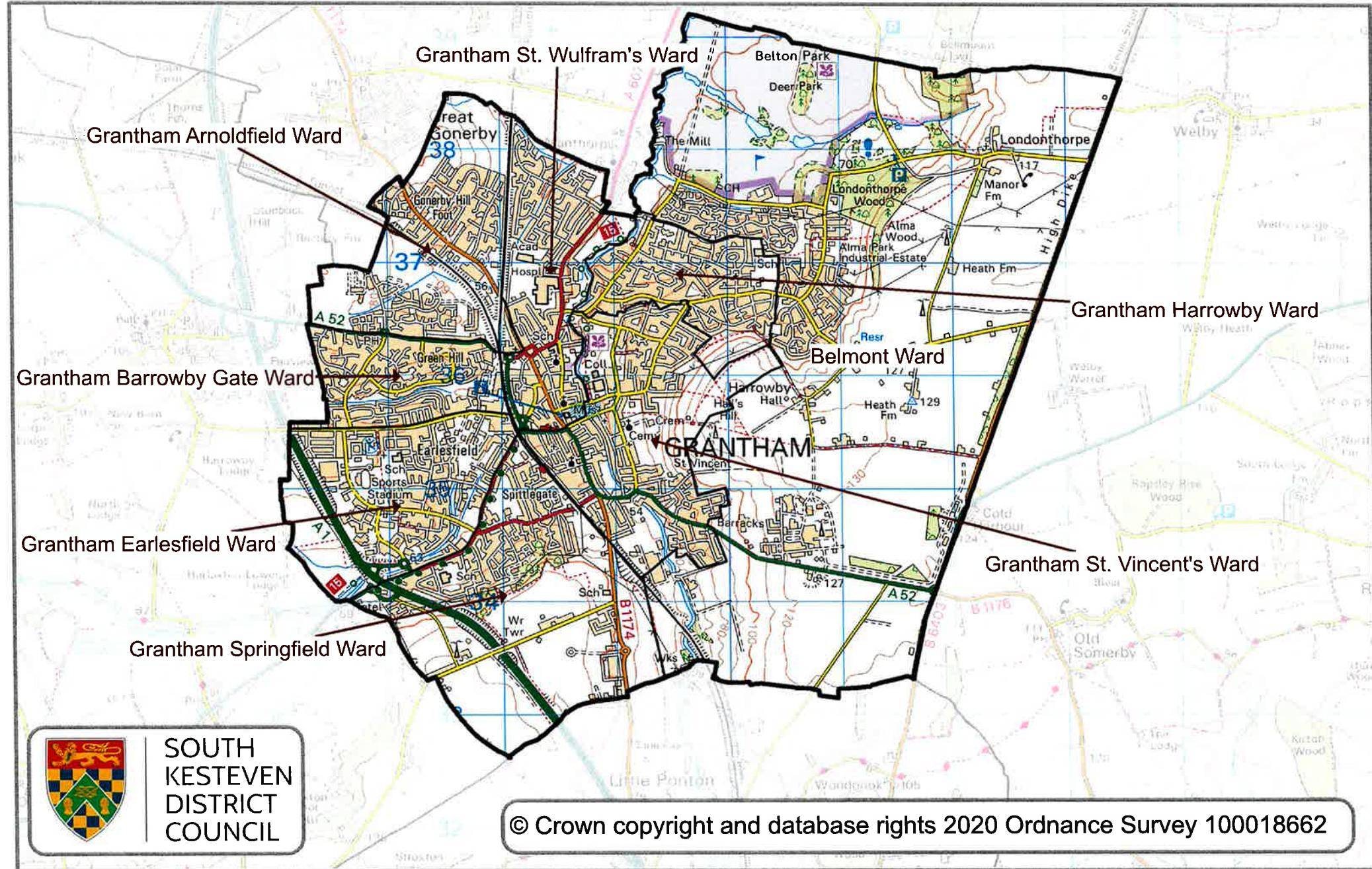
DISTRICT COUNCIL)

In the presence of:

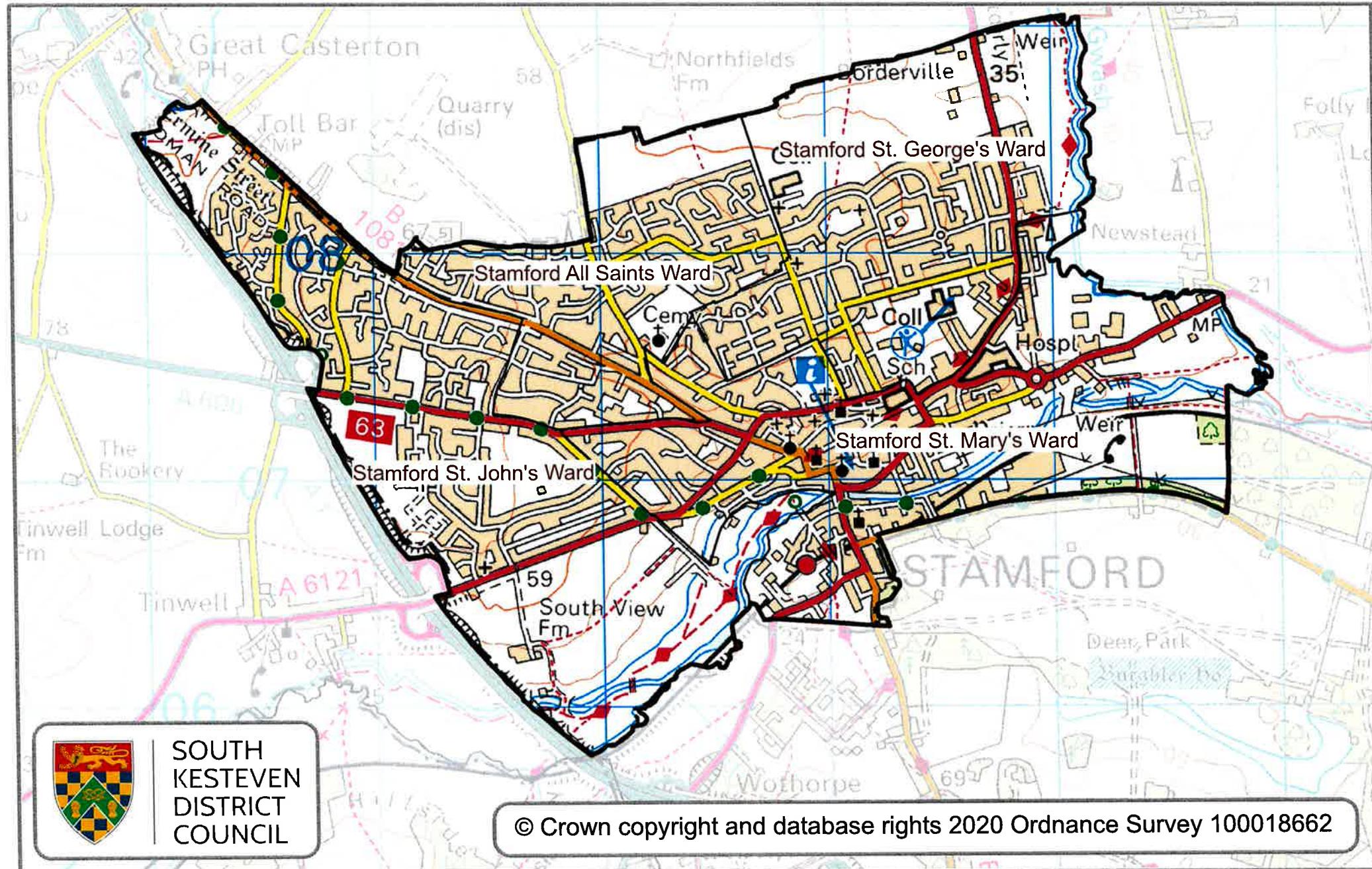
Schedule

This Order applies to land which is within the administrative area of South Kesteven District Council, edged black in the attached plans, which is open to the air (which includes land which is covered, but open to the open air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).

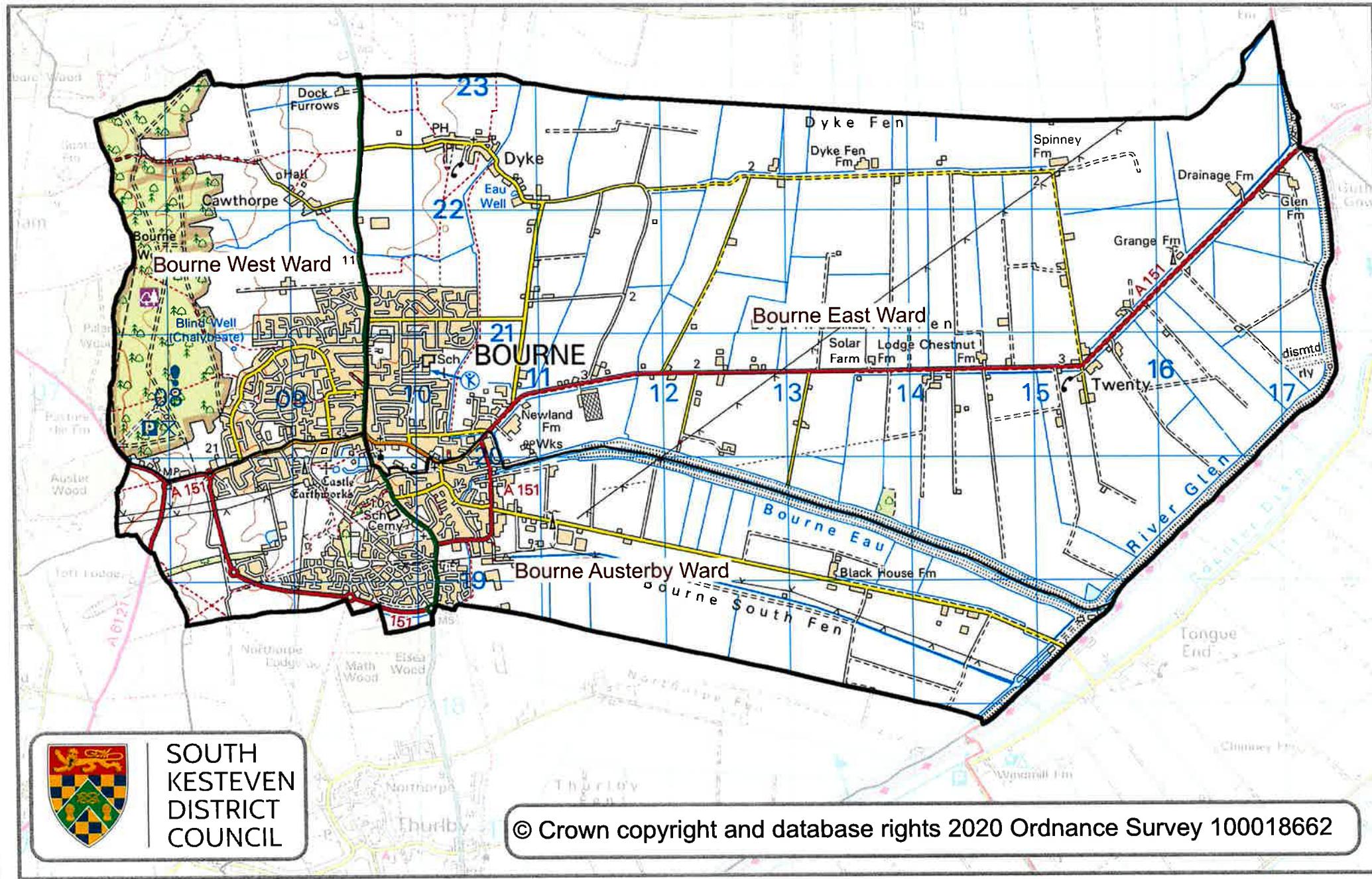
Public Space Protection Order - Alcohol Control Area



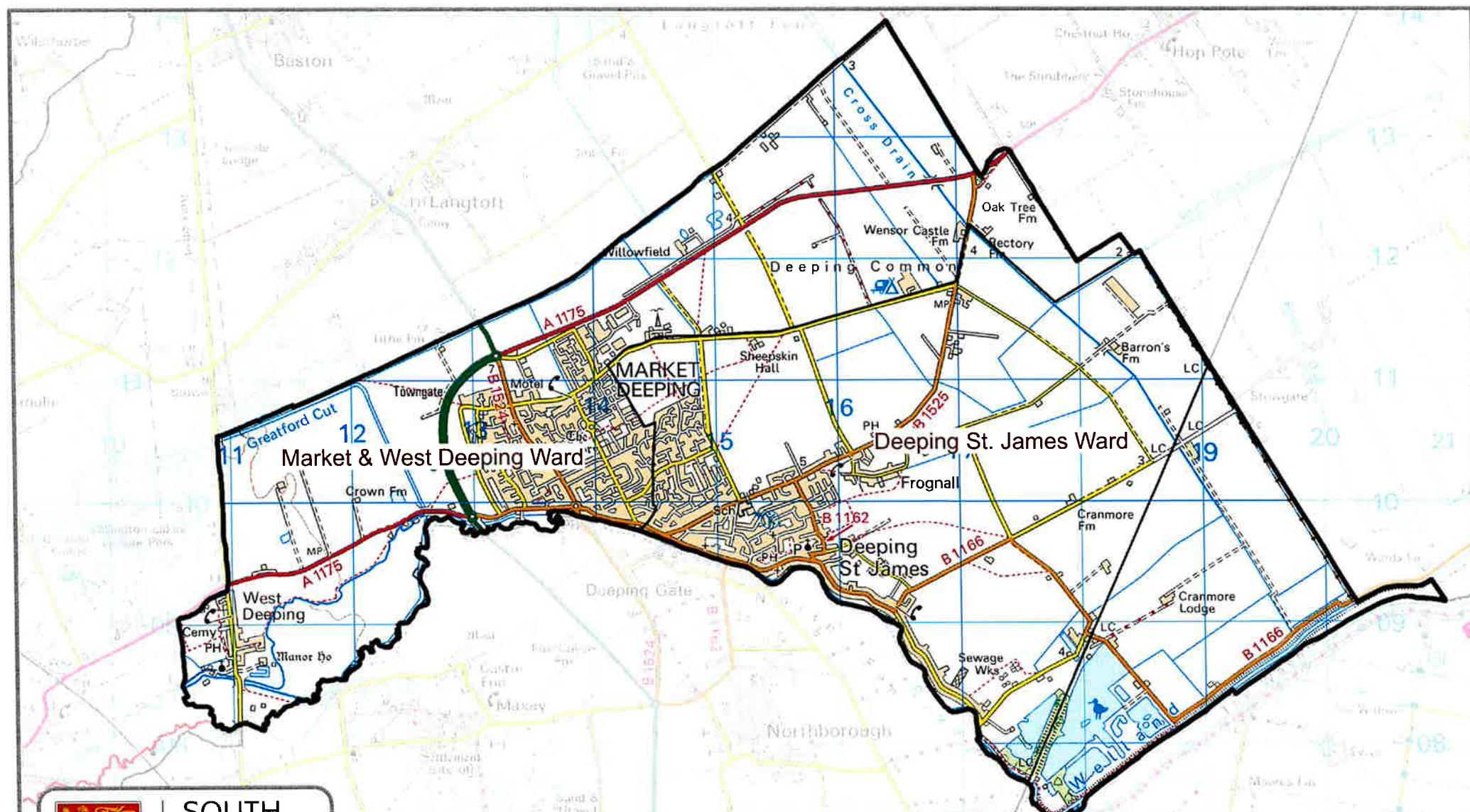
Public Space Protection Order - Alcohol Control Area



Public Space Protection Order - Alcohol Control Area



Public Space Protection Order - Alcohol Control Area



SOUTH KESTEVEN DISTRICT COUNCIL

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The Anti-social Behaviour, Crime and Policing Act 2014 Section 59

South Kesteven District Council (Dog Exclusion) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to land in the Restricted Areas specified in the Schedule to this Order.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions on persons with dogs under their control:

5. Dog Exclusion

A person in charge of a dog must not take it onto or permit the dog to enter or to remain on, any land specified in the Schedule to this Order unless -

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Exemptions

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his/her ability to comply with the Order and the dog is their guide dog or assistance dog

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order
- (b) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog
- (c) An assistance dog, in general, is one that is trained to aid or assist a disabled person.
- (d) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)
COMMON SEAL of SOUTH KESTEVEN)
DISTRICT COUNCIL)

In the presence of:

Schedule

This Order applies to all land within the administrative area of South Kesteven District Council and which is an enclosed children's play area detailed below and edged red in the attached plans.

Plan Number	Site Name
1	Gonerby Road, Grantham
2	Harrowby Lane, Grantham
3	Trent Road, Grantham
4	Wyndham Park, Hill Avenue, Grantham
5	Dysart Park, Bridge End Road, Grantham
6	Beechcroft Road, Grantham
7	Linchfield Road, Deeping St James
8	Crowson Way, Deeping St James
9	Church Street, Market Deeping
10	Godsey Lane, Market Deeping
11	Manor Lane, Bourne
12	Recreation Road, Bourne
13	Northfields, Bourne
14	Manor Close, Langtoft
15	Blackbull Green, Stowe Road, Langtoft
16	Recreation Ground Road, Stamford
17	Drift Road, Stamford
18	Elizabeth Road, Stamford
19	Water Lane, South Witham
20	Honington Road, Barkston
21	Village Hall, Main Road, Dowsby
22	Bottesford Road, Allington
23	Braceby Road, Ropsley
24	Carlton Road, Hough on the Hill
25	Main Street, Woolsthorpe by Belvoir
26	Colster Way, Colsterworth
27	Woolsthorpe Road, Woolsthorpe by Colsterworth
28	Lawrance Park, Crown Lane, Thurlby
29	Belton Lane, Great Gonerby
30	Arnoldfield, Gonerby Road, Grantham
31	Princess Drive, Grantham
32	Elgar Way, Stamford
33	Pinewood Close, Bourne
34	Churchfield Close, Deeping St James
35	Hereward Way, Deeping St James
36	Wellington Way, Market Deeping

Plan 1



Enclosed play area

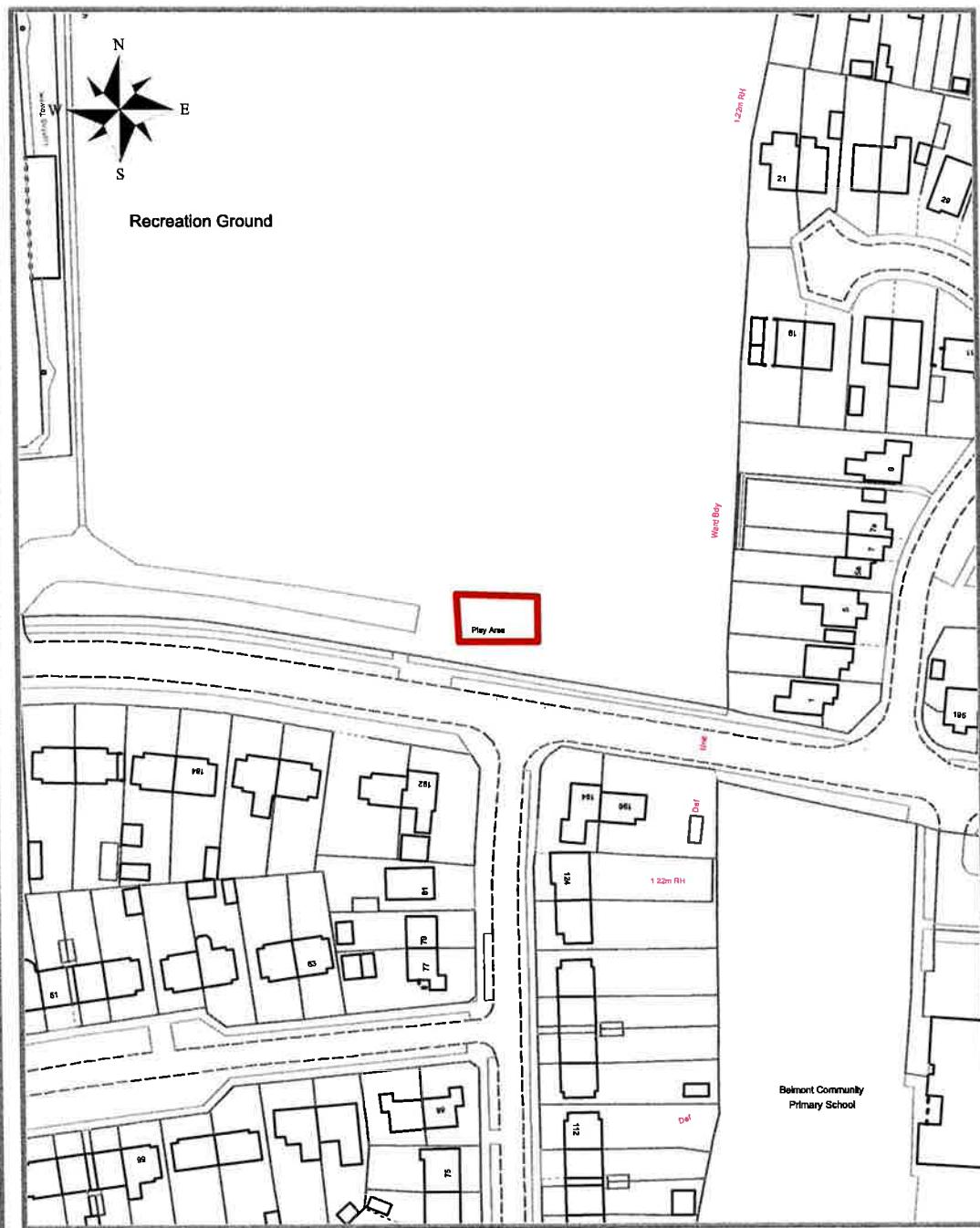
Gonerby Road,
Grantham

For identification purposes only



**SOUTH
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Plan 2



Enclosed play area

Harrowby Lane, Grantham

For identification purposes only



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Enclosed play area

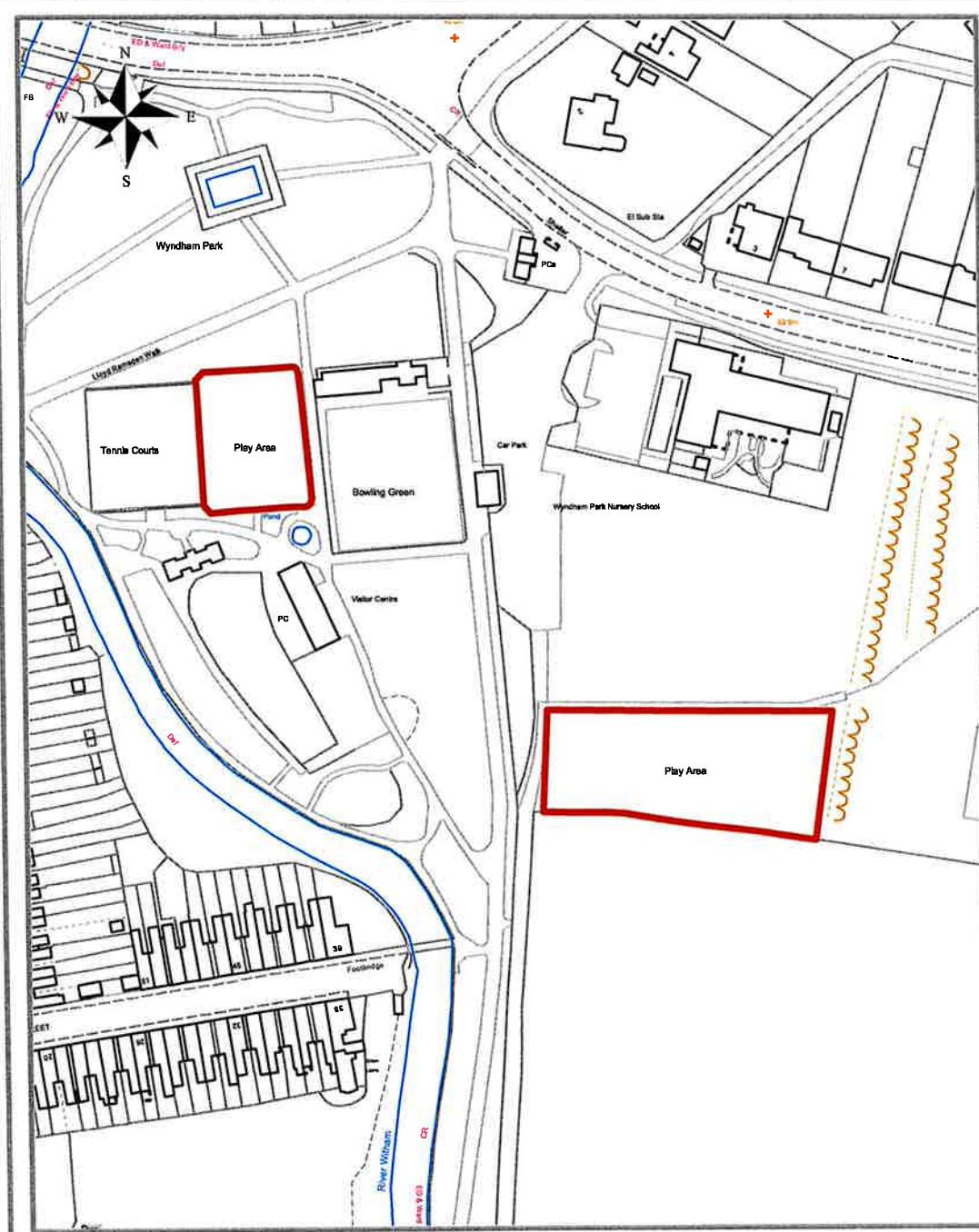
Trent Road,
Grantham

For identification purposes only



**SOUTH
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COUNCIL**

Plan 4



Enclosed play area

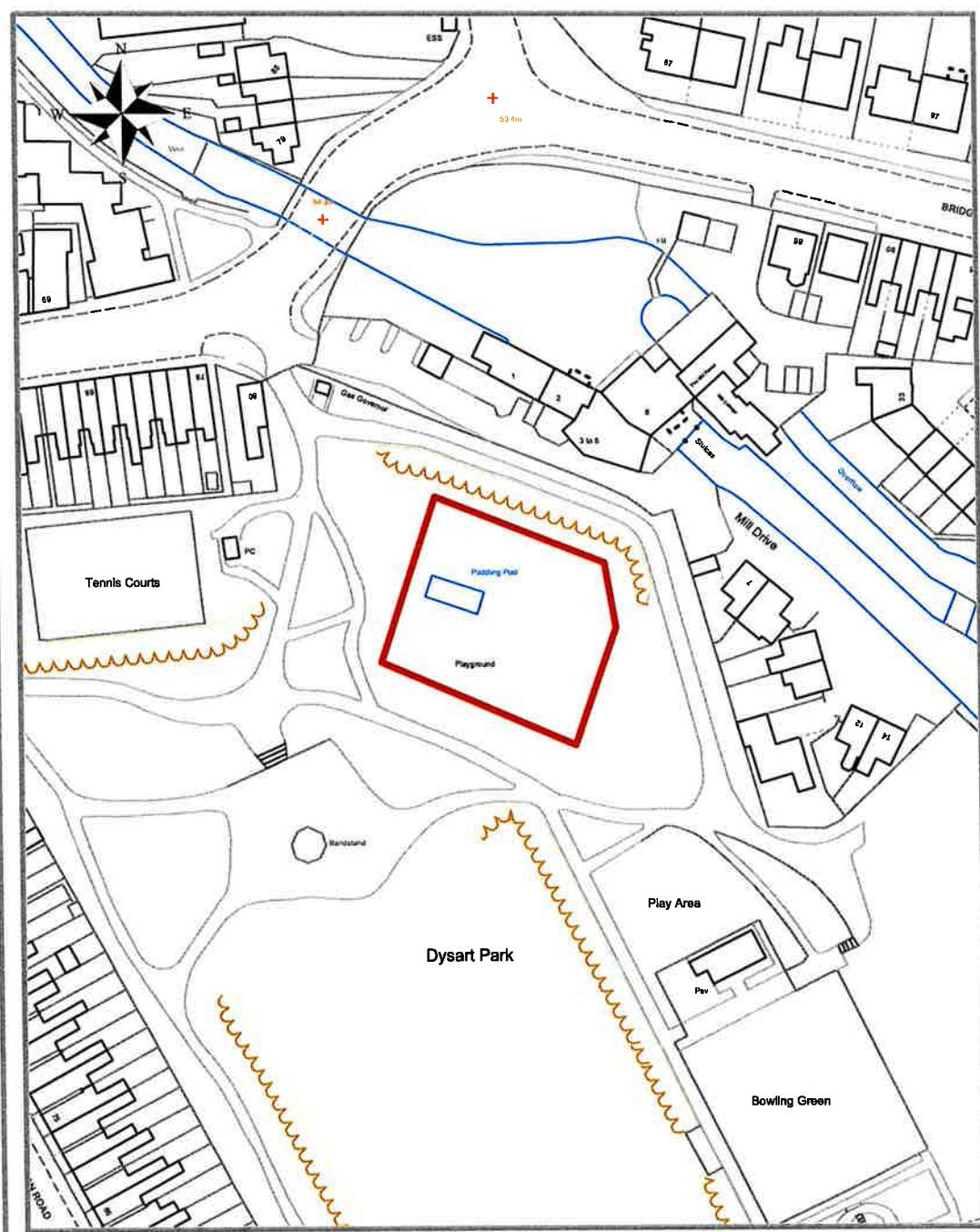
Wyndham Park and
Hill Avenue,
Grantham

For identification purposes only

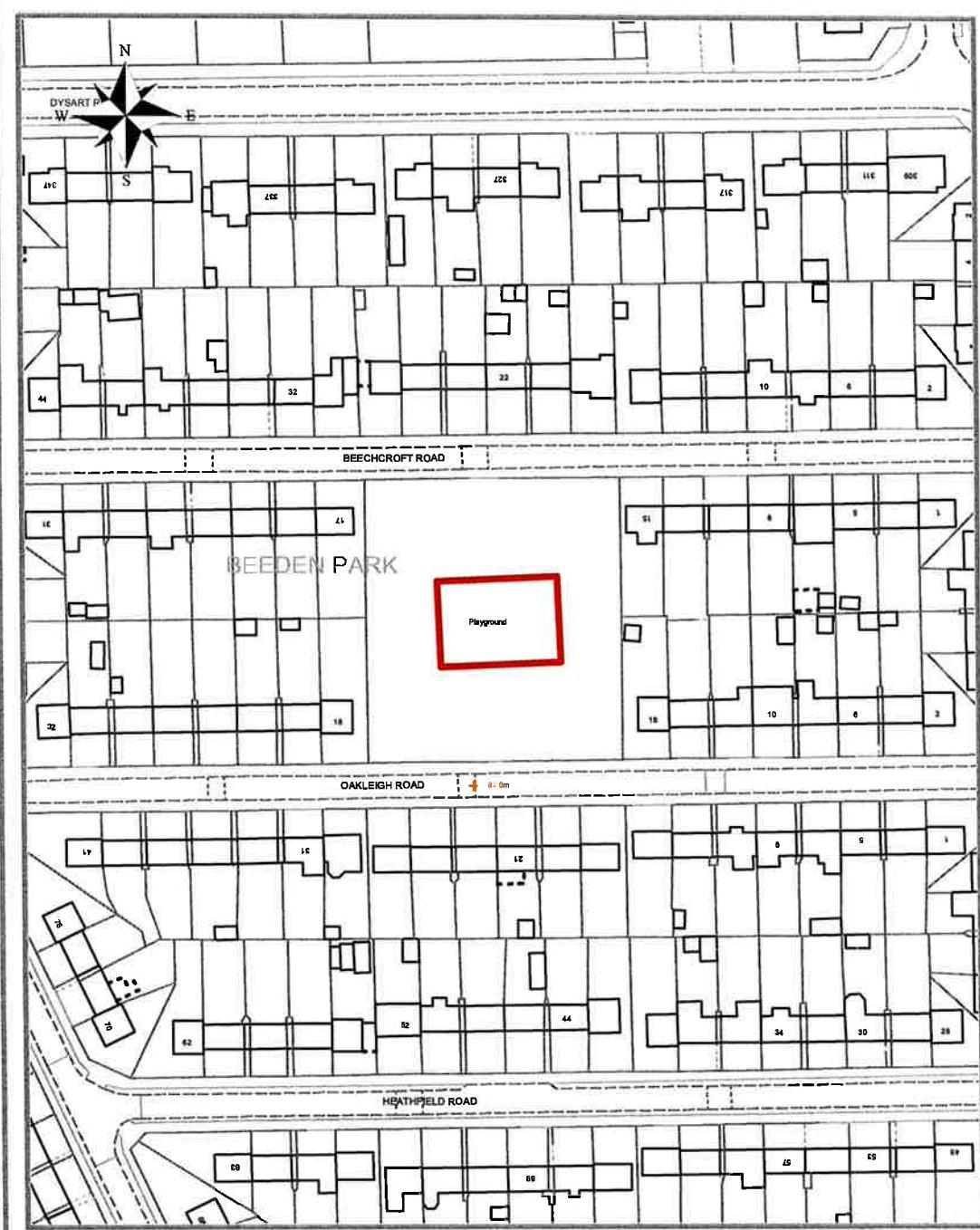


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Plan 5



Plan 6



Enclosed play area

Beechcroft Road,
Grantham

For identification purposes only



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Plan 7



Enclosed play area

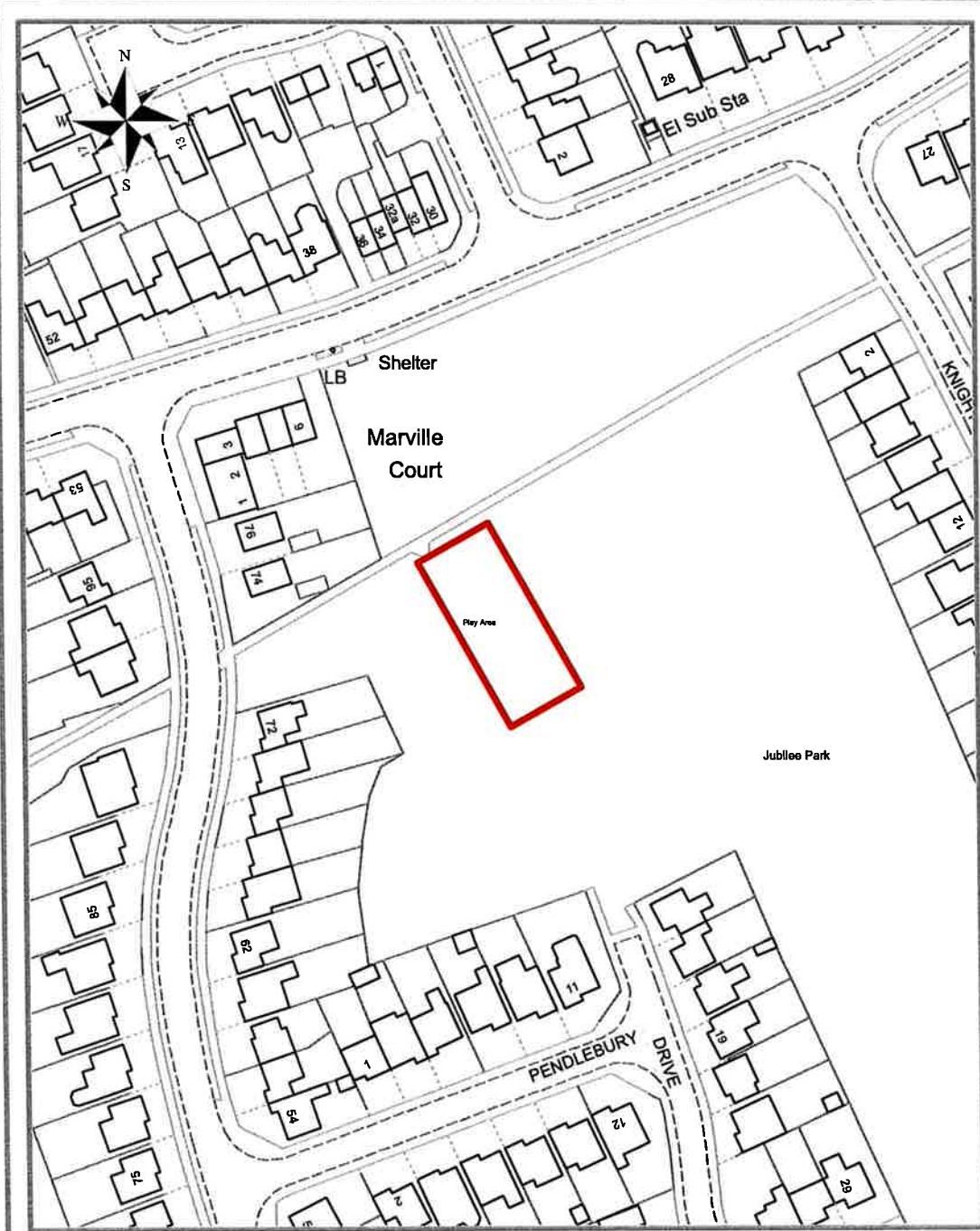
Linchfield Road,
Deeping St. James

For identification purposes only



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COUNCIL**

Plan 8



Enclosed play area

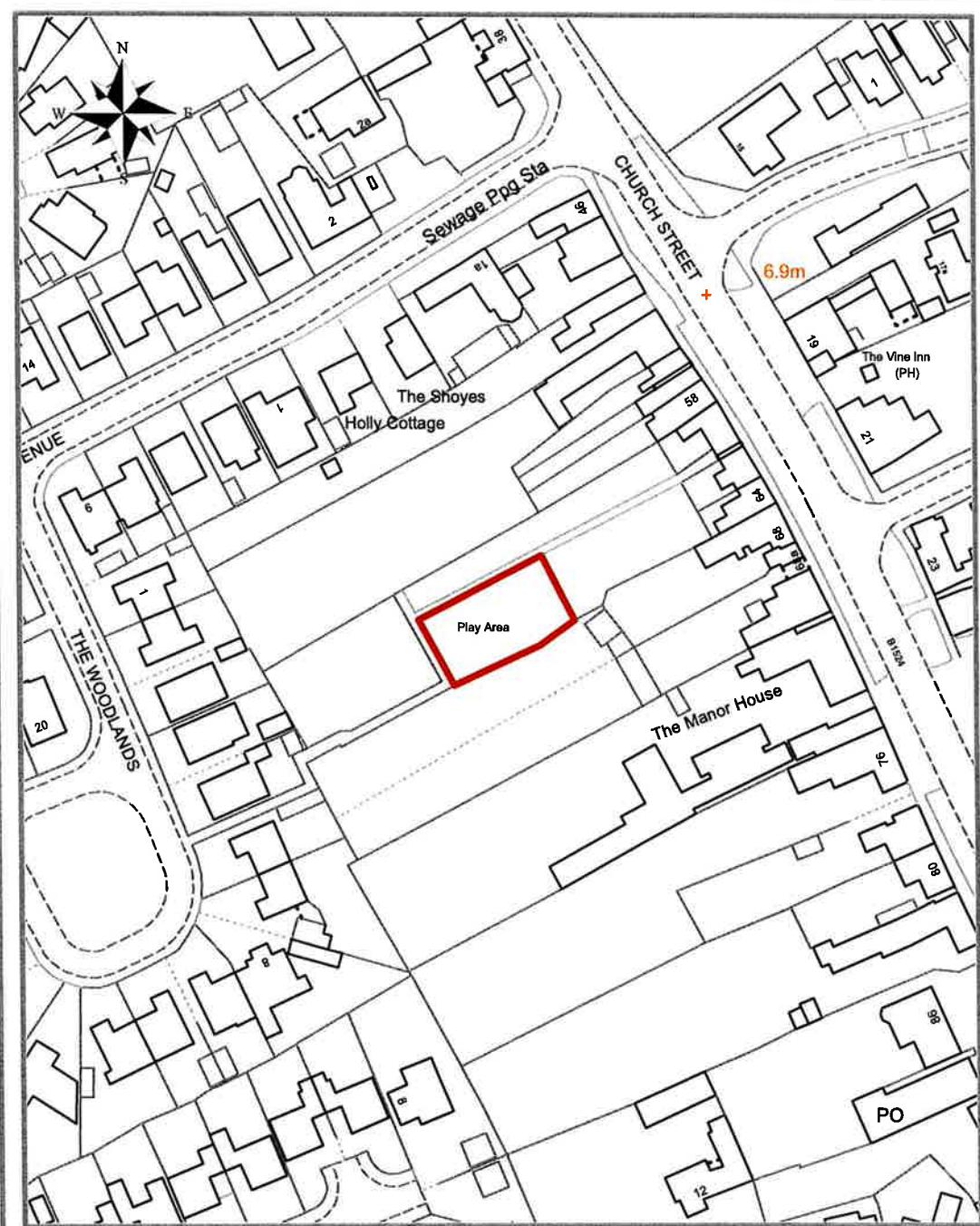
Crowson Way,
Deeping St. James

For identification purposes only



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COUNCIL

Plan 9



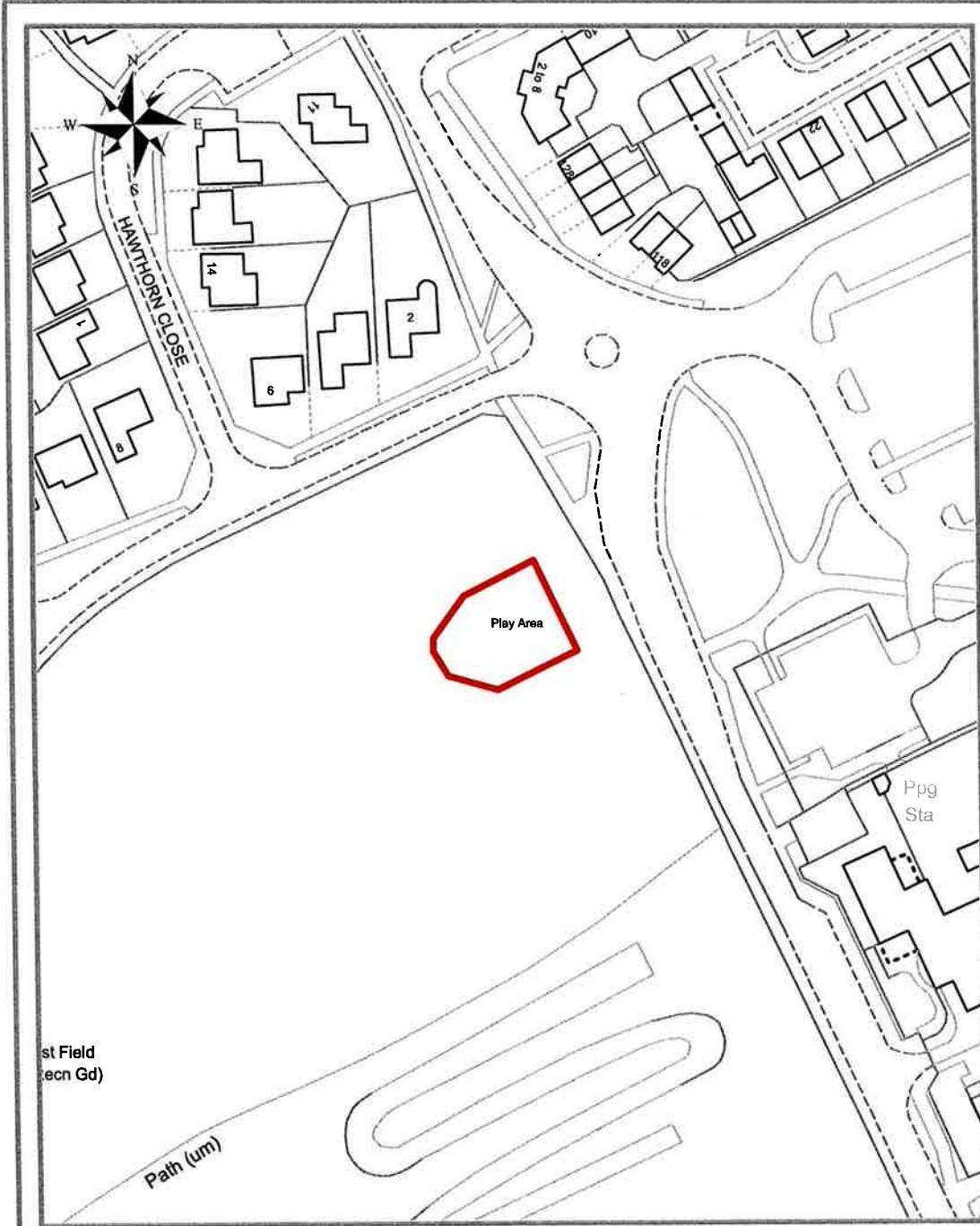
Enclosed play area

Church Street, Market Deeping

For identification purposes only



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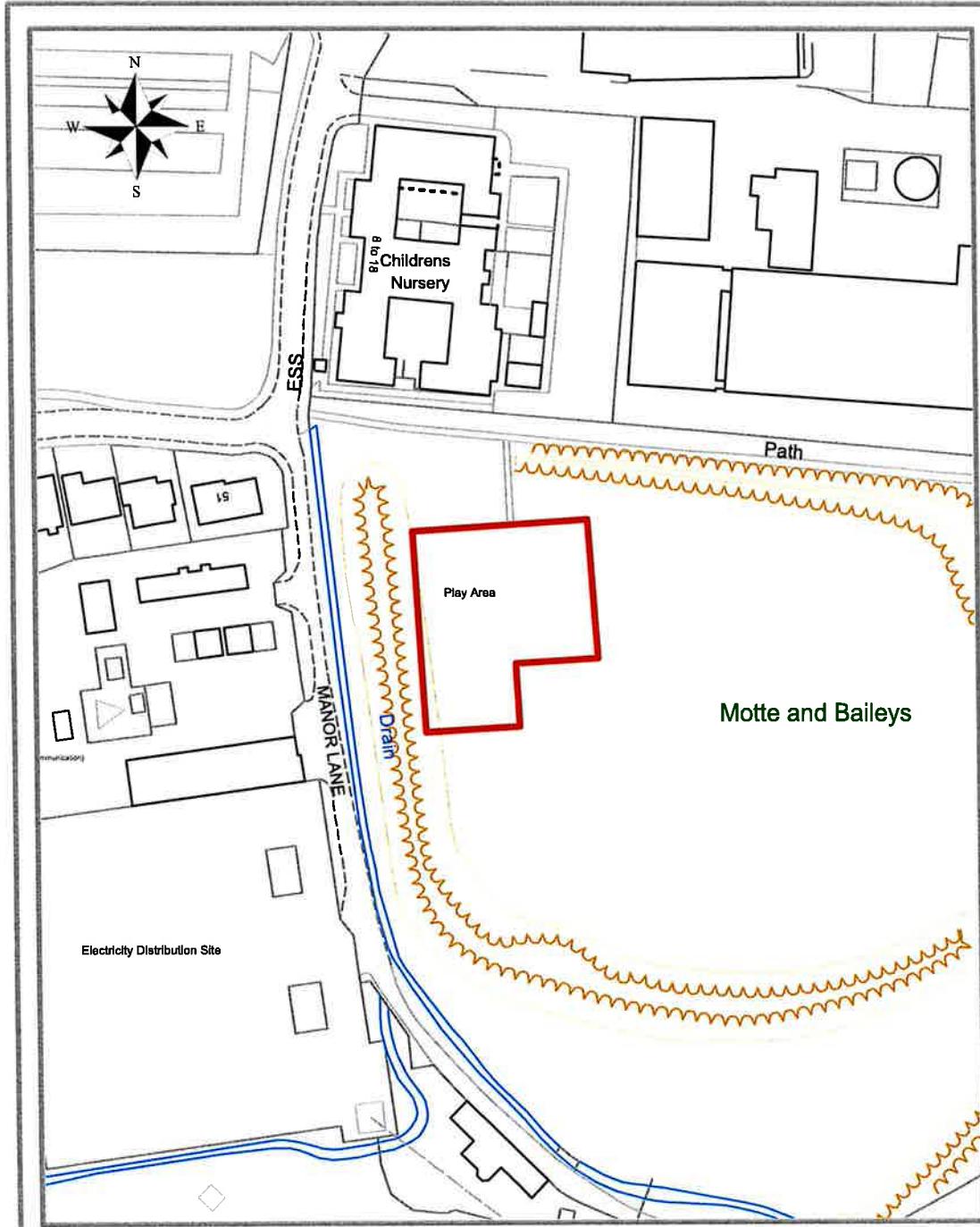
Enclosed play area

Godsey Lane,
Market Deeping

For identification purposes only



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Enclosed play area

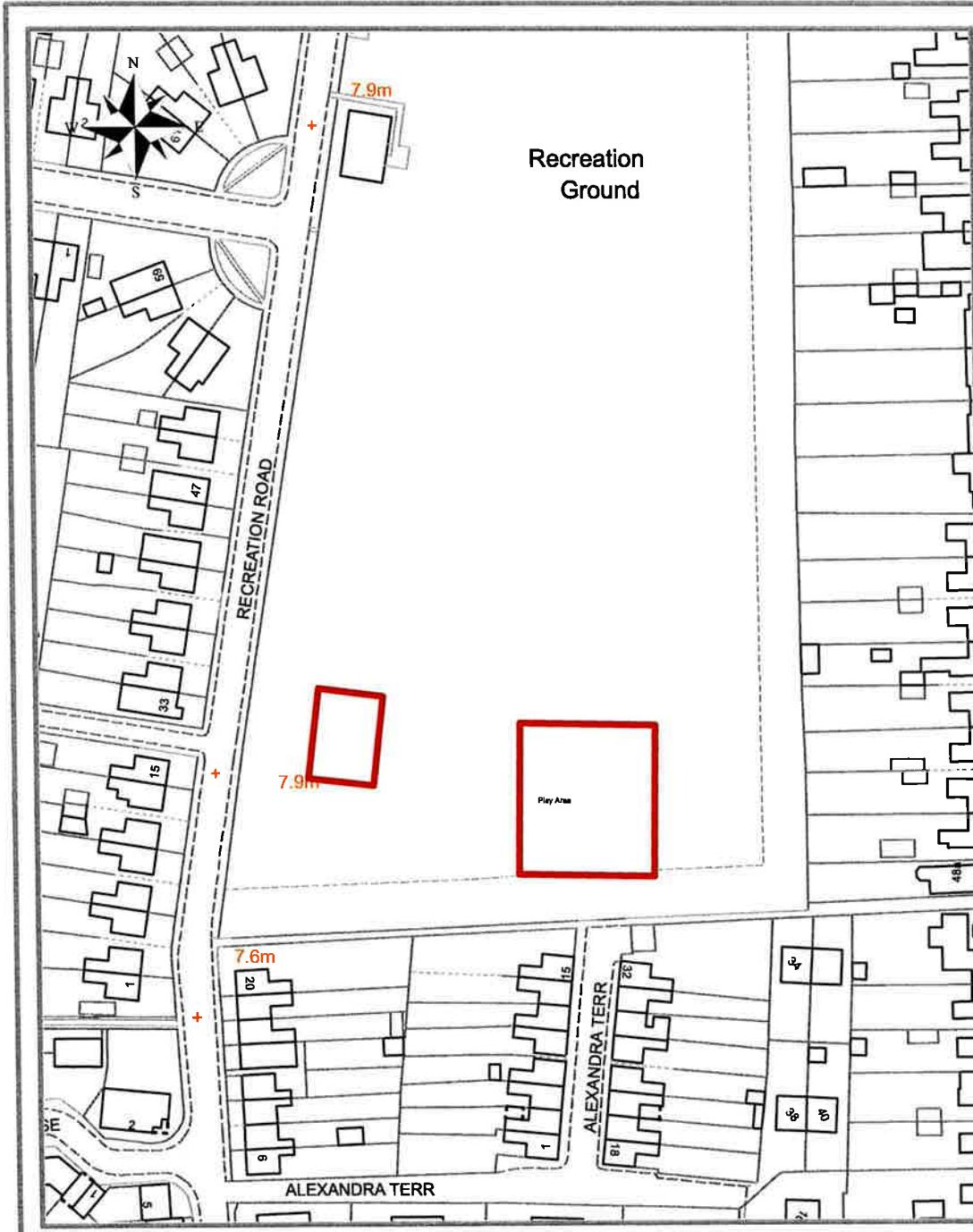
Manor Lane,
Bourne

For identification purposes only



**SOUTH
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Plan 12



Enclosed play area

Recreation Road, Bourne

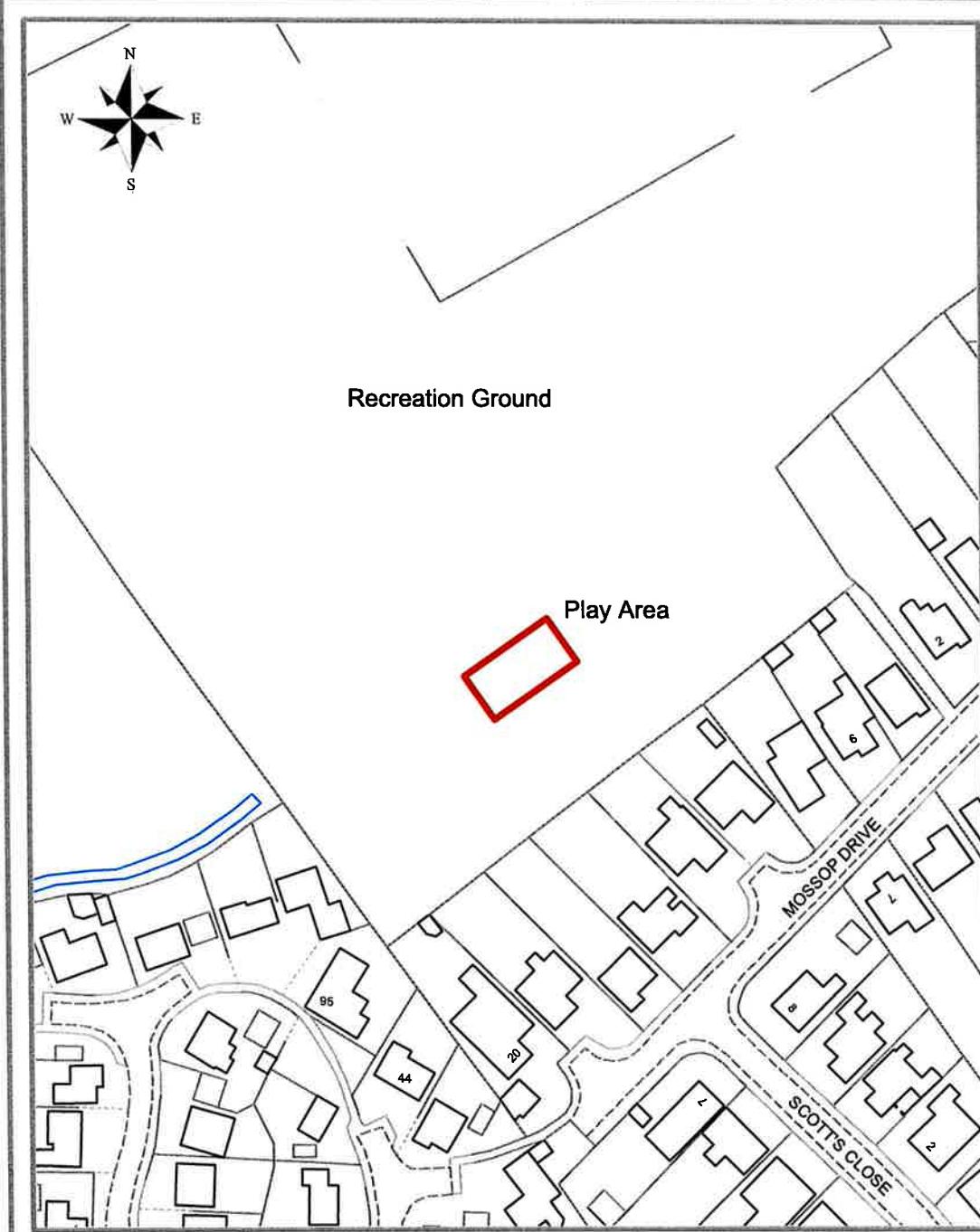
For identification purposes only



SOUTH KESTEVEN DISTRICT COUNCIL



Plan 14



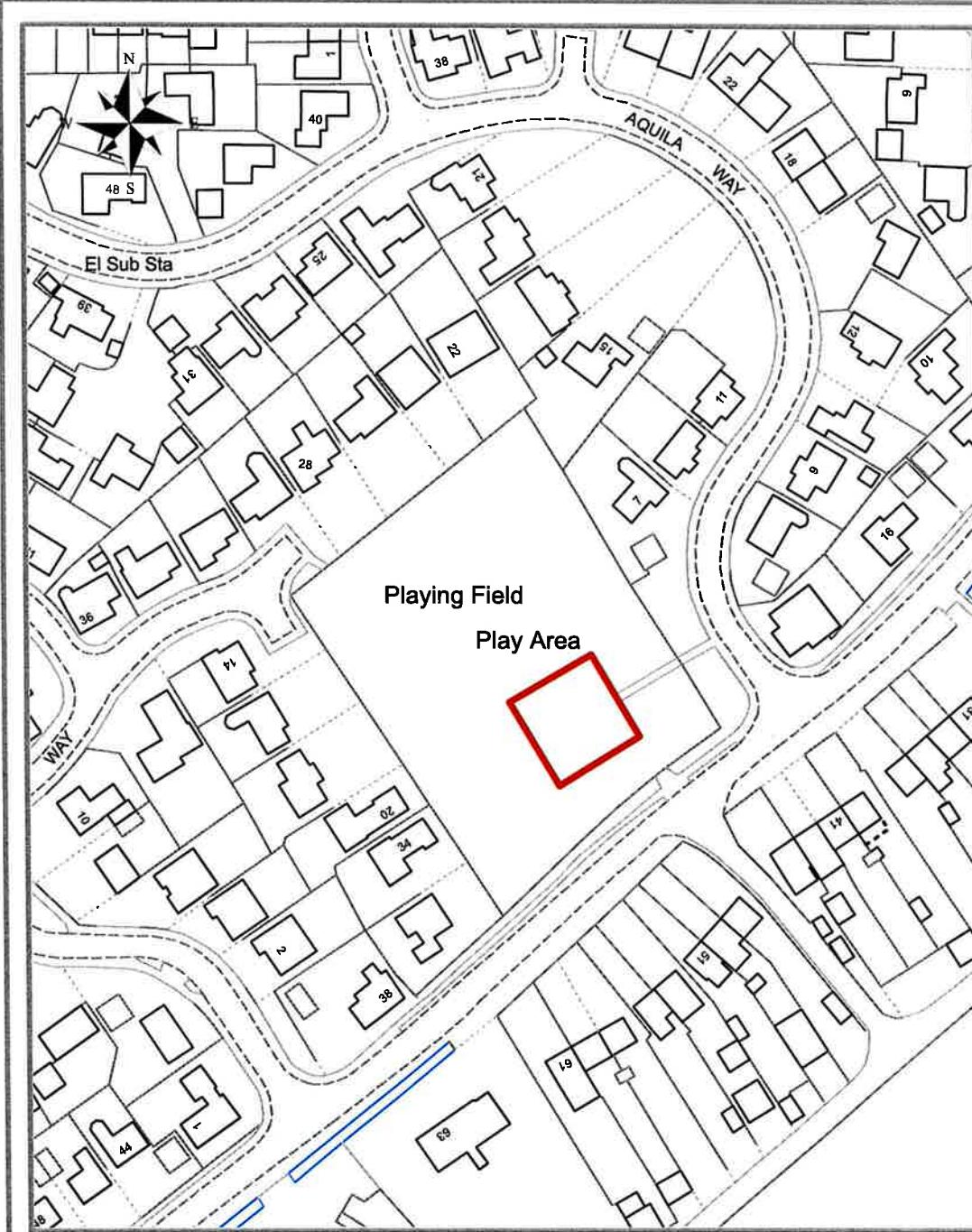
Enclosed play area

Manor Close, Langtoft

For identification purposes only



SOUTH KESTEVEN DISTRICT COUNCIL



Enclosed play area

Blackbull Green, Stowe Road, Langtoft

For identification purposes only



SOUTH KESTEVEN DISTRICT COUNCIL

Plan 16

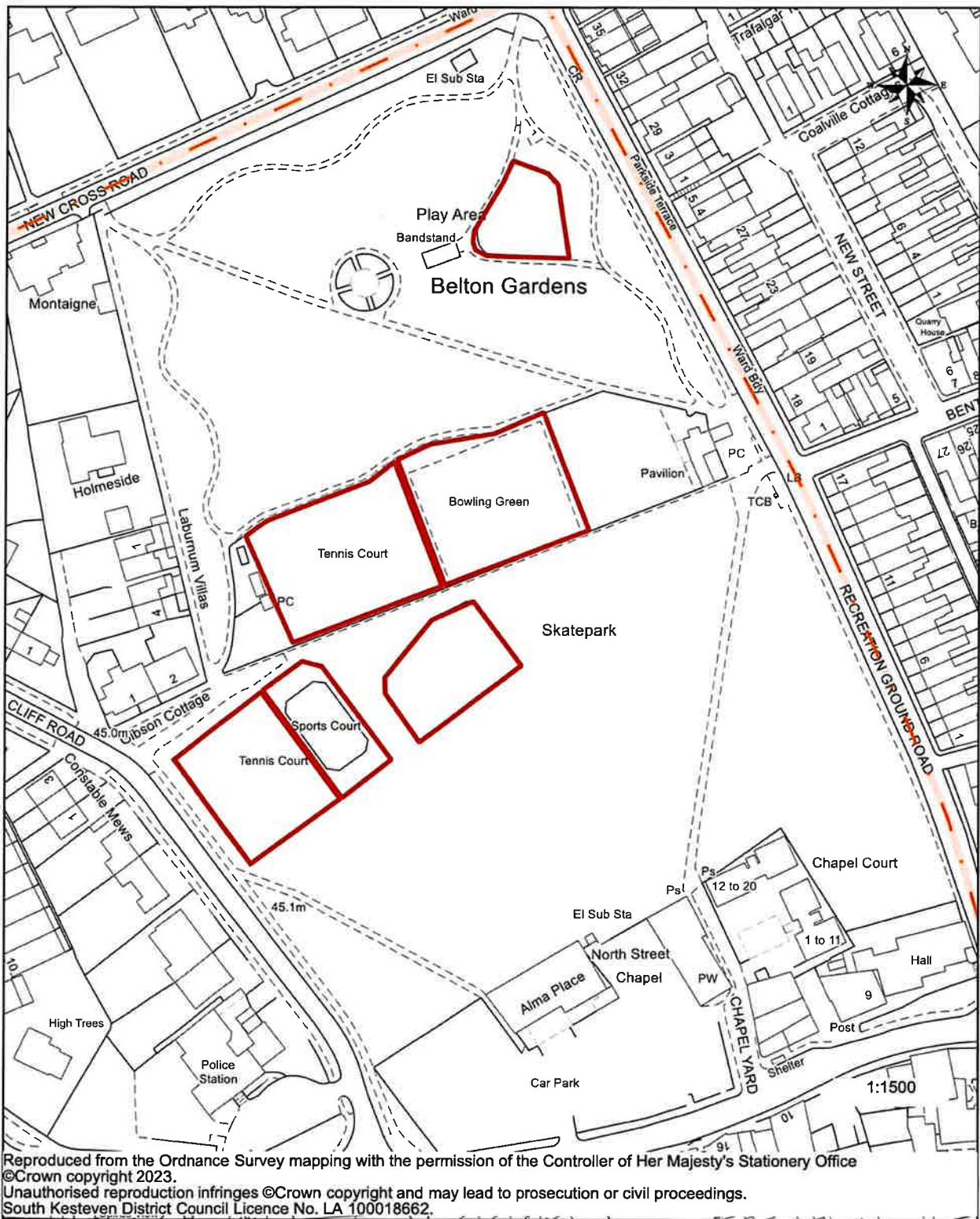


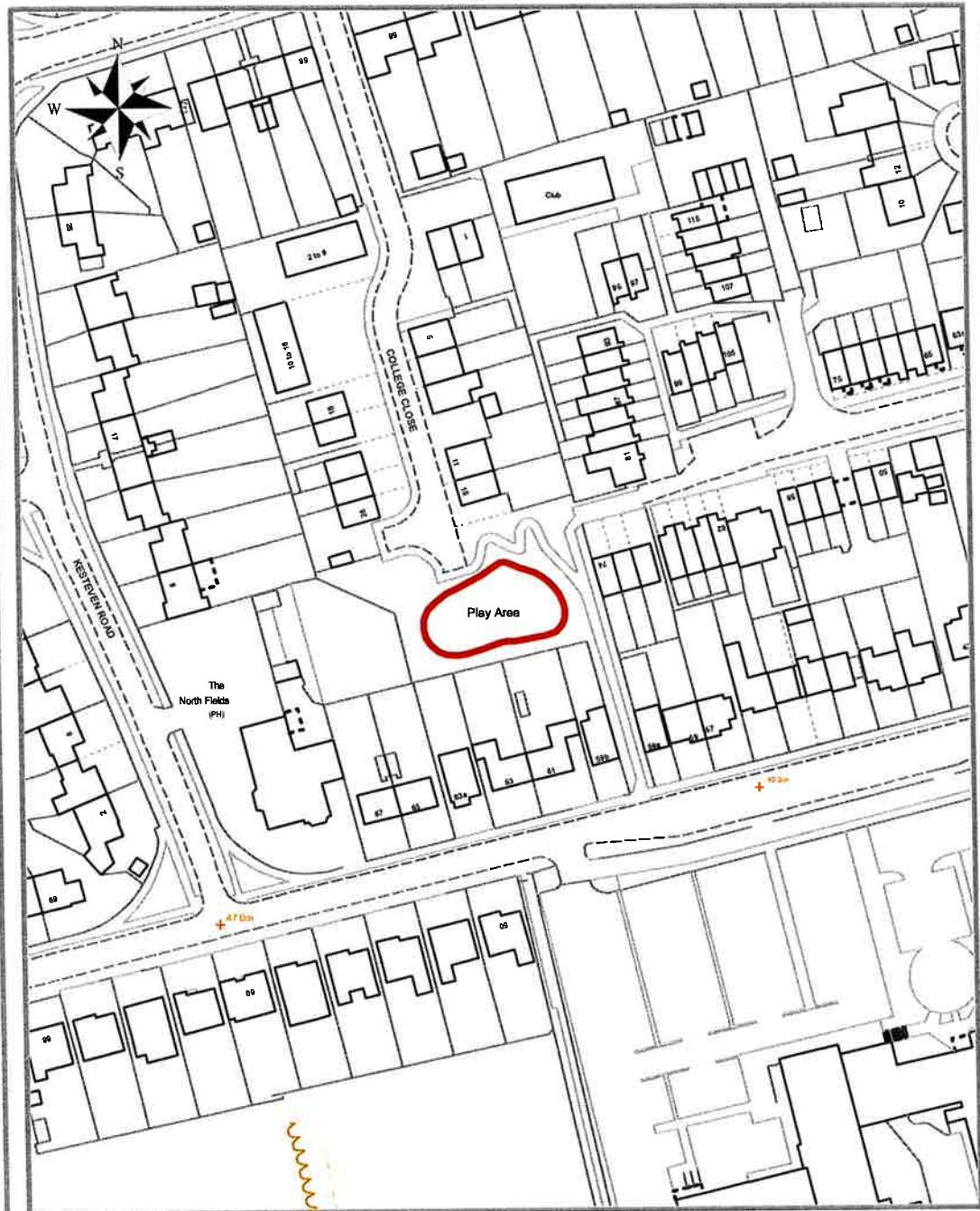
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COUNCIL

Recreation Ground, Stamford





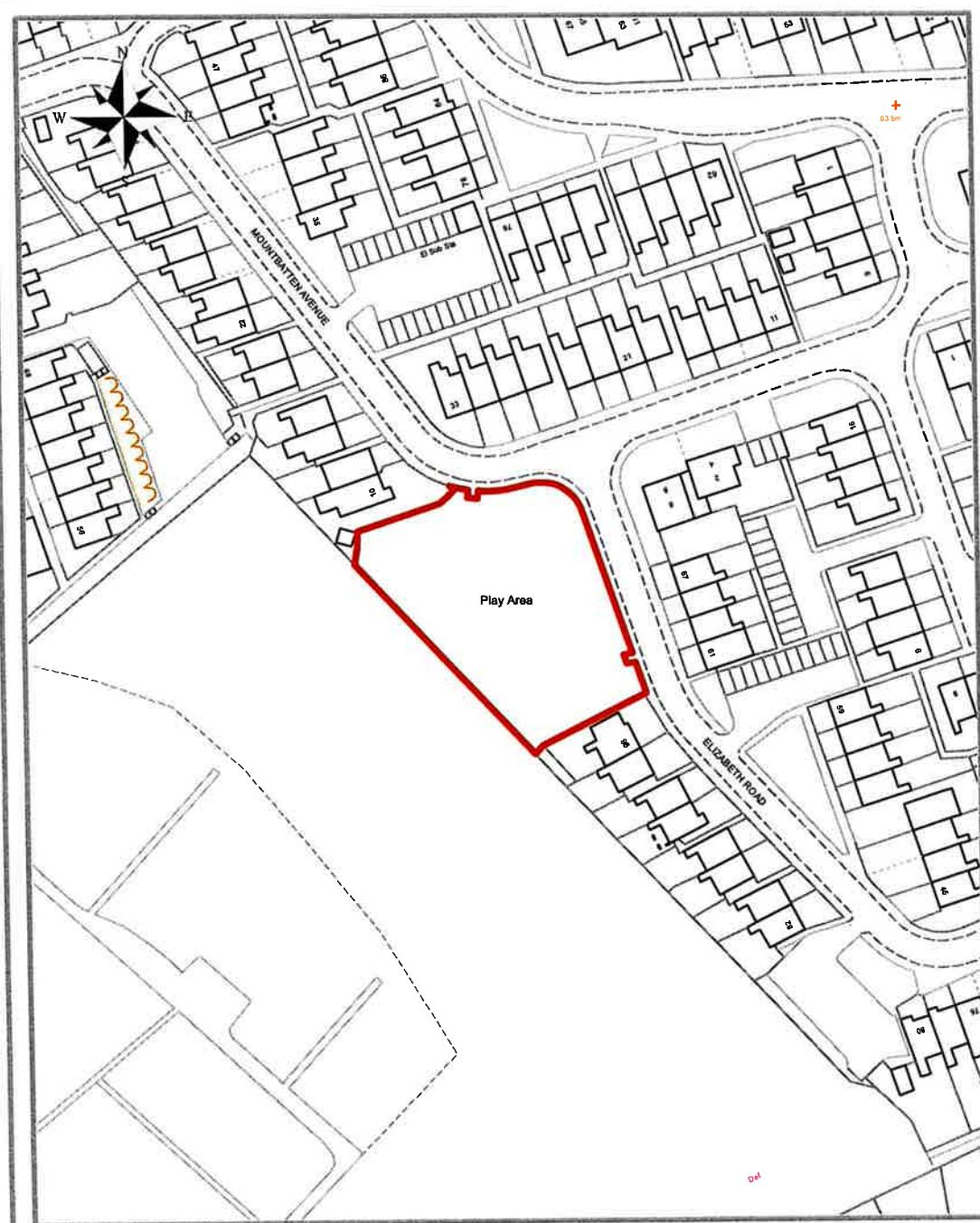
Enclosed play area

Drift Road,
Stamford

For identification purposes only



**SOUTH
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DISTRICT
COUNCIL**



Enclosed play area

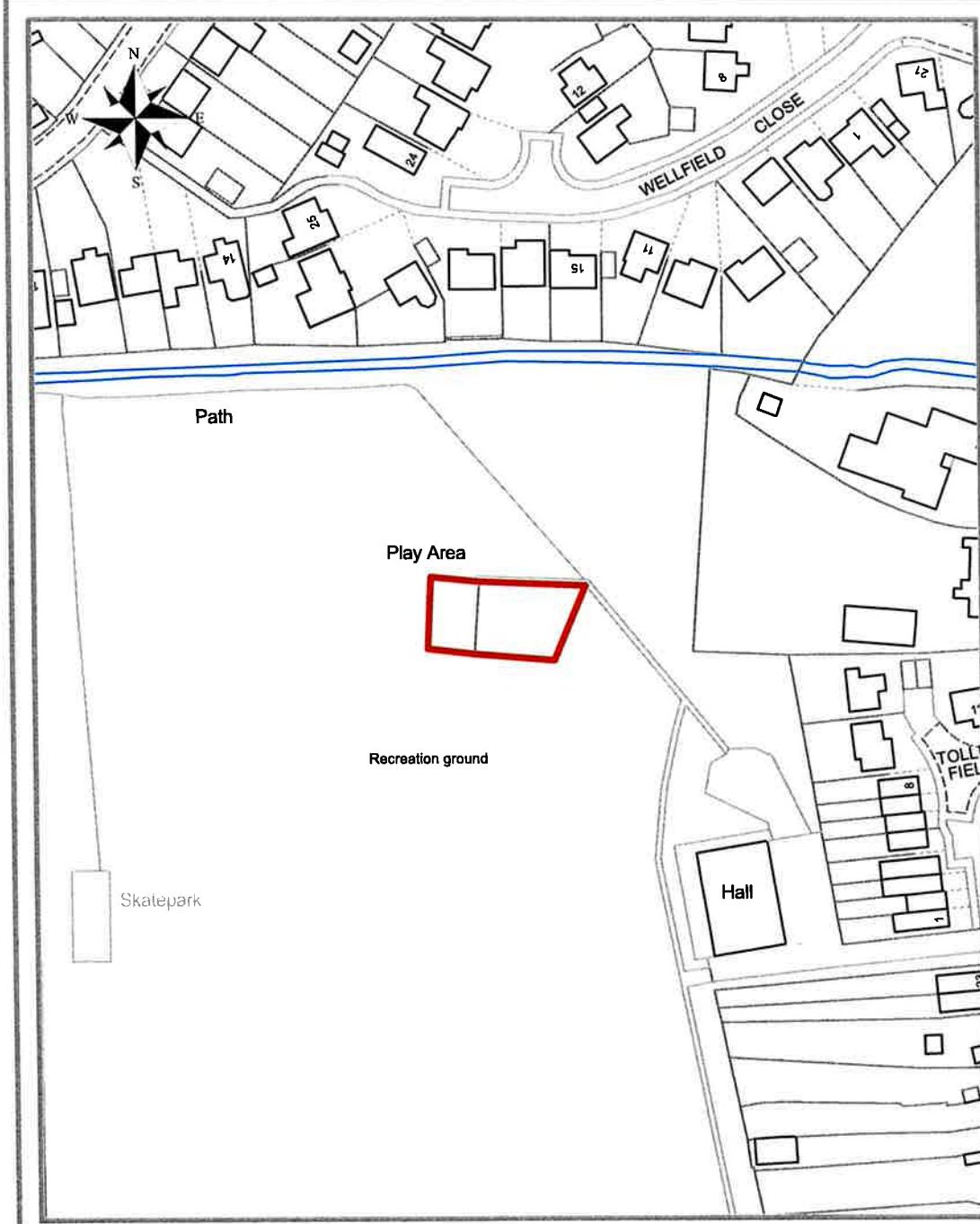
Elizabeth Road,
Stamford

For identification purposes only



**SOUTH
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Plan 19



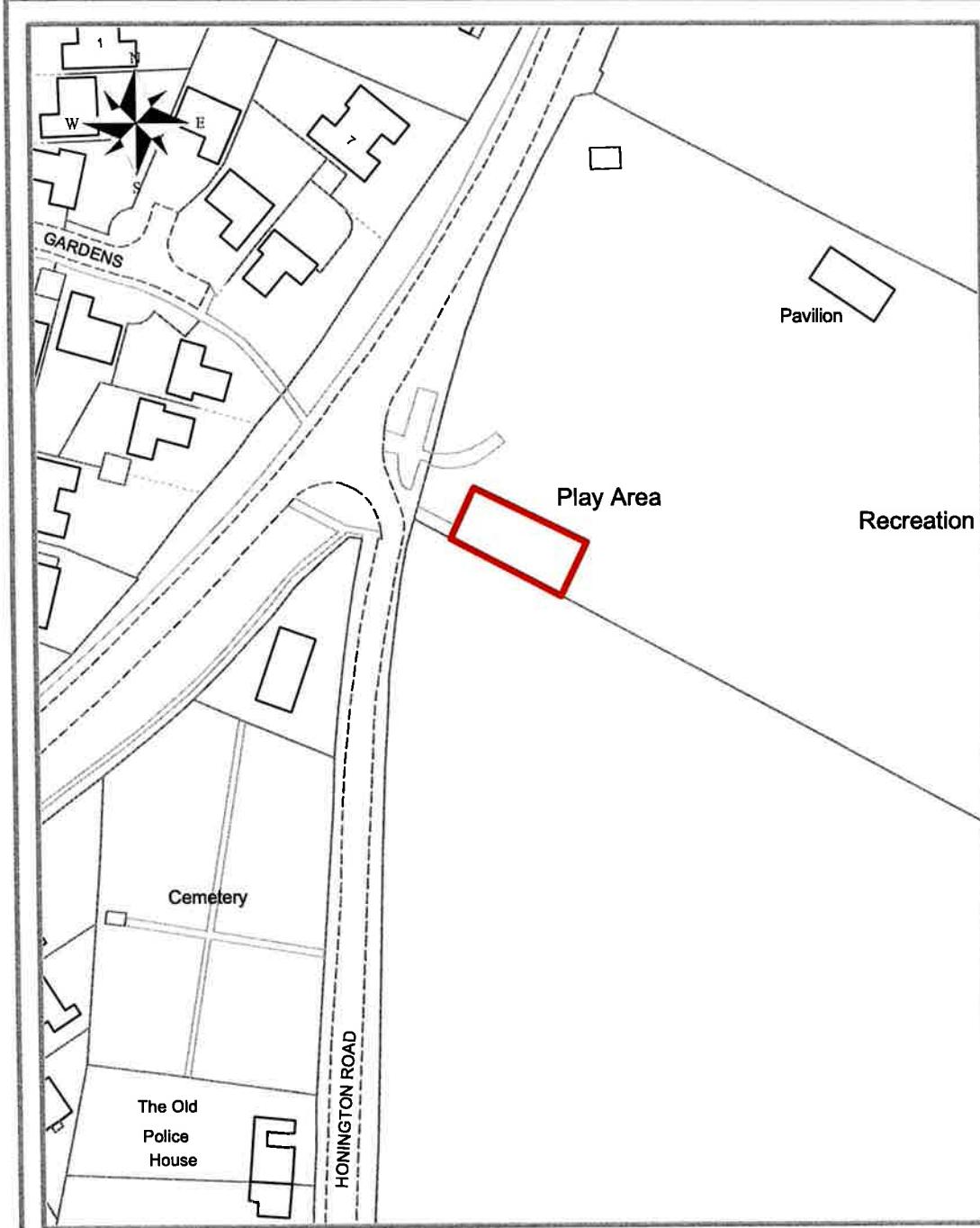
Enclosed play area

Water Lane, South Witham

For identification purposes only



SOUTH KESTEVEN DISTRICT COUNCIL



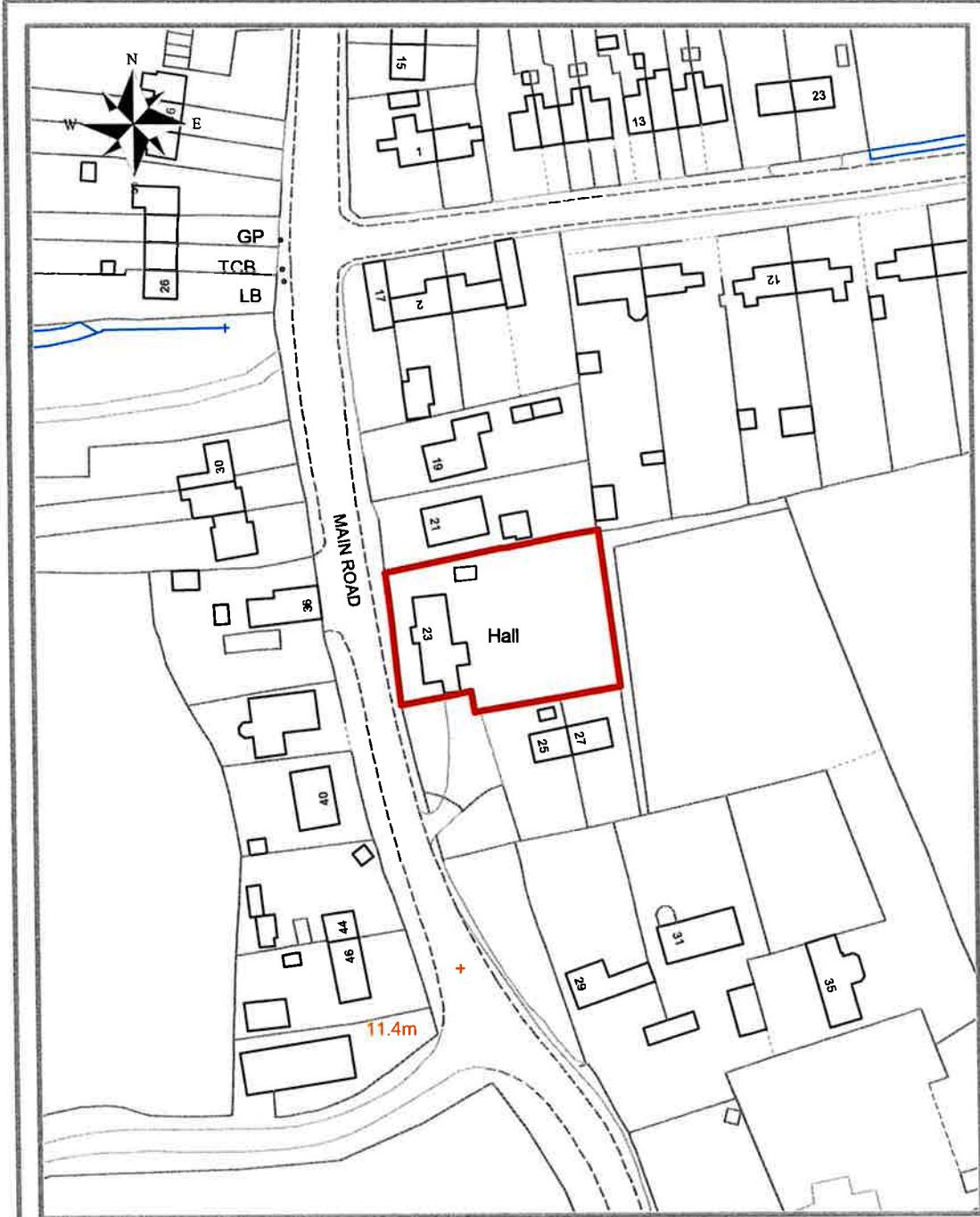
Enclosed play area

Honington Road, Barkston

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COUNCIL**



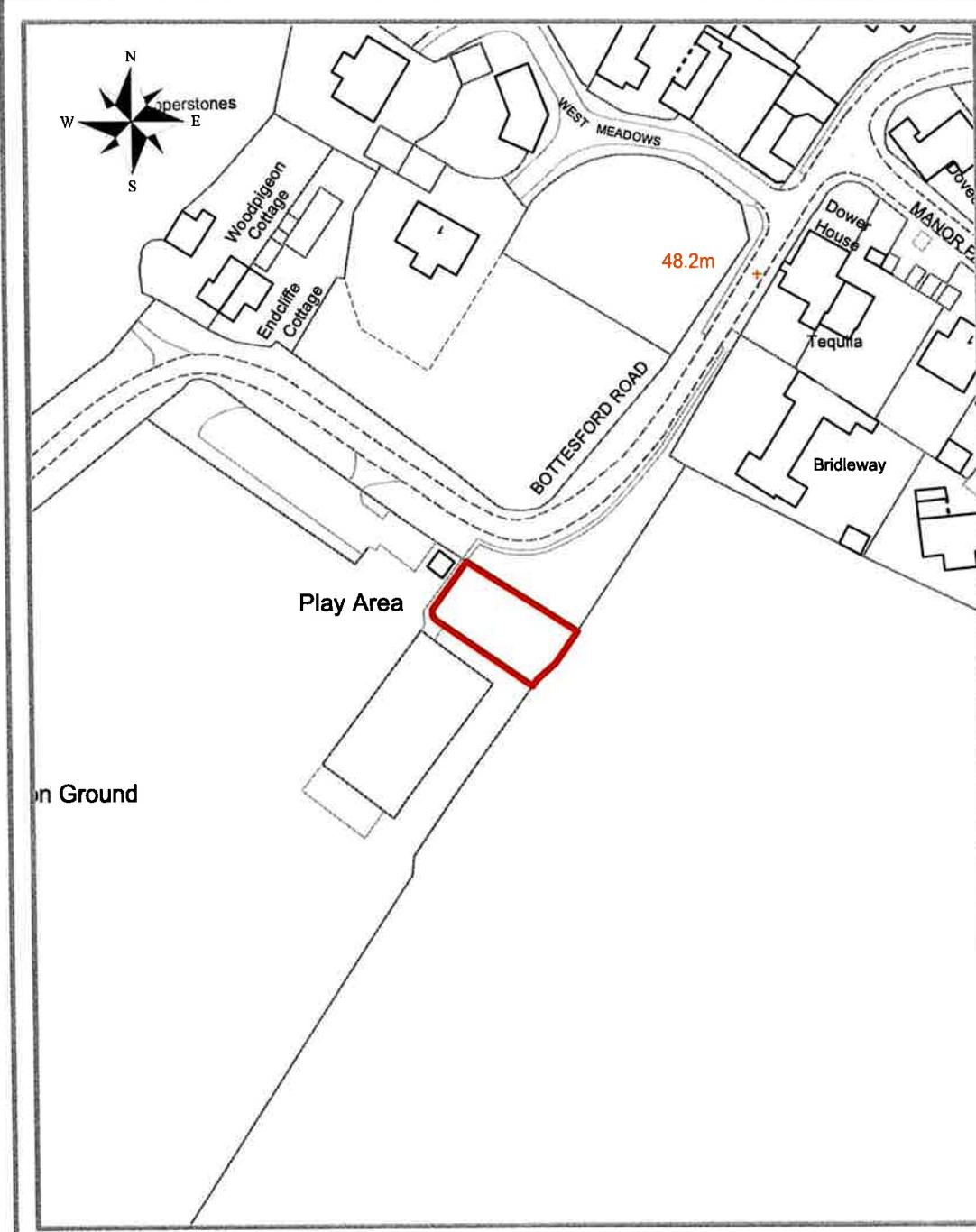
Enclosed play area

Village Hall,
Main Road,
Dowsby

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DISTRICT
COUNCIL



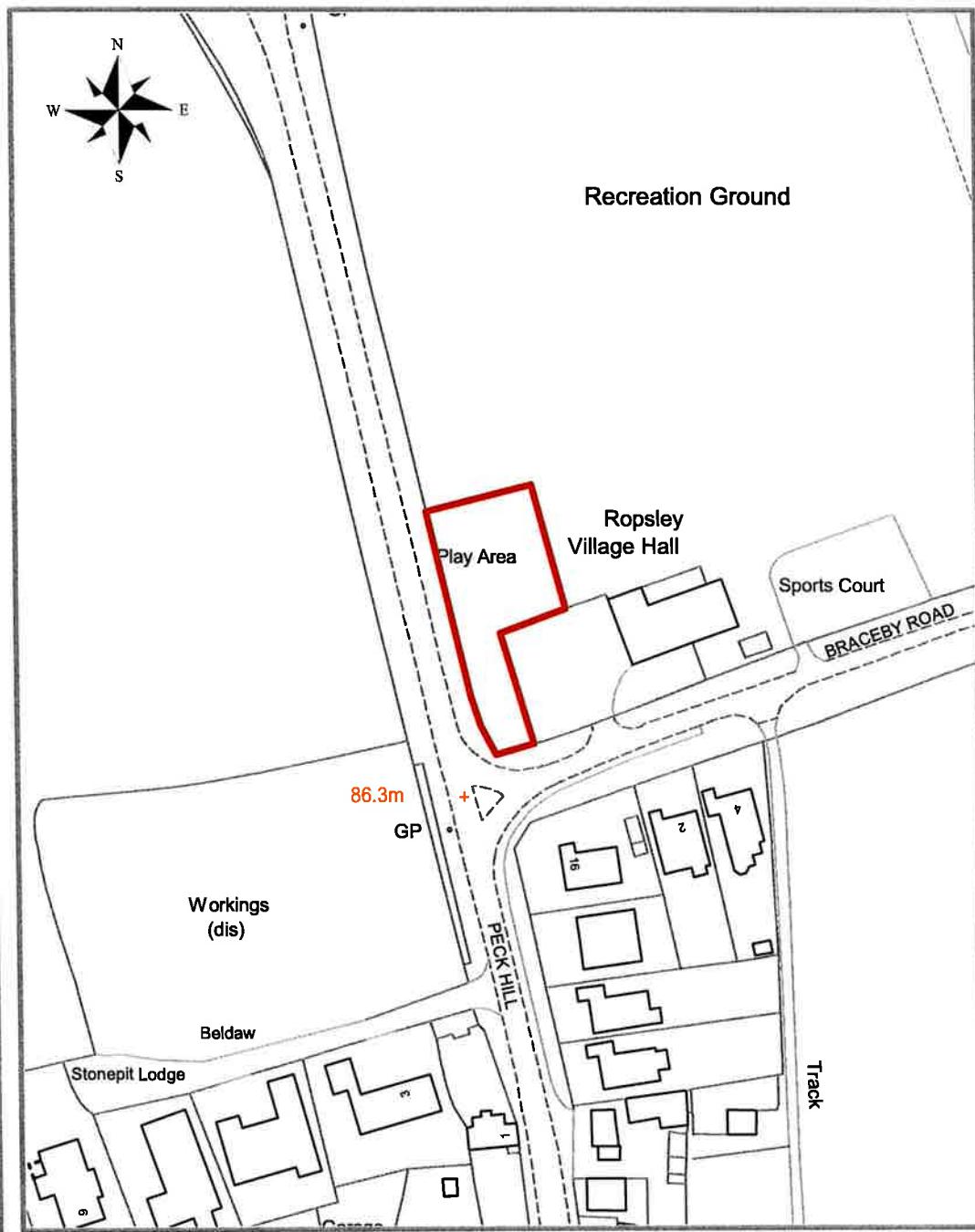
Enclosed play area

**Bottesford Road,
Allington**

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DISTRICT
COUNCIL**



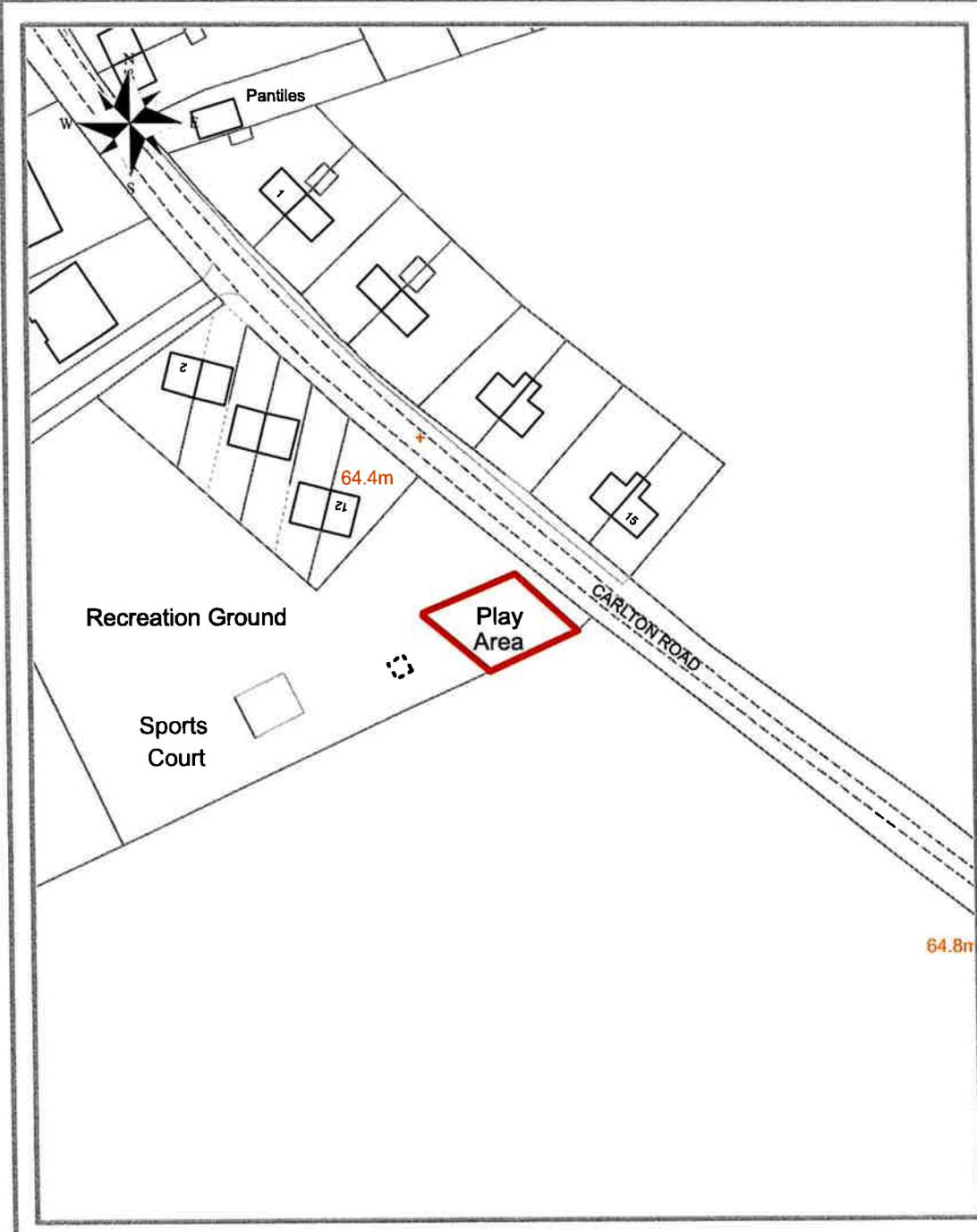
Enclosed play area

Braceby Road,
Ropsley

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DISTRICT
COUNCIL**



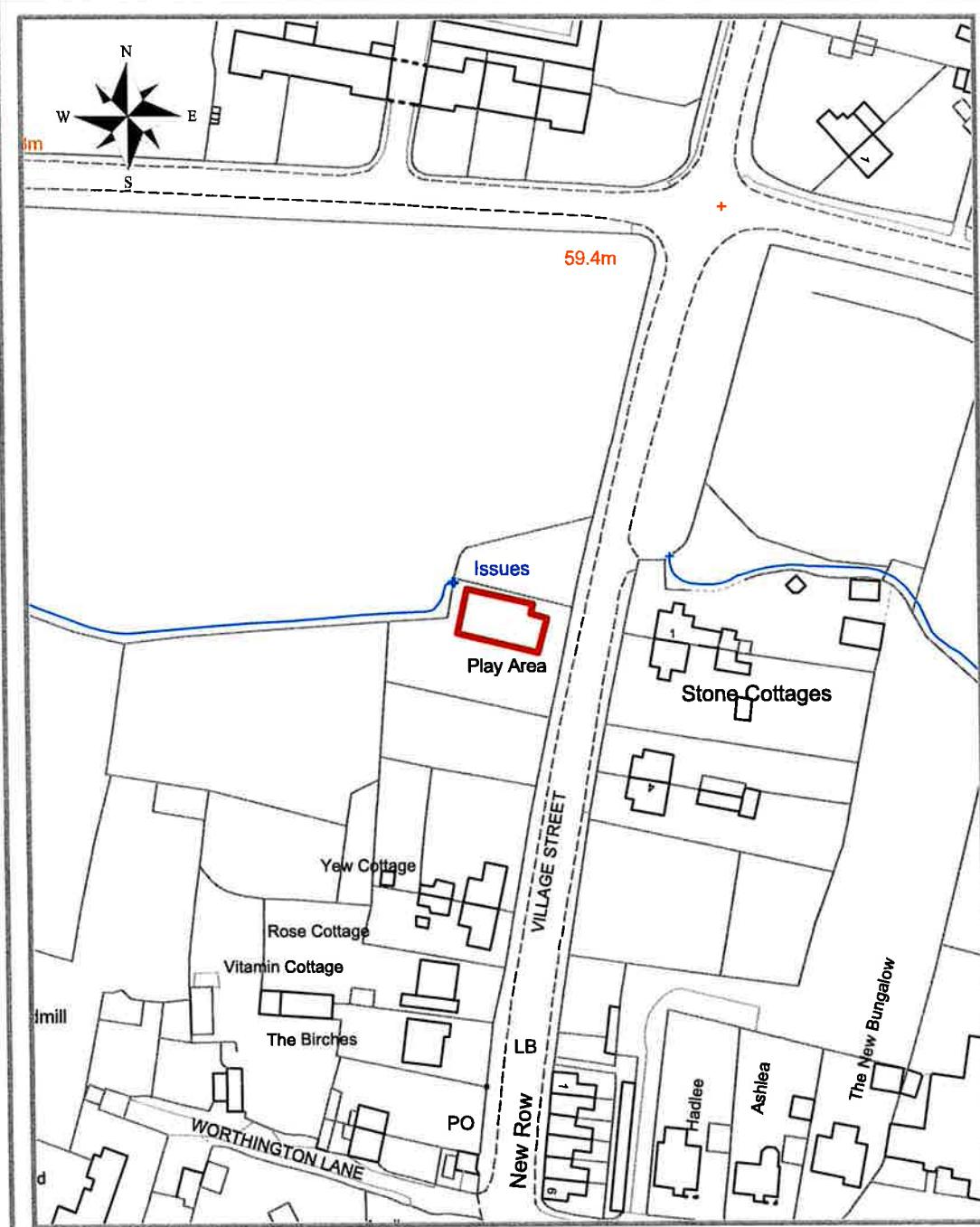
Enclosed play area

Carlton Road,
Hough on the Hill

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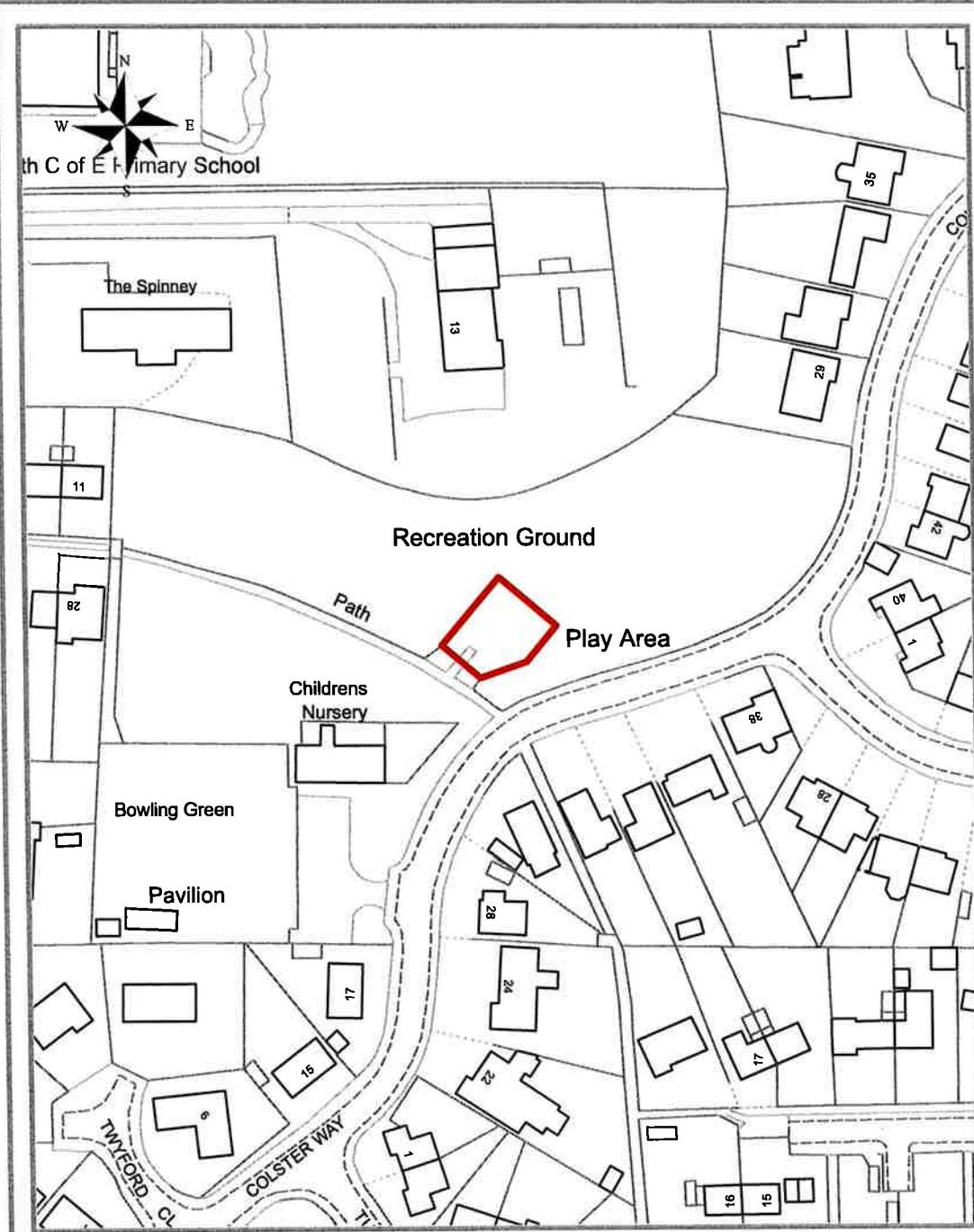
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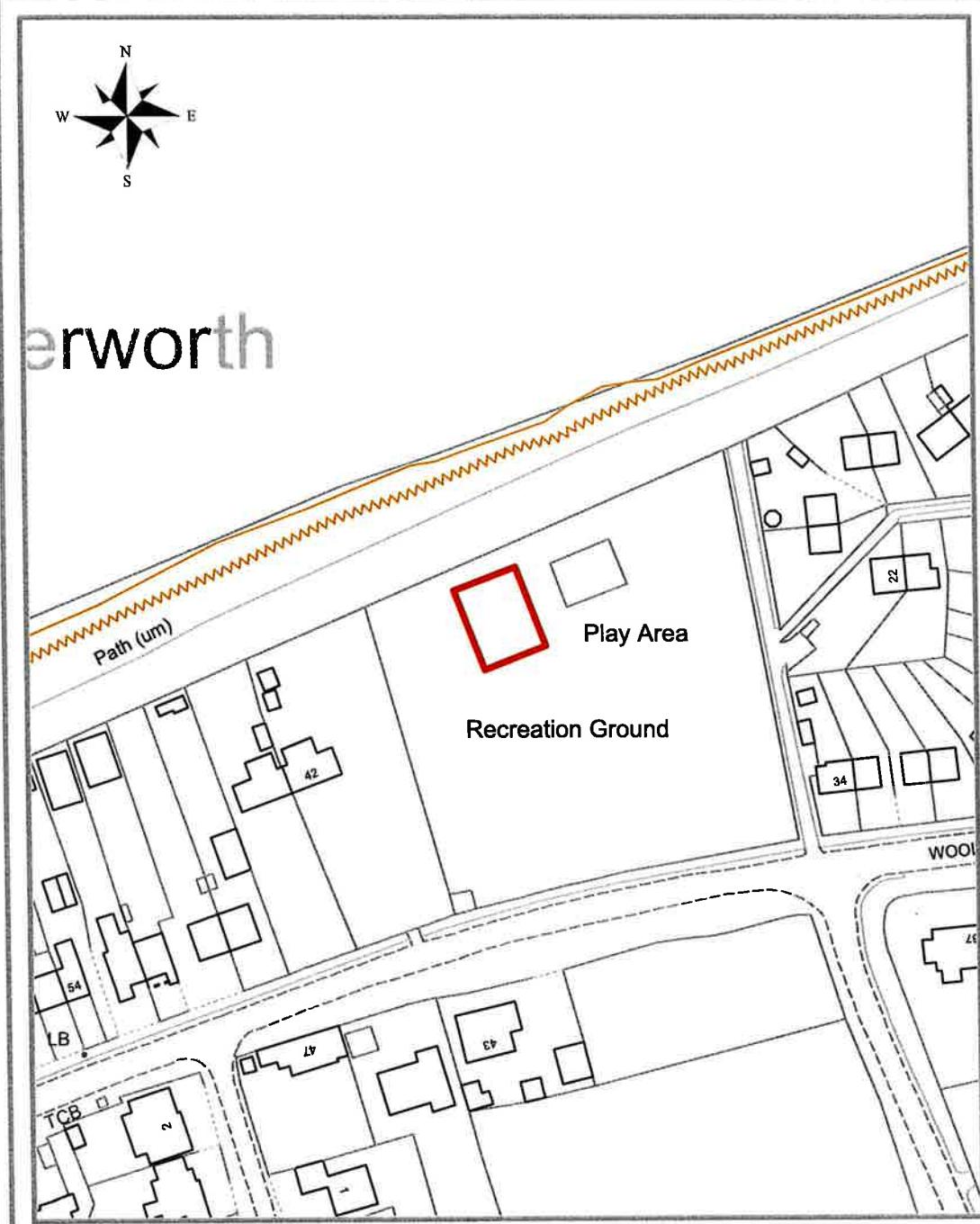
Main Street,
Woolsthorpe by
Belvoir

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Enclosed play area

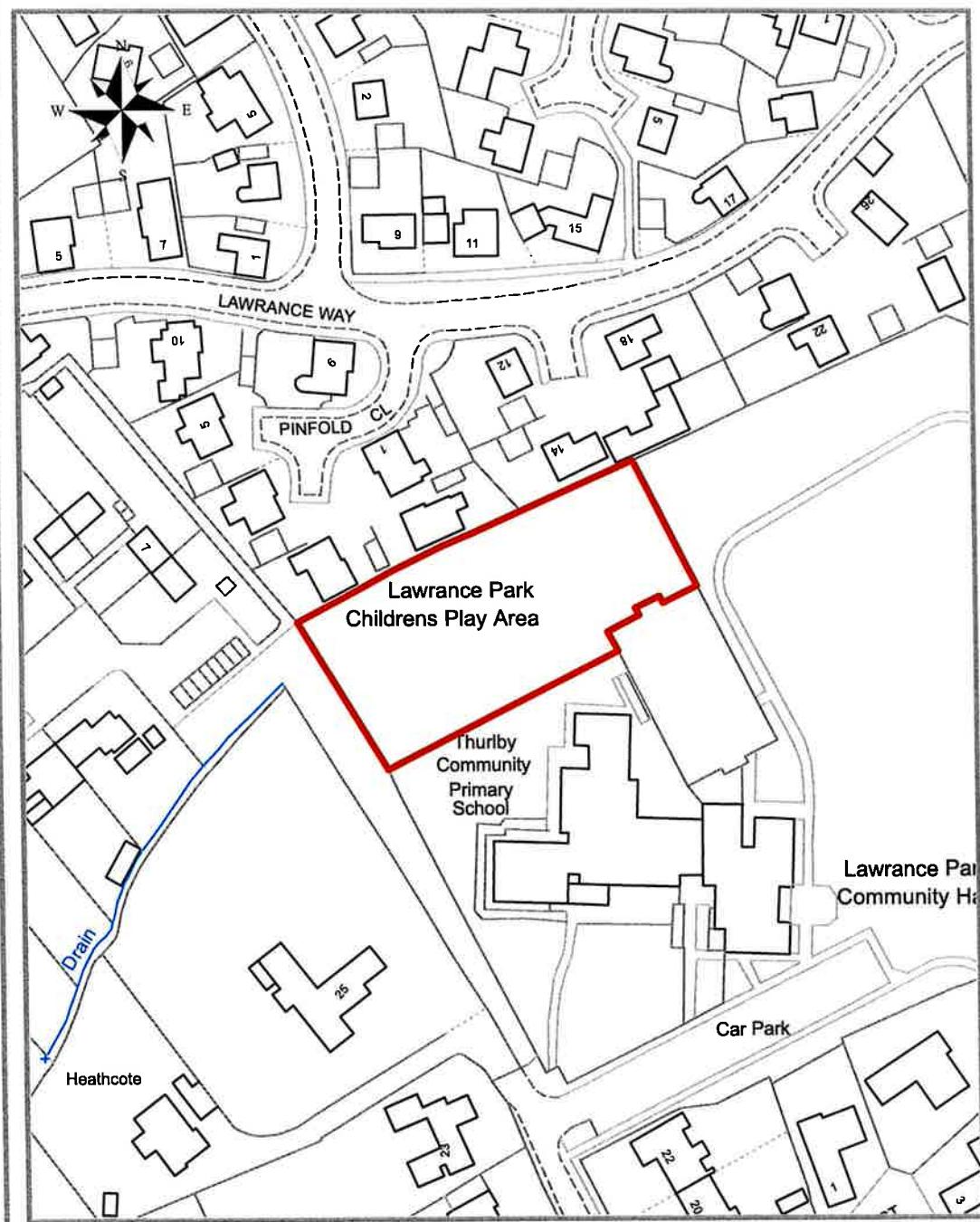
Woolsthorpe Road,
Woolsthorpe by
Colsterworth

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DISTRICT
COUNCIL**

Plan 28



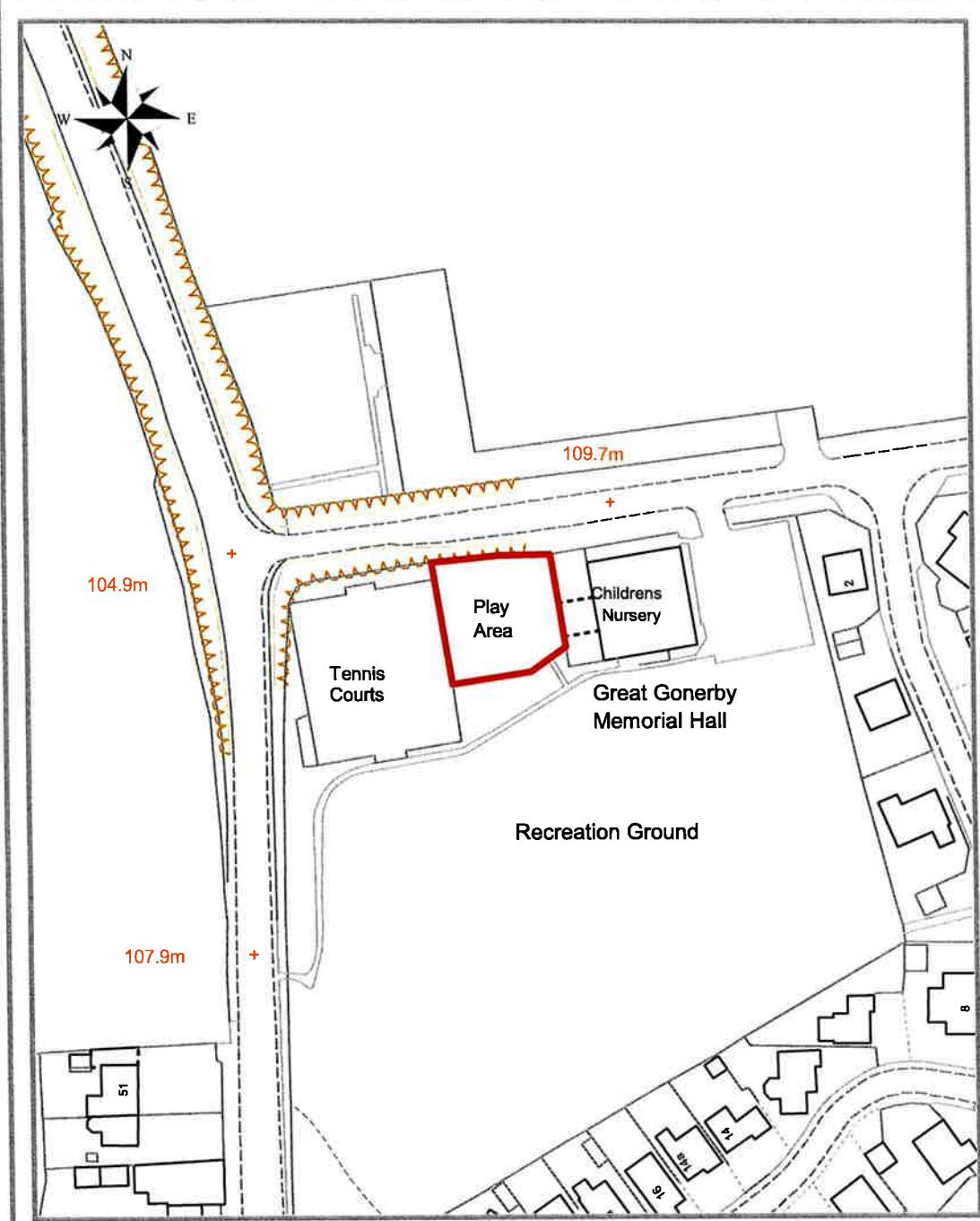
Enclosed play area

Lawrance Park, Crown Lane, Thurlby

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SOUTH KESTEVEN DISTRICT COUNCIL



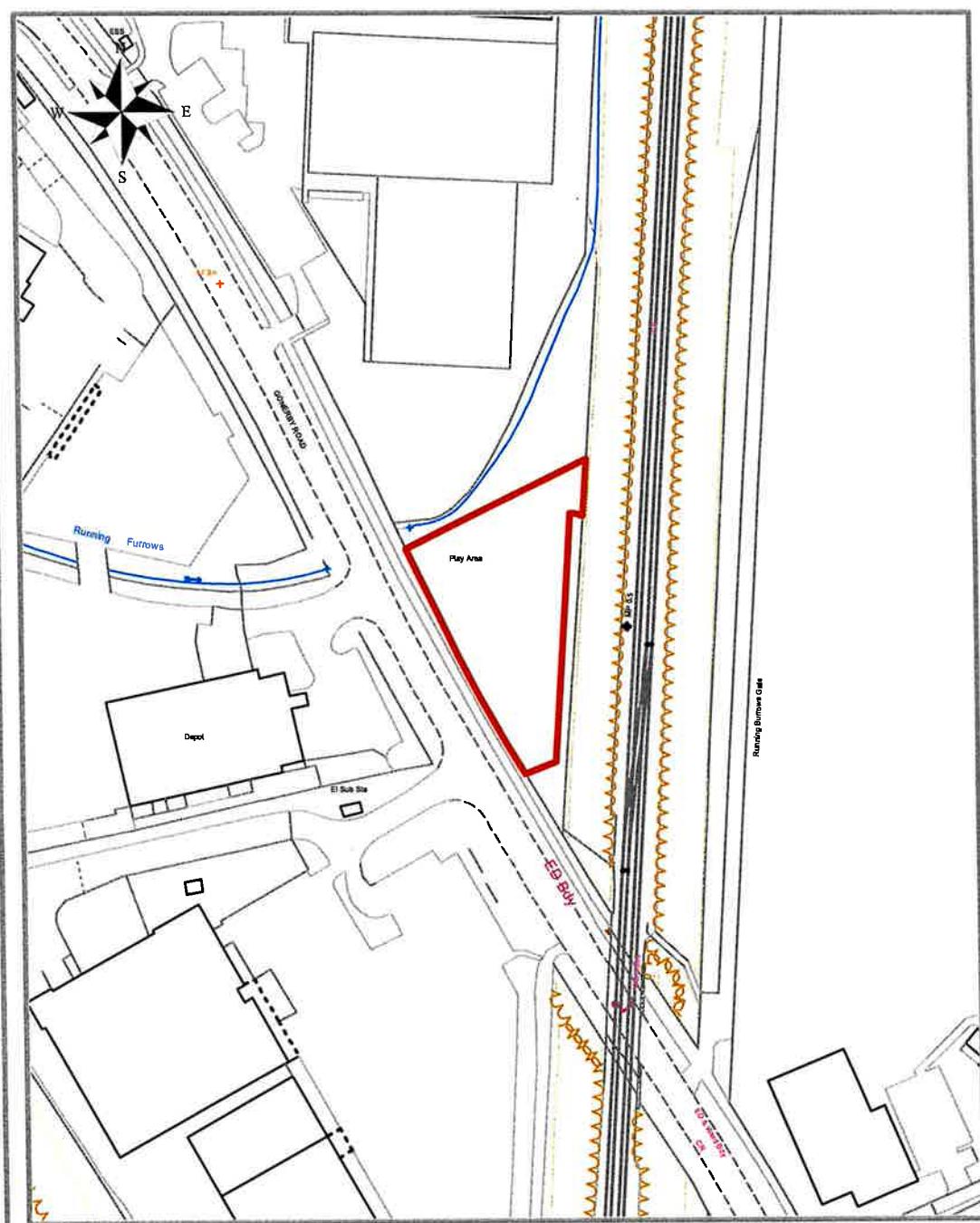
Enclosed play area

Belton Lane,
Great Gonerby

For identification purposes only



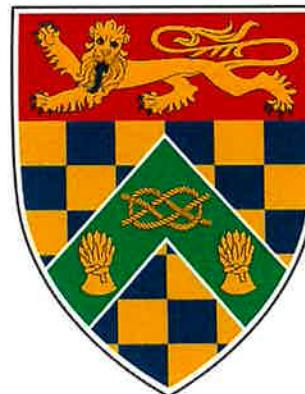
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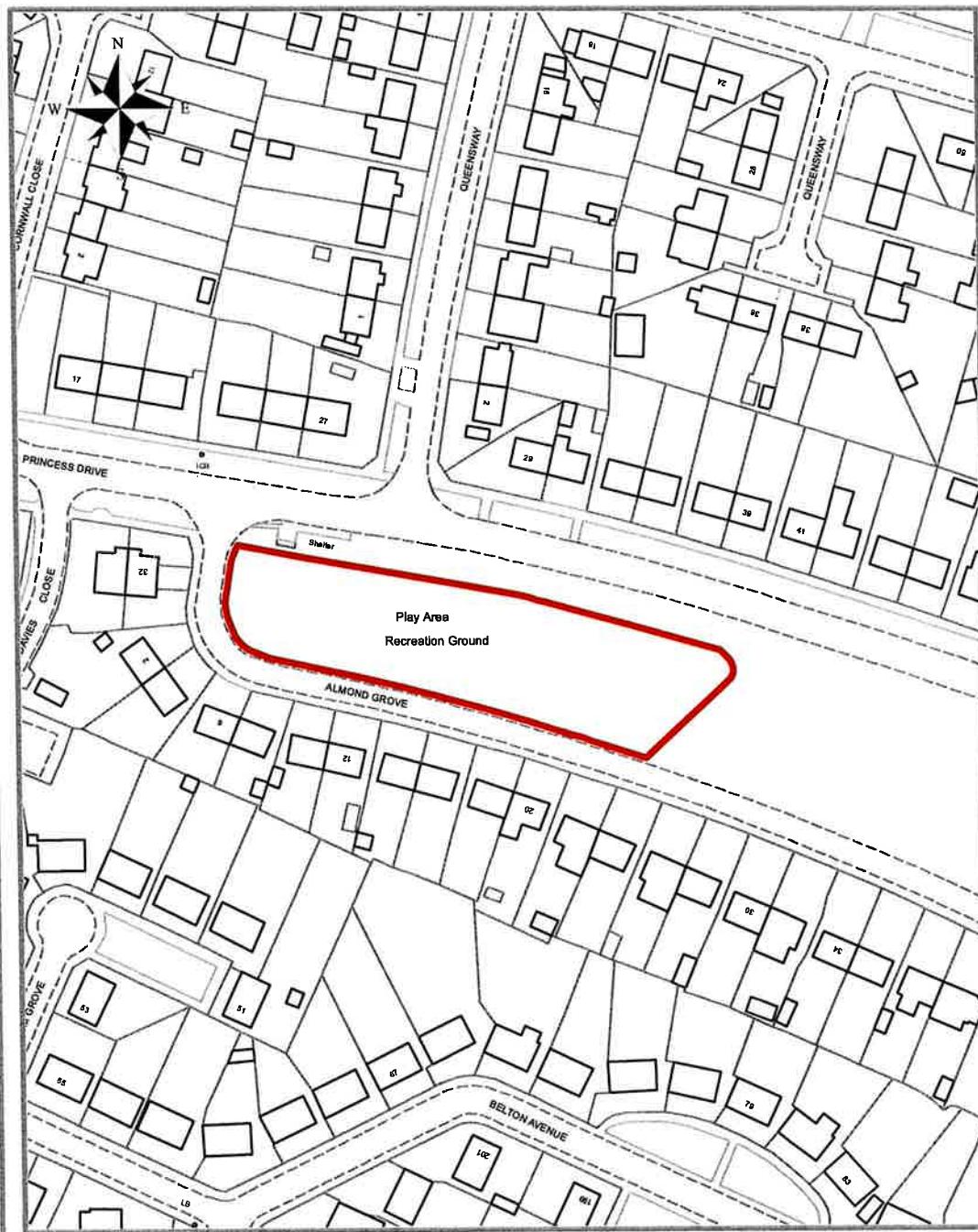
Enclosed play area

**Arnoldfield,
Gonerby Road,
Grantham**

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Enclosed play area

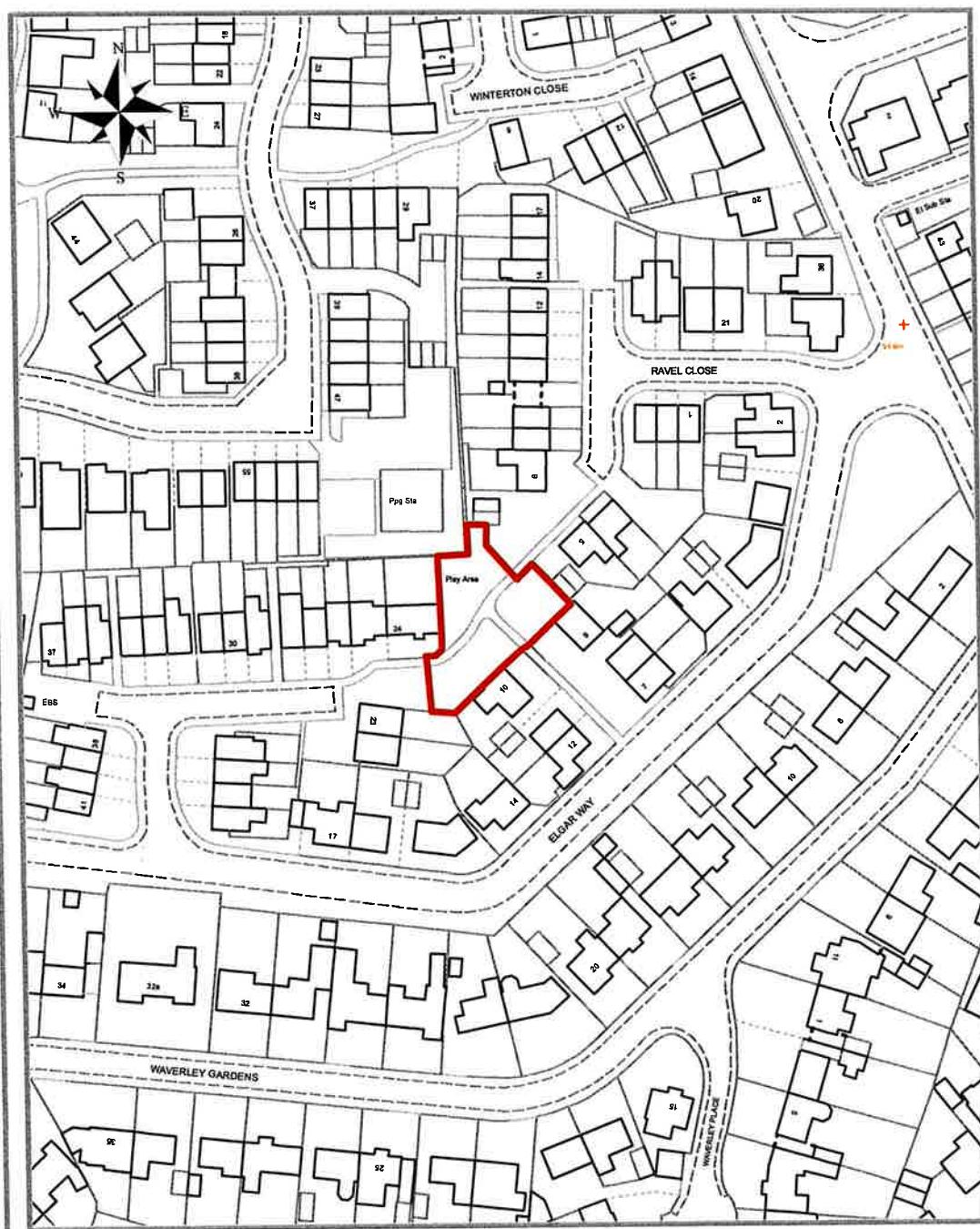
Princess Drive,
Grantham

For identification purposes only



SOUTH
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DISTRICT
COUNCIL

Plan 32



Enclosed play area

Elgar Way,
Stamford

For identification purposes only



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Plan 33



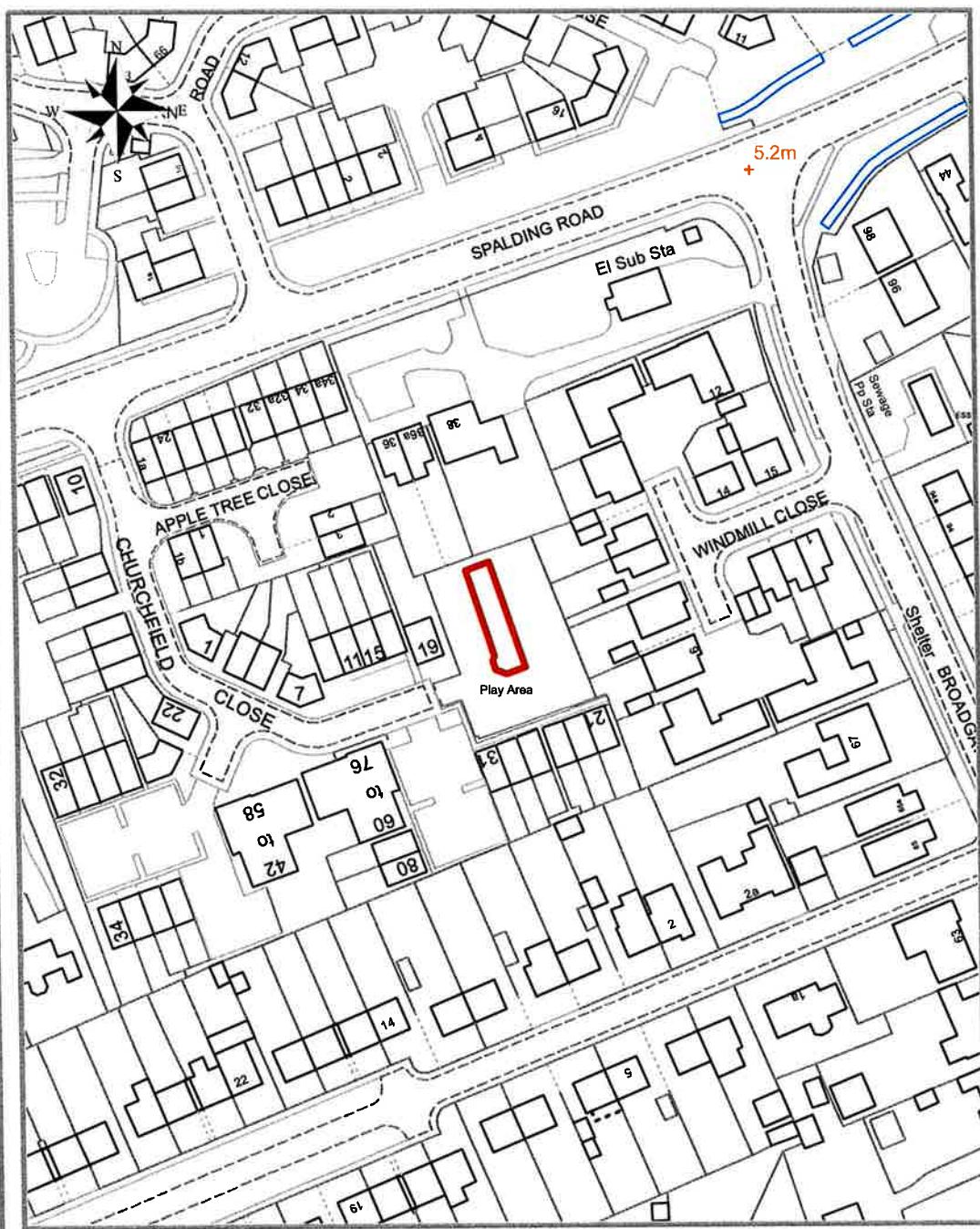
Enclosed play area

Pinewood Close,
Bourne

For identification purposes only



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COUNCIL



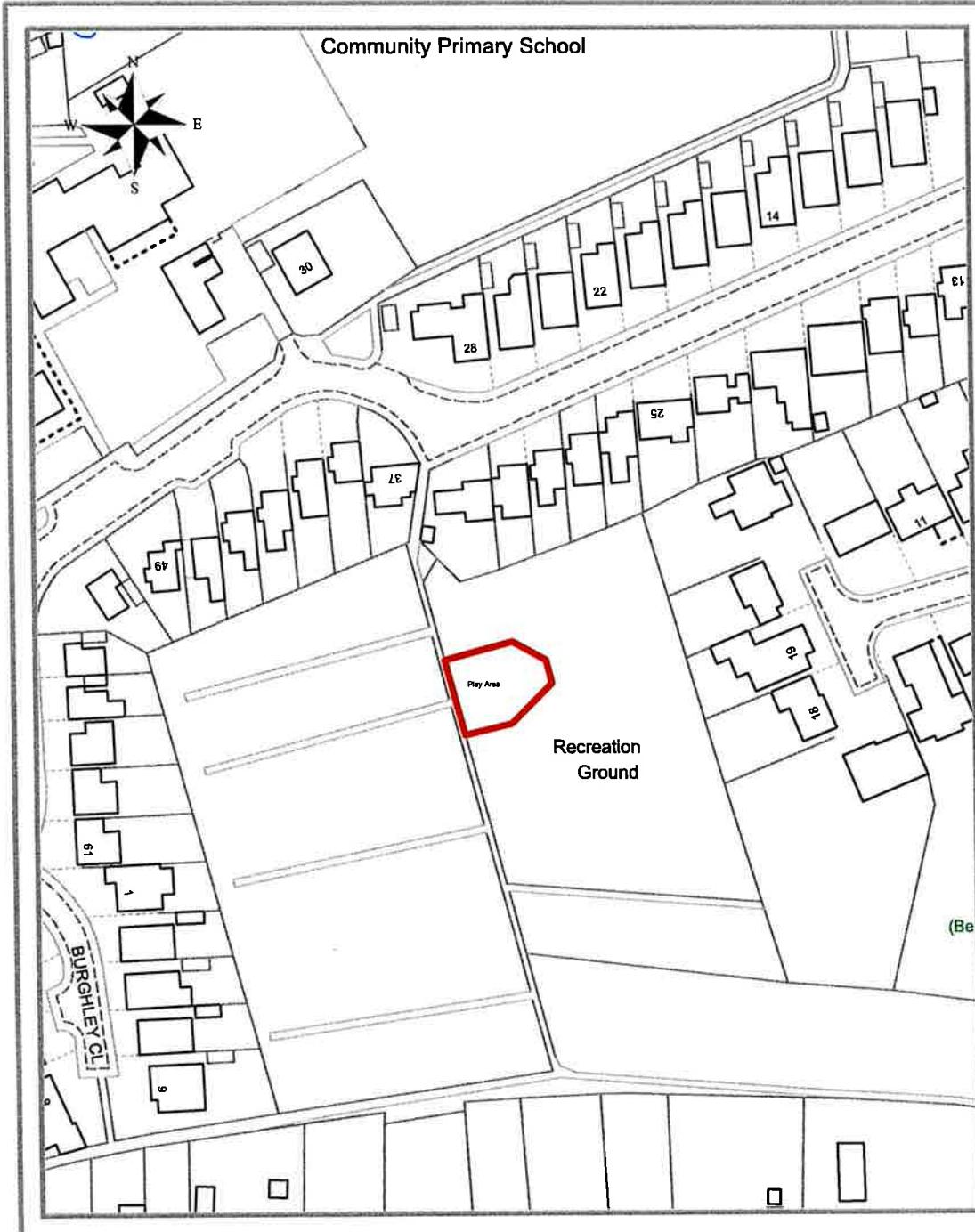
Enclosed play area

Churchfield Close, Deeping St James

For identification purposes only



SOUTH KESTEVEN DISTRICT COUNCIL



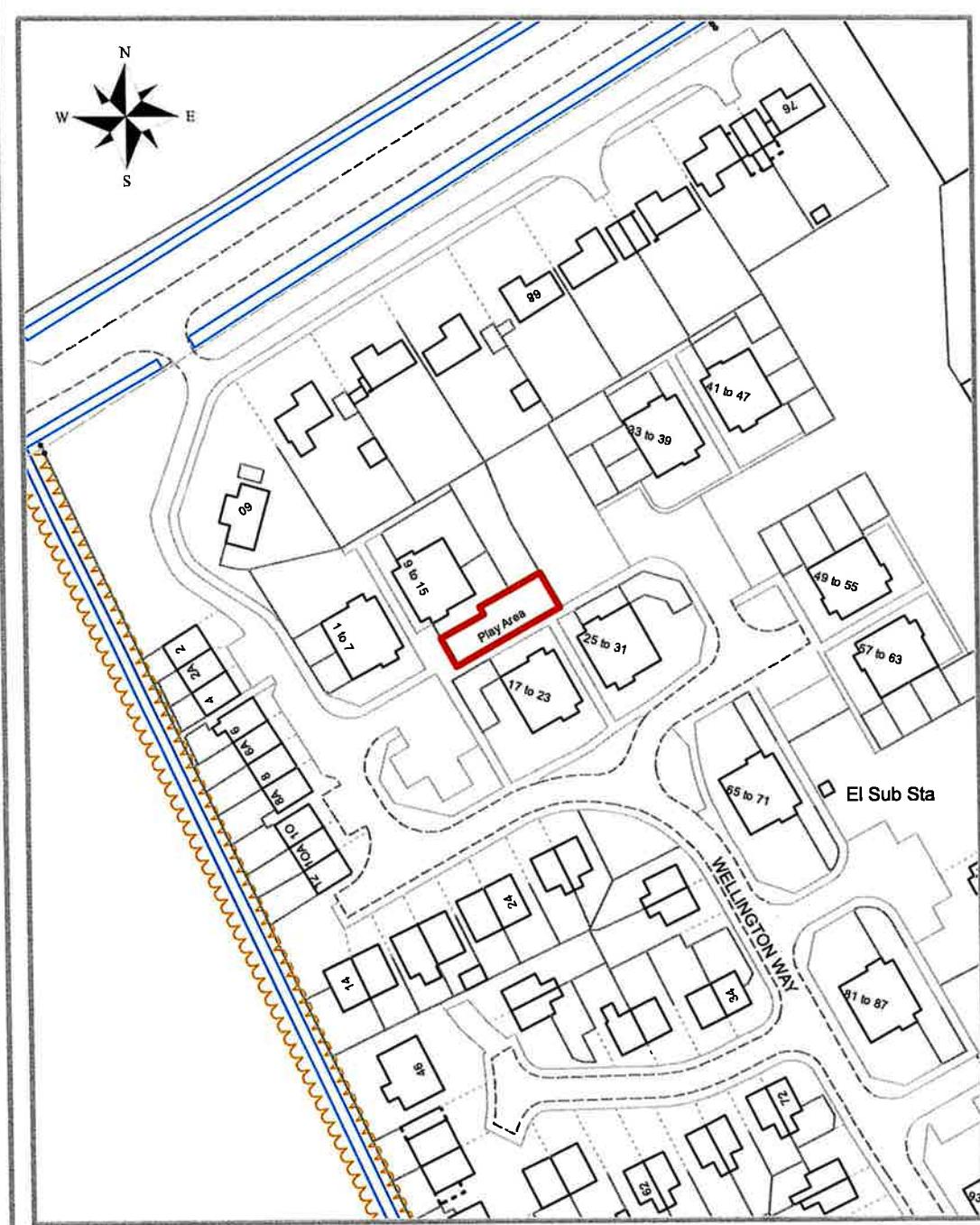
Enclosed play area

**Hereward Way,
Deeping St James**

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Enclosed play area

Wellington Way,
Market Deeping

For identification purposes only



**SOUTH
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DISTRICT
COUNCIL**

The Anti-social Behaviour, Crime and Policing Act 2014

Section 59

South Kesteven District Council (Leads by Order) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the _____ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to land in the Restricted Areas specified in the Schedule to this Order.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions on persons with dogs under their control:

5. Dogs on Leads by Order

A person in charge of a dog on land specified in the Schedule to this Order must comply with a direction given to him by an authorised officer to put and keep the dog on a lead of not more than 1 metre in length unless -

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

An authorised officer may only give a direction under this Order to put and keep a dog on a lead of not more than 1 metre if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person on any land to which this Order applies or the worrying or disturbance of any animal or bird.

Exemptions

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his ability to comply with the Order and the dog is their guide dog or assistance dog.

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order.
- (b) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (c) "an authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order.
- (d) An assistance dog, in general, is one that is trained to aid or assist a disabled person.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

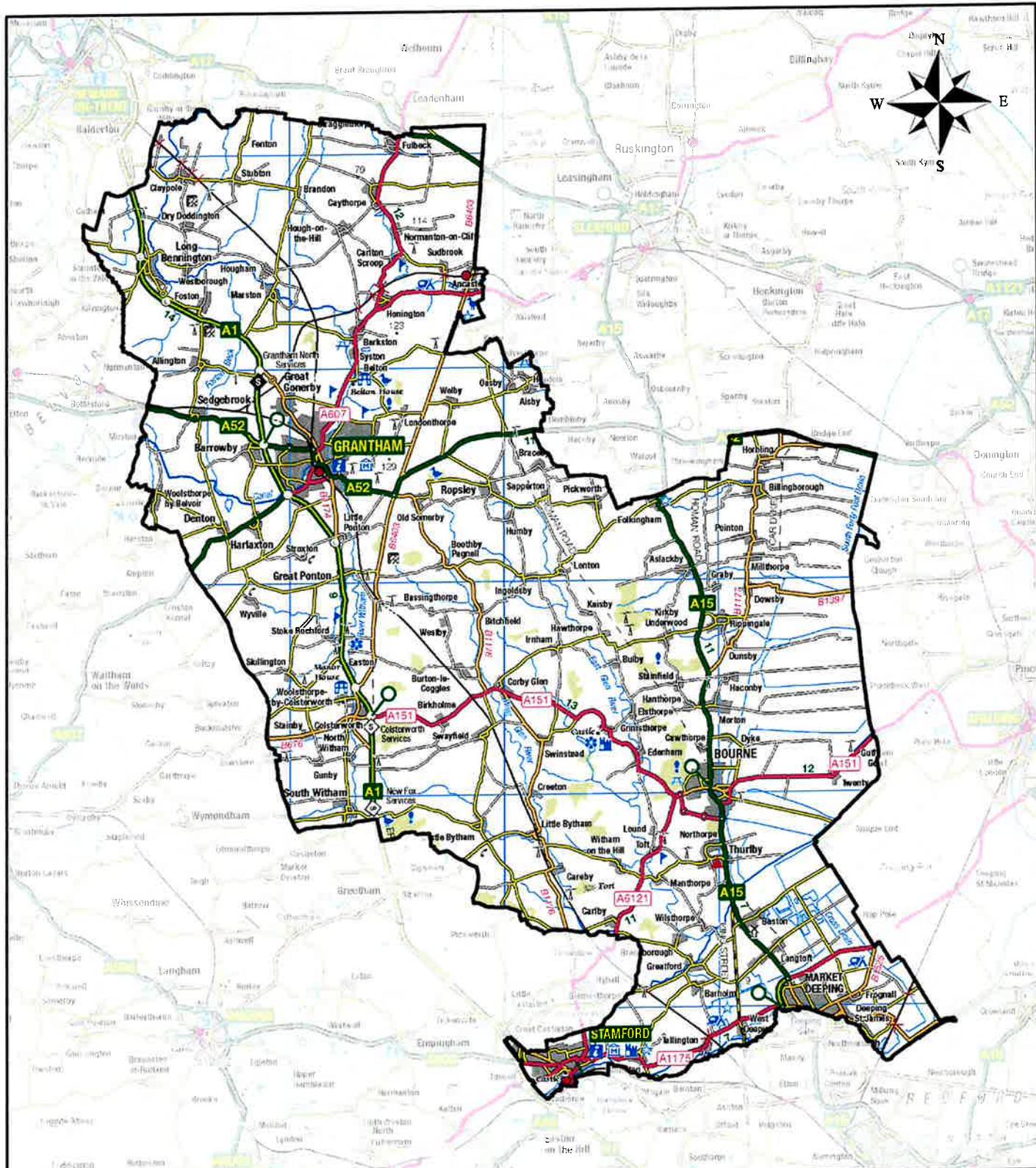
Executed as a DEED by affixing the)
COMMON SEAL of SOUTH KESTEVEN)
DISTRICT COUNCIL)

In the presence of:

Schedule

This Order applies to all land which is within the administrative area of South Kesteven District Council, edged black on the attached plan, which is open to the air, (which includes land which is covered but open to the air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).

South Kesteven



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KESTEVEN
DISTRICT
COUNCIL**

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The Anti-social Behaviour, Crime and Policing Act 2014 Section
59

South Kesteven District Council (Dogs on Leads) (The Spinney, Market Deeping Cemetery) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act ") hereby makes the following Order:

The Order is made on the and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1 . This Order applies to the land in the Restricted Area specified in the Schedule to this Order.

2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.

3. The Order is available for inspection on the Council's website and also by appointment at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk

4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Obligations on persons with dogs:

5. Dogs on leads

A person in charge of a dog on land specified in the Schedule to this Order must keep the dog on a lead of not more than 1 metre in length unless (a) he has reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Exemptions

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his ability to comply with the Order and the dog is their guide dog or assistance dog.

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order.
- (b) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (c) An assistance dog, in general, is one that is trained to aid or assist a disabled person.
- (d) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £1 00) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)

COMMON SEAL of SOUTH KESTEVEN)

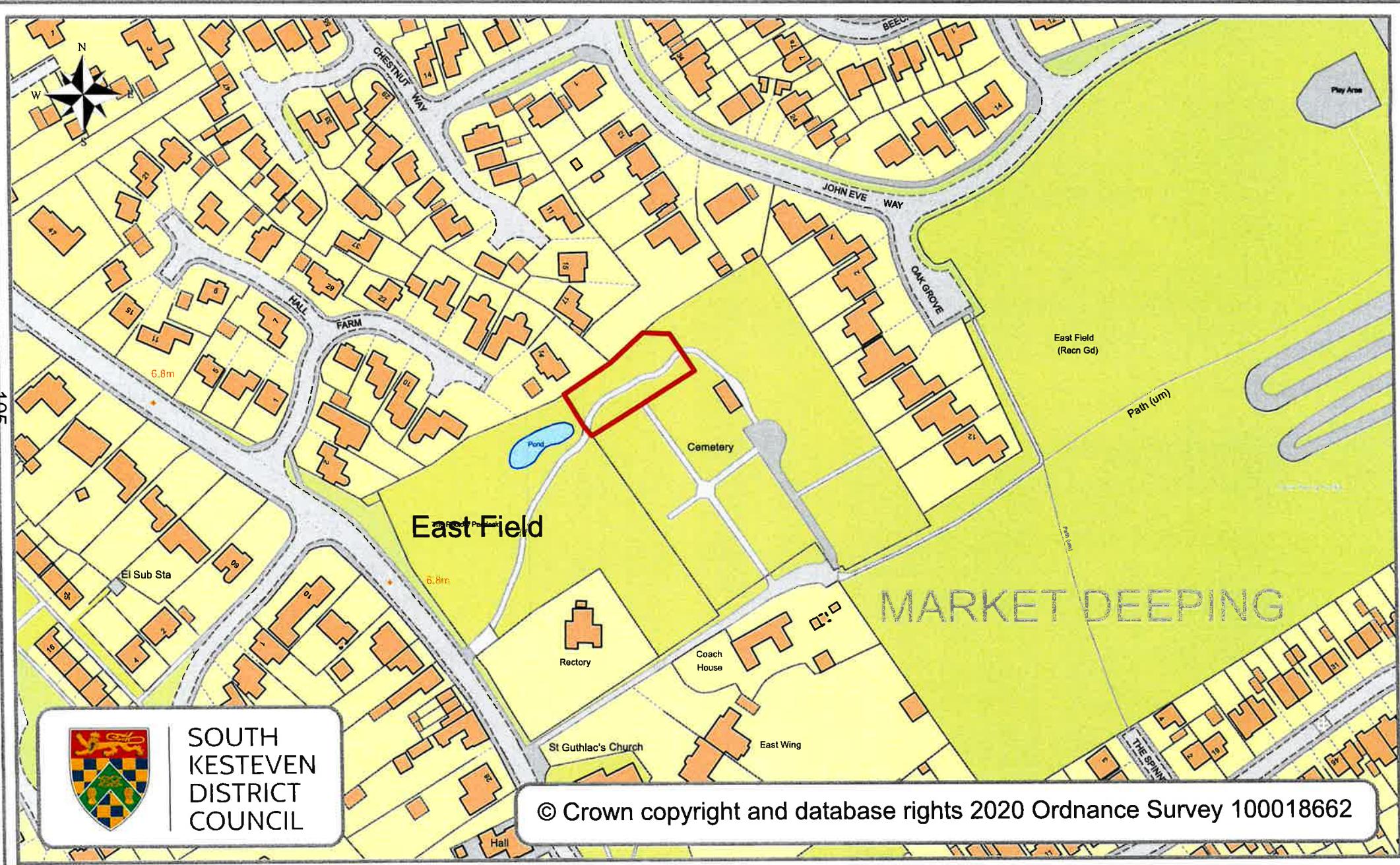
DISTRICT COUNCIL)

In the presence of:

Schedule

This Order applies to land which is within the administrative area of South Kesteven District Council, edged black in the attached plans, which is open to the air (which includes land which is covered, but open to the open air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).

The Spinney, Market Deeping Cemetery



The Anti-social Behaviour, Crime and Policing Act 2014

Section 59

South Kesteven District Council (Dog Fouling) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the _____ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to land in the Restricted Areas specified in the Schedule to this Order.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activity unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions on persons with dogs under their control:

5. Dog Fouling

If a dog defecates at any time on land specified in the Schedule to this Order a person who is in charge of the dog at the time must remove the faeces from the land forthwith unless -

- (a) he has reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Exemptions

Nothing in this Order shall apply to a disabled person (within the meaning of the Equality Act 2010) whose disability restricts his ability to comply with the Order and the dog is their guide dog or assistance dog.

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order.
- (b) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
- (c) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise) shall not be a reasonable excuse for failing to remove the faeces.
- (d) An assistance dog, in general, is one that is trained to aid or assist a disabled person.
- (e) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)

COMMON SEAL of SOUTH KESTEVEN)

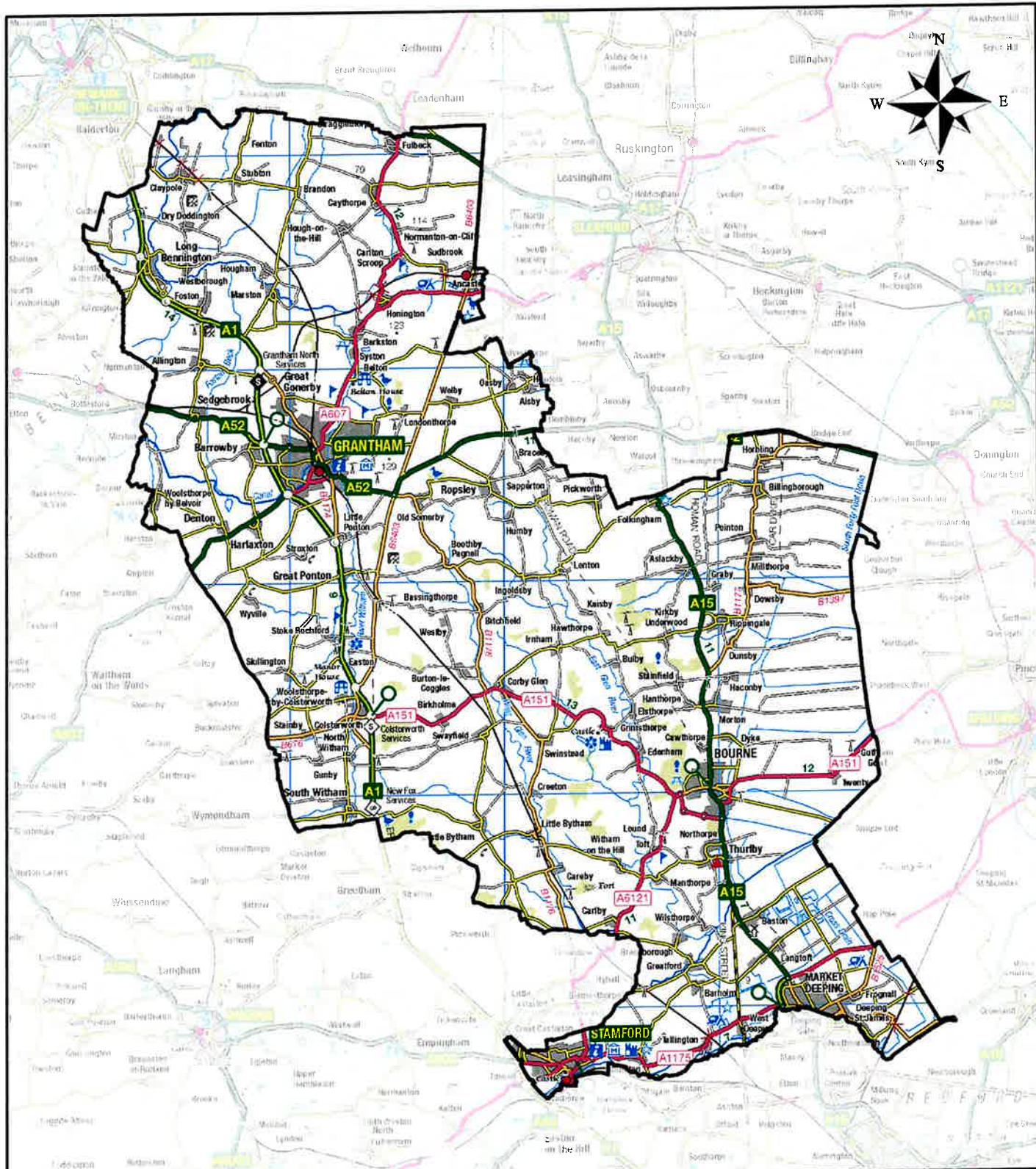
DISTRICT COUNCIL)

In the presence of:

Schedule

This Order applies to all land which is within the administrative area of South Kesteven District Council, edged black on the attached plan, which is open to the air (which includes land which is covered, but open to the open air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).

South Kesteven



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The Anti-Social Behaviour, Crime and Policing Act 2014, Section 59

South Kesteven District Council (Vehicle Nuisance and Anti-social Behaviour) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the _____ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to all land in the Restricted Areas to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions:

5. Vehicle related nuisance and Anti-Social Behaviour

The activities which are to be controlled are:

- a) Within the Restricted Area specified in the Schedule to this Order, anyone being the driver of a vehicle (motorised or otherwise) performs any of the following activities
 - i. Revving of engine(s) as to cause a public nuisance
 - ii. Sudden and/or rapid acceleration as to cause a public nuisance
 - iii. Repeated sudden and/or rapid acceleration as to cause a public nuisance
 - iv. Racing by two or more vehicles
 - v. Performing stunts as to cause a public nuisance
 - vi. Sounds horns as to cause a public nuisance
 - vii. Playing music from a vehicle as to cause a public nuisance

Vehicle includes a pedal cycle; power assisted pedal cycle; pedal cycle (in combination with a trailer constructed or adapted for carrying one or more passengers); scooters and electric scooters.

- b) Acting in a manner that causes or is likely to cause harassment, alarm or distress

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order
- (b) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order or a police constable or a community support officer designated under the Police Reform Act 2002.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)

COMMON SEAL of SOUTH KESTEVEN)

DISTRICT COUNCIL)

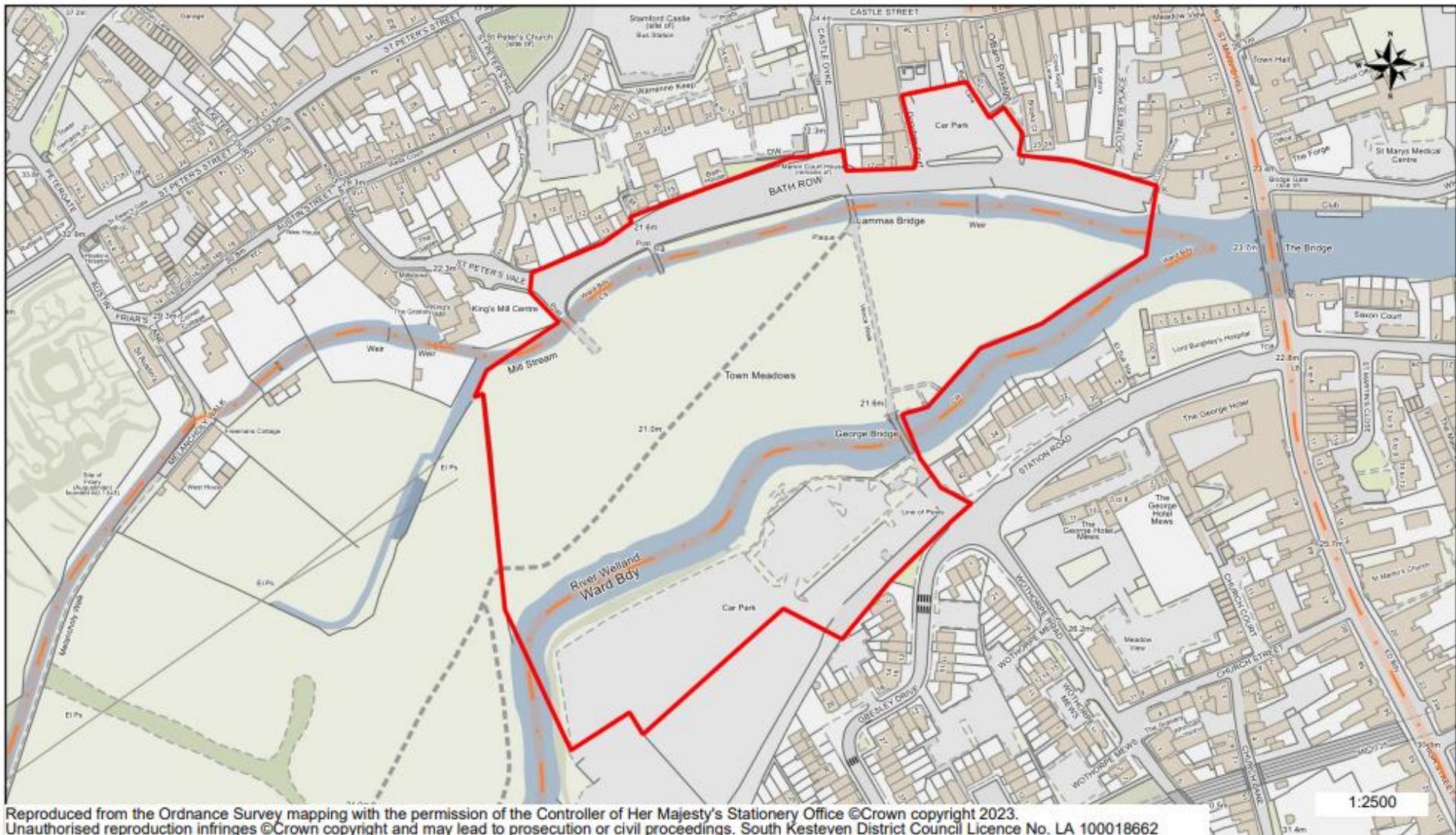
In the presence of:

Schedule

This Order applies to land which is within the administrative area of South Kesteven District Council, edged red in the attached plans, which is open to the air (which includes land which is covered, but open to the open air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).



Station Road (Cattle Market) Car Park, The Meadows and Bath Row, Stamford



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Evidence to support the proposed PSPO to tackle vehicle related nuisance and anti-social behaviour covering the area of the Station Road car park (also known as Cattle market), The Meadows and Bath Row car park, Stamford.

Year & Authority	No. Incidents	Investigation/Enforcement
2021 – Police	9	<ul style="list-style-type: none"> • S59 Warning (Police Reform Act 2002) issued for Vehicle being driven in an antisocial manner • Prosecution for dangerous driving (Driver strapped picnic chair to van roof and drove people around Stamford Cattle Market car park in 'unbelievable' and 'dangerous' stunt (stamfordmercury.co.uk)) • Proactive Patrols and disruption by multi agency response
2021 – SK	9	<ul style="list-style-type: none"> • Noise monitoring • CCTV monitoring • Proactive Patrols and disruption by multi agency response
2022 – Police	25	<ul style="list-style-type: none"> • S59 Warning (Police Reform Act 2002) issued for Vehicle being driven in an antisocial manner – 13/06/22 • Dispersal Order Authorised (S34 Anti-social Behaviour Crime and Policing Act 2014) by Police for both Cattle Market and Bath Row Car Parks 21-23/07/22 • Words of advice given to multiple drivers
2022 – SK	4	<ul style="list-style-type: none"> • Proactive Patrols and disruption by multi-agency response • Noise monitoring • ASB Awareness week SK & Police– Focus on Cattle Market and Bath Row car park • Words of advice given to multiple drivers
2023 – Police	22	<ul style="list-style-type: none"> • 1 Vehicle Seized for Road Traffic Offences - 29/01/23 • S59 Warning (Police Reform Act 2002) issued for Vehicle being driven in an antisocial manner – 29/01/23
2023 – SK	1	<ul style="list-style-type: none"> • Proactive Patrols and disruption

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Public Spaces Protection Orders Consultation September 2023



Table of Contents

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Methodology	3
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Results	7
Conclusion	19

Purpose

1. Public Spaces Protection Orders (PSPOs) are powers given to local councils and were introduced as part of the Anti-Social Behaviour Act 2014. Designed to target a particular nuisance in a defined area, PSPOs work by prohibiting certain things or requiring that specific things should be done, by law.
2. The purpose of this consultation was to:
 - Inform the decision(s) that are due to be taken by SKDC in respect of existing Public Spaces Protection Orders (PSPO's) and whether to extend them or not
 - Inform a decision by SKDC as to whether to implement a proposed amendment to the existing Public Spaces Protection Order (Dog Exclusion) currently in situ at the Recreation Ground in Stamford, to include additional areas at that location
 - Inform a decision by SKDC as to whether to implement an additional PSPO for vehicle related nuisance and anti-social behaviour covering specific areas in Stamford including the Station Road Car Park (also known as Cattle market), The Meadows and Bath Row Car Park
 - Provide respondents with the opportunity to identify areas where dog fouling, dog control and other types of anti-social behaviour is a persistent problem. The information supplied by respondents to be used to inform patrols by the Neighbourhoods Team.
3. The purpose of this report is to update the Cabinet Member for People and Communities and the Cabinet on the results of the Public Spaces Protection Orders consultation.

Scope

4. The scope of this consultation included opportunities for feedback to be collated about extending or amending existing PSPOs, as well as the approval of any additional ones. It has also provided respondents with the opportunity to identify locations where dog fouling, control of dogs or another type of anti-social behaviour is a persistent problem.
5. Those who might be affected by any restrictions as a result of a proposal to extend, amend or introduce a PSPO, have also had their chance to comment.

Objectives

6. The objectives of the consultation were identified as follows. To:

- Demonstrate that SKDC met the requirements as set out in s72 of the Anti-Social Behaviour Crime, Policing Act 2014 and undertook the necessary consultation, publicity, and notification before making, varying, or extending a PSPO
- Inform the decision that will be taken by SKDC in respect of the existing PSPO's
- Inform a decision that will be taken by the Council in respect of the proposal to amend the existing Public Spaces Protection Order (Dog Exclusion) currently in situ at the Recreation Ground in Stamford to include additional areas not currently included in the order
- Inform a decision that will be taken by SKDC in respect of the proposal to implement an additional PSPO for vehicle related nuisance and anti-social behaviour covering specific areas in Stamford including the Station Road Car Park (also known as the Cattle Market Car Park), The Meadows and Bath Row Car Park
- Measure the degree of support or otherwise for the proposal(s)
- Understand and be aware of the impact taking this decision may have on specific stakeholders
- Assess any potential impact of all PSPOs on the community

Timescales

7. Preparatory work was undertaken during July 2023. The consultation was launched on 9 August 2023 for a period of four weeks. Analysis of results took place once the consultation closed on 6 September. The decision to renew, issue and amend various PSPOs will be discussed at Cabinet on 10 October.

Stakeholders

8. The stakeholders were identified as follows:

- Any individual or body from those who live in, work in or visit the restricted areas who wishes to make representation
- The Police; including the Chief Officer of Lincolnshire Police and the local policing body. This included the Neighbourhood Policing Team for the district
- Lincolnshire Police and Crime Commissioner
- Parish, town, district and county councillors across the district
- Those representing local community groups and organisations

Methodology

9. The table overleaf identifies the method(s) that were used to contact each of the stakeholder types:

Stakeholders	Method(s)	Details
Members of the public - general	<p>Members of the public made aware of the consultation through the following channels:</p> <p>Press release to the local press</p> <p>SKDC Social Media Channels</p> <p>SKDC web site</p> <p>Posters displayed at the locations</p>	<p>Potential respondents referred to survey monkey to participate in the consultation.</p> <p>Press Release prepared promoting the consultation. Release included the link to the survey, as well as a link to the webpage which contained the orders and maps for each of the PSPOs.</p> <p>Consultation promoted on social media channels. Promoted three times on both Facebook and Twitter. Posts included a link to the survey.</p> <p>Webpages contained the information needed as part of the consultation including maps detailing the areas covered by each of the orders. Links to the appropriate pages of website included in the survey.</p> <p>Posters promoting the consultation were displayed at specific locations throughout the district. These included enclosed play areas, the cemetery at Market Deeping and The Meadows, Bath Row Car Park etc in Stamford.</p>
Members of the public – specific. Those who access the Recreation Ground, Stamford.	<p>Posters displayed around the perimeter of the Recreation Ground, Stamford. Promoted the opportunity to take part in the consultation.</p> <p>Posters also displayed in specific areas which it is proposed may be added to the order</p>	<p>Poster included link to survey, QR code and also how to take part if no access to the internet.</p> <p>Posters put up by the Neighbourhoods Team.</p>
Members of the public – specific. Those who access the Station Road car park (also known as Cattle market), The Meadows and Bath Row car park	<p>Posters displayed at the Station Road car park (also known as the Cattle Market Car Park), The Meadows and Bath Row Car Park</p>	<p>Poster included link to survey, QR code and also how to take part if no access to the internet.</p> <p>Posters put up by the Neighbourhoods Team.</p>
The Police – Chief Officer of Lincs Police and	Chief Officer for Lincolnshire Police and the Police and	Neighbourhoods Team contacted the Chief Officer for Lincolnshire Police and also the Police and Crime Commissioner for Lincolnshire

the Lincolnshire Police and Crime Commissioner	Crime Commissioner contacted	Chief Constable Chris Haward mailto:lincolnshire-pcc@lincs.pnn.police.uk
County/district and parish councillors	<p>Parish Clerks contacted. Postal contact details for parishes to be supplied by Democratic Services.</p> <p>District Councillors informed of the consultation via the members email</p> <p>County councillors informed of the consultation via email.</p>	<p>Parish Representatives are: All parishes- in respect of fouling of land and dogs on leads</p> <p>Around a third of parishes in respect of dog exclusion zones</p> <p>District Representatives were: South Kesteven District Council - Your Councillors Members email prepared by CP</p> <p>County representatives were: Your Councillors (moderngov.co.uk) – those for the South Kesteven district area</p>
Lincolnshire County Council		Neighbourhoods Team contacted LCC
Those representing community groups/ other organisations	Community groups and organisations contacted and provided with a link to the survey	<p>The following community groups contacted by KC:</p> <p>Street Pastors stamford@streetpastors.org.uk grantham@streetpastors.org.uk</p> <p>Park Forums Wyndham Park Ian Simmons – Chairman iansimmons@icloud.com Elizabeth Bowskill – Secretary elizabeth_ab@btopenworld.com</p> <p>Friends of Queen Elizabeth Park Tim Metcalfe-Kemp – Chairman t1mvalmet@gmail.com Elizabeth Bowskill – Secretary elizabeth_ab@btopenworld.com</p> <p>Dysart Park Action Group: Lydia Gallaher lydia.dpag@gmail.com Bourne United Charities info@bourneunitedcharities.co.uk</p>

Details

10. A number of actions were identified. These included:

- The preparation and approval of content for the survey
- The preparation and approval of content for the press release
- Setting up the survey
- Determining the content for webpage. This included all orders and maps identifying specific areas
- Preparation and approval of content for social media posts
- Drafting an email to stakeholders
- Poster designed, printed and put up

11. The survey included the following sections:

- An introduction to the consultation, why SKDC needs their help and how their feedback will be used to inform the decision(s) that will be taken in respect of extending the existing PSPO's that are in place, varying the PSPO for the presence of dogs within additional areas in the Recreation Ground, Stamford and introducing an additional one for vehicle nuisance and ASB in Stamford
- Details of the proposals in respect of each including the draft Orders and associated map of restricted areas
- A question to identify the type of user (individual, community group or town/parish council)
- A question to ascertain the degree of support for the proposal to extend the duration of the PSPO for 3 years in respect of dog fouling
- A question to ascertain the degree of support for the proposal to extend the duration of the PSPO for 3 years in respect of dogs on leads – including the need to keep a dog on a lead at all times in the Spinney, Market Deeping Cemetery
- A question to ascertain the degree of support for the proposal to vary the PSPO in respect of dog exclusion zones to include additional areas of the Recreation Ground, Stamford
- A question to ascertain the degree of support for the proposal to extend the duration of the PSPO for 3 years in respect of drinking in public open spaces within the restricted areas
- A question to establish the degree of support for the proposal to introduce the PSPO in respect of vehicle nuisance and ASB to include the Station Road car park (also known as Cattle market), The Meadows and Bath Row car park in Stamford
- A space for them to suggest any amendments to the existing PSPO's
- A space for them to detail any negative impacts approving the proposals may have
- An option for them to ask questions or make further observations about the proposal(s)
- An opportunity for them to supply their details so that they can be contacted in relation to their query
- A statement on how any personal data they supply will be treated
- A question to identify their gender, age, and postcode- down to sector level.
- A thank you and closing date

12. The consultation was promoted in the local media and on the Council's social media channels and website during the consultation period. Articles promoting the consultation were included on local media websites of the Stamford Mercury¹ and Grantham Journal² on 10 August. The Facebook posts on SKDC's account reached 1,263 people and 9 clicked on the link. The tweets were viewed 677 times on Twitter and there were 14 clicks on the link.

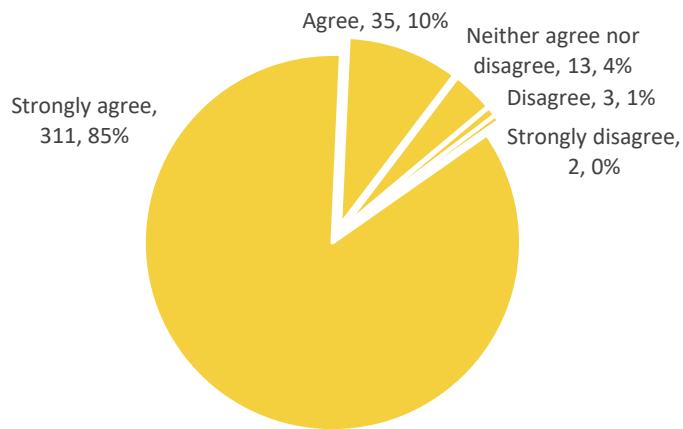
13. The consultation closed on 6 September 2023. 366 responses were received.

The results

14. The first section of the survey asked respondents to comment on existing public spaces protection orders. Respondents were told that SKDC is proposing to renew the existing Public Spaces Protection Order which requires dog owners to pick up their dog's waste. This order applies to all land across the district which is outside, and the public are entitled or permitted to have access to.

15. There was very strong support for extending the order requiring dog owners to pick up their dog's waste. 346 or 95% of respondents agreed with this proposal, as illustrated below:

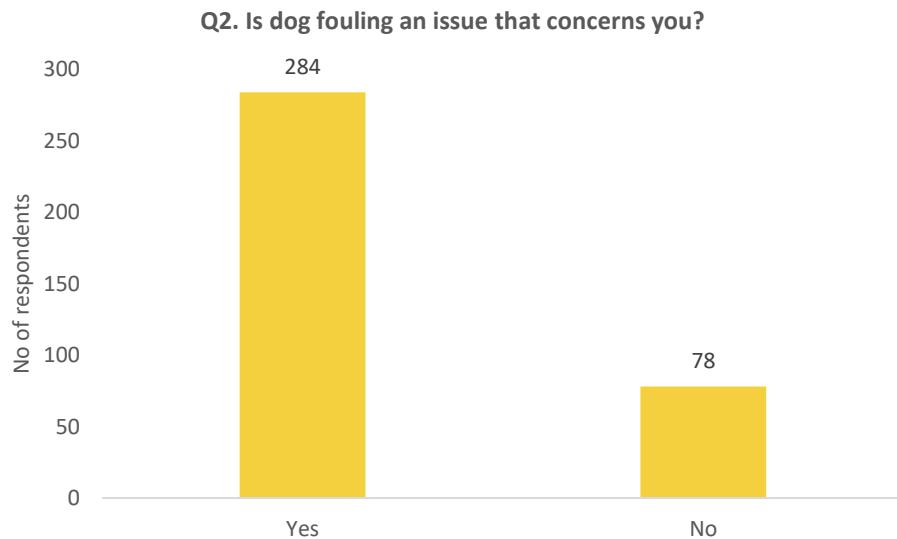
Q1 To what extent do you agree or disagree with this proposal?



16. When asked if dog fouling was an issue that concerned them, over three quarters (284 or 78.5%) of respondents said that it was, as shown in the chart overleaf:

¹ [Consultation on Public Spaces Protection Orders in South Kesteven \(stamfordmercury.co.uk\)](https://www.stamfordmercury.co.uk/consultation-on-public-spaces-protection-orders-in-south-kesteven/)

² [South Kesteven District Council seeks public opinion on orders preventing anti-social behaviour \(granthamjournal.co.uk\)](https://www.granthamjournal.co.uk/south-kesteven-district-council-seeks-public-opinion-on-orders-preventing-anti-social-behaviour/)



17. When asked if there was a particular area where dog fouling is a problem, specific areas highlighted by those responding to the consultation included but were not limited to:

- The Meadows, Melancholy Walk and the Recreation Ground, Stamford
- Thurlby and South Witham

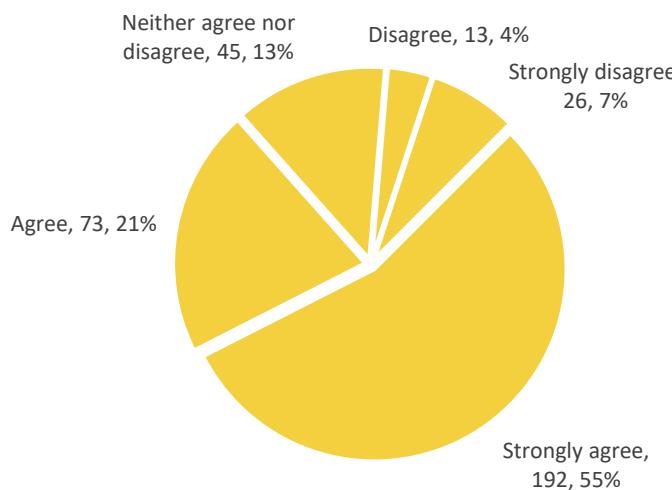
18. An opportunity to comment on whether the order should be amended in any way, or no longer apply, was not acted upon. Respondents spoke about the importance of implementing the order and issuing fines as illustrated in the quotes below:

“Needs enforcing!”

“We would like it implemented please since our very long-standing signs are being ignored.”

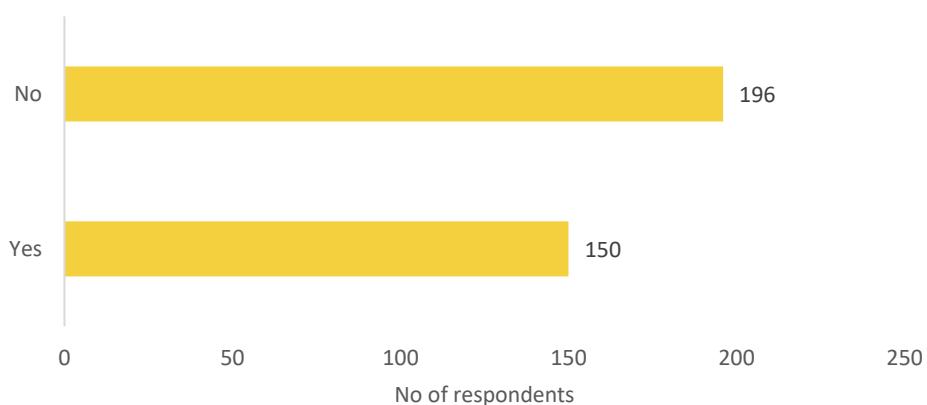
19. Respondents were then asked about another current Public Spaces Protection Order. This requires a person in charge of a dog to put (and keep) the dog on a lead of no more than 1 metre in length when requested to do so by an authorised officer, if such restraint is considered necessary. Three quarters of respondents (265 or 75.9%) agreed with this PSPO as shown overleaf:

Q5. To what extent do you agree or disagree with this proposal?



20. The preference to extend the current PSPO may not necessarily be based purely on direct experience or concern. When asked if they had experienced or were concerned about nuisance behaviour from dogs not being kept under control by their owners whilst being walked in a public space, four out of ten respondents (150 or 43.4%) said that they were. This is illustrated in the graph below:

Q6. Have you experienced or are concerned about nuisance behaviour from dogs not being kept under control by their owners whilst being walked in a public space?



21. Areas of public space where dog control is perceived to be a problem included but were not limited to, Abbey Lawns and the Elsea Park estate in Bourne, and the Meadows in Stamford.

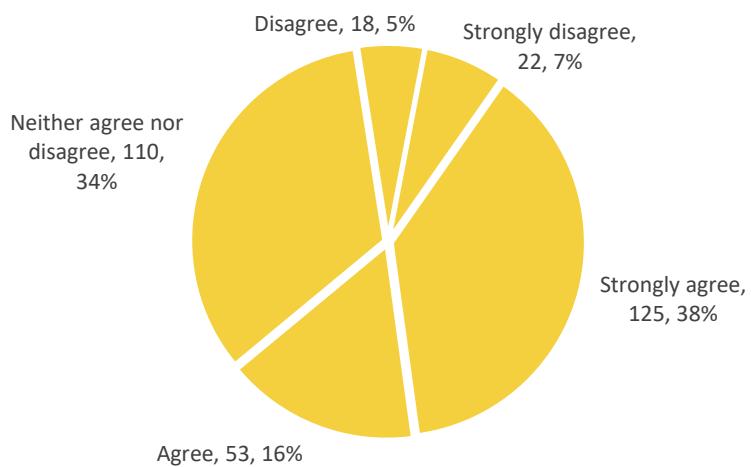
22. When asked if they would like to see the order amended in any way, or no longer apply, responses were received from across the spectrum. Some thought there shouldn't be a problem if the dog is trained adequately. Others thought that dogs should be on the lead at all times in any areas of public open space. This is illustrated in the quotes below:

“Dogs should be on lead at all times when out in public”

"Leads shouldn't always be necessary if the owner understands their responsibility to control the dog through training."

23. When respondents were asked if they agreed with a very specific proposal to renew the existing Public Spaces Protection Order which requires a person in charge of a dog to put (and keep) the dog on a lead of no more than 1 metre in length when walking in The Spinney, Market Deeping Cemetery, around a third of those participating (110 or 33.5%) were undecided – stating that they neither agreed nor disagreed. This is perhaps not surprising. They may not live near this area and might feel, for this reason, that they are unable to comment. Just over half agreed, as illustrated here:

Q9. To what extent do you agree or disagree with this proposal?



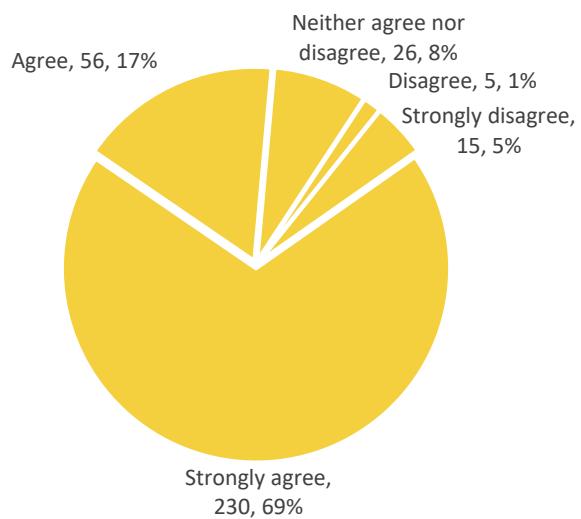
24. When asked if they would like to see this order amended in any way, or no longer apply, responses received varied from those who thought it should depend on if their dog is trained and has good recall, to those who support it and ask that it be extended to include various other areas including the cemetery in Deeping St James.

"Well controlled dogs should not be required by law to be on a lead at all times."

"I would like the order amended so that the same regulation applied in Deeping St James Cemetery"

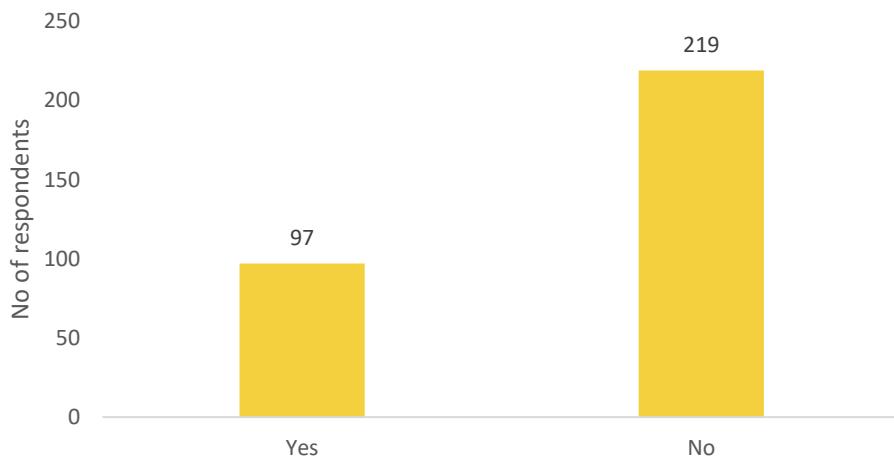
25. Respondents were then informed that the Council is proposing to renew the existing Public Spaces Protection Order which requires a person in charge of a dog not to enter or permit the dog to enter or remain in an area that has been designated as an enclosed play area. This order applies to specific areas across the district. The survey included a web link to the maps illustrating where the enclosed play areas were. Most respondents (286 or 86.1%) agreed with this proposal as illustrated overleaf:

Q11. To what extent do you agree or disagree with this proposal?



26. When asked if they were concerned about, or had experienced, dogs being permitted to enter and/or remain in enclosed play areas, the preference to extend the current PSPO may not necessarily be based on direct experience or concern. Around three in ten respondents (97 or 30.7%) stated that they had concerns. Seven out of ten respondents (219 or 69.3%) didn't. This is shown in the graph below:

Q12. Are you concerned about, or have experienced, dogs being permitted to enter and /or remain in enclosed play areas?



27. Asked for details on particulars location where dogs are being allowed by their owners to enter and/or remain in an enclosed play area, comments were received about many areas across the district-including the tennis courts at Stamford Recreation Ground, the playing fields at South Witham, Abbey Lawns, Bourne and Jubilee Park, Deeping St James. It is the intention of the Neighbourhoods Team to act on this feedback, using it to organise patrols.

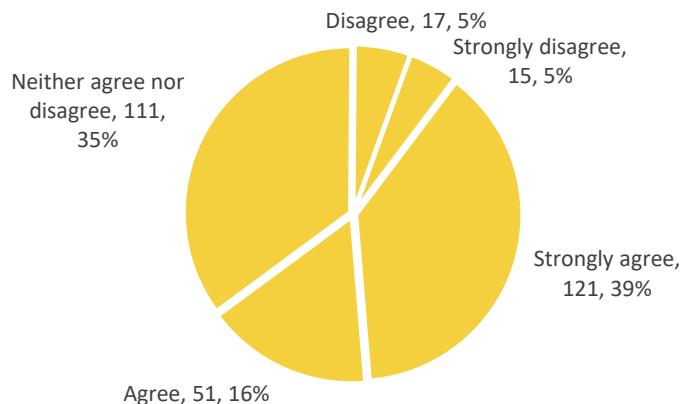
28. Question 14 asked respondents if they like to see the PSPO currently in situ in respect of dogs in enclosed play areas amended in any way, or no longer apply. Most respondents used it to re-iterate the reasons why they support it (or not). The importance of enforcement was mentioned. A couple of respondents suggested that specific areas should be provided for dogs to exercise safely.

“It would be really cool if there were some enclosed spaces available that dogs could be in and off lead”

“I would like to see it enforced.”

29. Respondents were then asked to comment on a specific proposal to add additional areas to the dog exclusion zone currently in situ at the Recreation Ground, Stamford. When asked “To what extent do you agree or disagree with the proposal that the existing PSPO be amended to include the additional areas located at the Recreation Ground, Stamford?”, over half of respondents (172 or 54.6%) agreed with the proposal. Around a third didn’t have an opinion either way. These findings are illustrated in the graph below:

Q15. To what extent do you agree or disagree with the proposal that the existing PSPO be amended to include the additional areas located at the Recreation Ground, Stamford?



30. This is perhaps not surprising. Those choosing to answer “neither agree nor disagree” may not live in or near this area and might feel, for this reason, that they are unable to comment. It would perhaps be worth cross tabulating the responses from this question against those who live in the Stamford area (PE9) to ascertain the degree of support for this proposal at a local level.

31. When asked to qualify why they had chosen to answer in that way, the strength of feeling from those in the Stamford area became apparent.

“Local people should feel it’s a safe recreational space.”

“Because the enclosed areas are specifically used for human recreation. There's plenty of room on the main part of the Rec for dogs to be exercised.”

The reasons for some choosing to answer neither agree nor disagree also became clear.

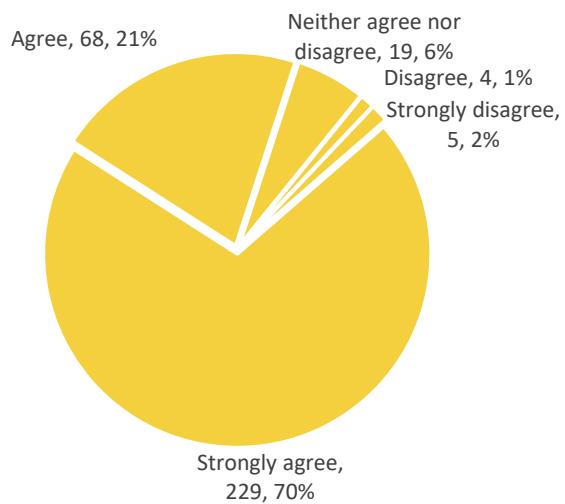
“I don't really know enough about Stamford and the areas mentioned to have a view”

“Not being a resident of Stamford, I feel it's inappropriate for me to comment further”

32. Respondents were then informed that SKDC is proposing to renew the existing Public Spaces Protection Order which requires a person or persons to stop drinking alcohol in a specified area if asked to do so by an authorised officer or police officer. Those taking part in the survey were informed that the PSPO does not prohibit responsible drinking in public spaces, only problematic drinking which is causing a nuisance to others. A web link containing maps of the areas the PSPO covers was included.

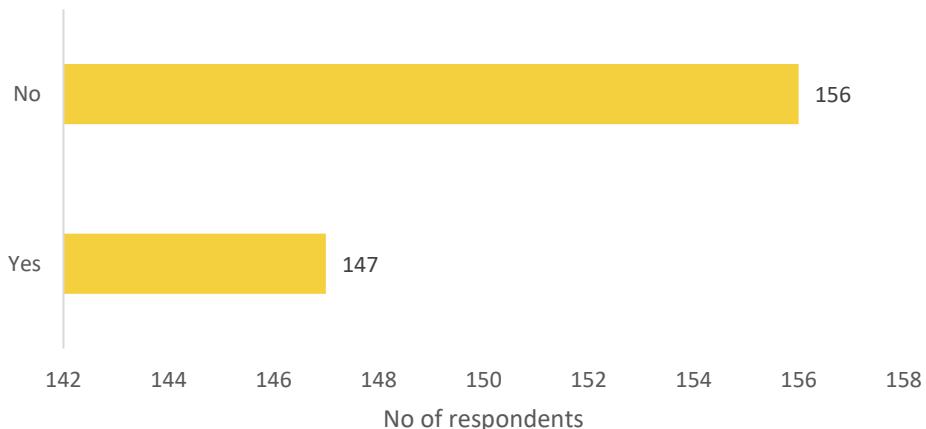
33. There was strong support for this proposal. Nine out of ten respondents (297 or 91.4%) agreed as illustrated below:

Q17. To what extent do you agree or disagree with this proposal?



34. The eighteenth question on the survey asked respondents if they were concerned about or had experienced problematic behaviour associated with drinking in public spaces. Around half of those responding said that they had (147 or 48.5%) as illustrated overleaf:

Q18. Are you concerned about or have experienced problematic behaviour associated with drinking in public spaces?



35. When asked to detail locations where problematic behaviour associated with drinking in public spaces is happening, various sites were mentioned. These included but were not limited to Bath Row, The Meadows and the Bus Station in Stamford, and Wyndham Park, Dysart Park, and Queen Elizabeth Park in Grantham. Abbey Lawns and Elsea Park in Bourne were also highlighted, as well as the Jubilee Park in Deeping St James. It is the intention of the Neighbourhoods Team to act on this feedback, using it to organise patrols.

36. Respondents were then asked if they would like to see this order amended in any way, or no longer apply. Various comments were received. These included but were not limited to, suggestions to amend the order to include smoking drugs in public spaces, prohibiting any drinking outside in public spaces (apart from beer gardens), and requests for stronger deterrents.

“To cover smoking pot”

“Total ban of drinking alcohol unless on a licensed premises.”

“Stronger deterrents. So larger fines imposed In the current economic climate, this will act as a very successful deterrent in my opinion.”

One respondent did not agree with the proposal:

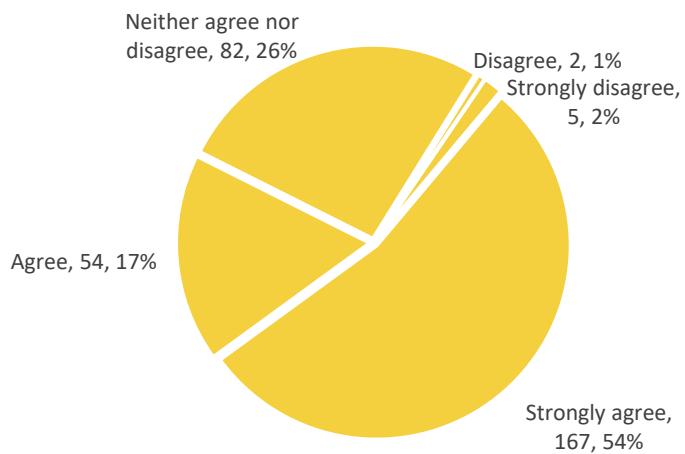
“These powers are too wide in scope and is open to be abused by an authorised person without recourse or appeal.”

37. The final question relating to existing Public Spaces Protection Orders asked respondents to provide details of any impacts of either extending or not renewing any of the existing orders. Most used the opportunity to state why they wanted SKDC to extend the existing PSPOs as illustrated in the comment below:

“Extending the order is beneficial to controlling abuse of alcohol and reducing it will have the opposite effect.”

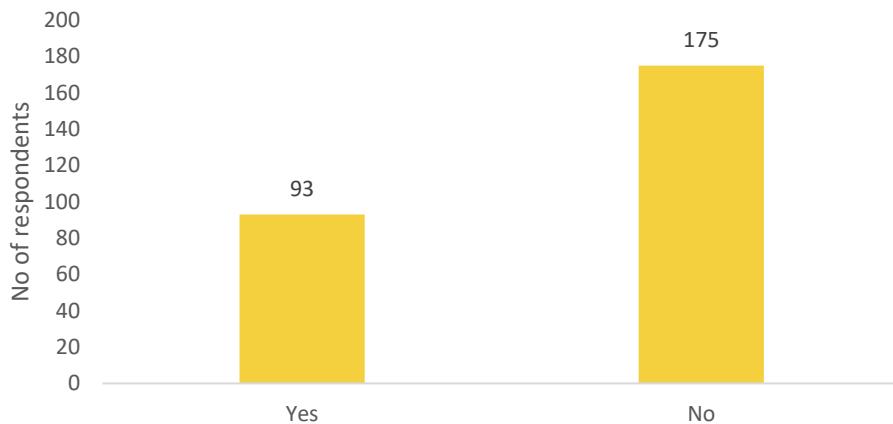
38. Respondents were then asked to comment on the potential implementation of a new Public Spaces Protection Order, the purpose of which will be to prohibit vehicles being used to cause a nuisance and anti-social behaviour in Station Road Car Park (also known as the Cattle Market Car Park), The Meadows and Bath Row Car Park, Stamford. Seven out of ten respondents (221 or 71.3%) agreed to this proposal being implemented, as illustrated here:

Q22. To what extent do you agree or disagree with this proposal?



39. When asked if they were concerned about or had experienced issues with vehicle related nuisance and/or anti-social behaviour in these locations, two thirds of respondents (175 or 65.3%) said that they hadn't. This suggests that the preference to extend the current PSPO may not necessarily be based on direct experience or concern. This is perhaps not surprising and may well be because some respondents don't live in Stamford. Around three in ten respondents (93 or 34.7%) stated that they had concerns or had experienced issues. This is shown in the graph overleaf:

Q23. Are you concerned about or have experienced issues with vehicle related nuisance and/or anti-social behaviour in these locations?



40. Responses to question 24 illustrated the degree of support for the proposal from those living near the areas as illustrated below:

“The noise of screeching brakes, revving engines and rubber burning is so loud that I can hear it from my house many hundreds of yards across the meadow from the car park and it regularly wakes me at night over the summer. It is frightening and incredibly anti-social....”

“We live on Bath Row. We are often disturbed at night by cars racing round and loud engine revving...”

“Bath Row and Cattle Market car park are hot spots for groups to gather in cars late at night creating a disturbance.”

41. When asked if there were any other options the Council should consider, various suggestions were received. These included but were not limited to the installation of bollards and/or speed bumps, clamping unauthorised vehicles, the use of ANPR, improving CCTV, more enforcement and increasing the number of police patrols.

42. The next question on the survey asked respondents if the introduction of a Public Spaces Protection Order for the area in Station Road Car Park (also known as the Cattle Market Car Park), The Meadows and Bath Row Car Park, Stamford would have a significant negative impact on them. The overwhelming majority of respondents said that it wouldn't. Just over 95% (249 or 95.8%) answered no to this question.

43. When prompted to describe any negative impact approving a PSPO for these areas might have on them, most used the opportunity to re-iterate why they wanted an order, not why they didn't. This is illustrated in the quote below:

“It is a residential area, a beautiful space, and a public amenity. Anti-social behaviour by a few spoil it for many.”

Demographics

44. To ensure responses had been received from various stakeholders, respondents were asked to identify if they had responded as an individual, and/or in another capacity e.g., representing an organisation or community group or as a parish, district or county councillor. Most responses were received from individuals (297 or 95.5%)³. Twenty responses (6.4%) were received from parish, district or county councillors. Twenty-one responses (6.8%) were also received from those representing community groups and various statutory organisations. These included:

- Bourne Cricket Club
- Bourne United Charities
- Neighbourhood Watch
- The Rotary Club
- Stamford Street Pastors
- The Waterfront Residents Association
- Wyndham Park Forum and Friends of Queen Elizabeth Park
- Umbrella Counselling East Midlands
- Deeping St James Parish Council
- Fenton Parish Council
- Stamford Town Council
- Lincolnshire County Council
- The NHS
- Lincolnshire Police

45. As well as taking part in the consultation, Mark Hillson - Neighbourhood Policing Inspector for Lincolnshire Police - also submitted the following comment:

“Lincolnshire Police fully support the renewal of existing and the implementation of new PSPOs in South Kesteven. They are an important part of our joint agency tool kit to enable us to deal effectively with anti-social behaviour in our communities. We particularly welcome the additional PSPO for Vehicle Nuisance and ASB in Stamford, which we believe will benefit many of the residents in the town.”

46. In order to help assess if the responses received were representative of the district as a whole, respondents were asked to supply some demographic information. This included gender, age band, and

³ Please note percentage calculated on denominator of 311. Respondents could tick more than one option.

postcode sector. The sample appears to be representative of the district in respect of gender, as illustrated in the table below:

	Number - Survey	Percentage (%) - Survey	Percentage Popln projection	Ratio (should be between 0.8 and 1.2)
Male	142	45.1	48.0	0.94
Female	155	49.2	52.0	0.95
Prefer not to say	14	4.4		
Other, please specify	4	1.3		
Total	315	100.0		

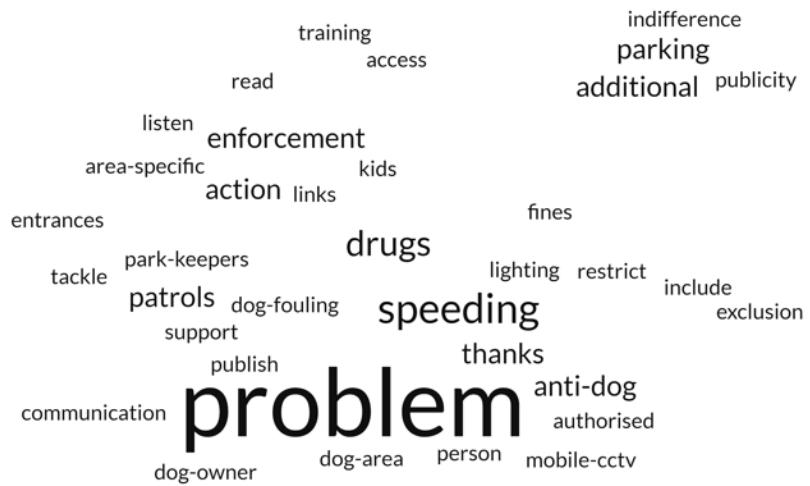
47. Responses were received from consultees from all age bands, although there were only a handful from those aged 24 or under. Comparing the percentages of people responding to the survey to 2023 population projections published by the Office for National Statistics (ONS) for the district, revealed those under the age of 24 were significantly under-represented, and those aged between 35 and 64 were over-represented. The sample was representative of those aged between 25 -34 and those aged 65 and over. This should be borne in mind when considering the results of this consultation. The age composition of the sample (and that of the 2023 district population) is set out in the table below:

	Number - Survey	Percentage (%) - Survey	Percentage % - District	Ratio (should be between 0.8 and 1.2)
24 or under	7	2.3	25.6	0.1
25 to 34	25	8.0	9.8	0.8
35 to 44	55	17.5	11.8	1.5
45 to 54	66	21.0	13.2	1.6
55 to 64	71	22.6	14.8	1.5
65 and over	76	24.2	24.8	0.98
Prefer not to say	14	4.5		
Total	314	100.0	100.0	

48. Respondents were asked to supply their postcode. Most responses, perhaps not surprisingly, were received from the urban areas of Grantham NG31 (64 or 20.7%), Stamford PE9 (99 or 32.0%), Bourne PE10 (59 or 19.1%), and the Deepings PE6 (46 or 14.9%).

Anything else

49. The penultimate question on the survey asked respondents if they had any questions, or would like to comment on anything. The word cloud overleaf shows the number of times key words or phrases were mentioned. Most respondents used it as an opportunity to mention a specific problem they had with a particular behaviour. The importance of enforcement and patrols was also apparent.



Conclusion

50. Members are asked to note the results of this consultation. More than 300 individuals took part, and responses were also received from both statutory and voluntary organisations, ensuring the legislative requirements as set out in s72 of the Anti-Social Behaviour Crime, Policing Act 2014 were fulfilled.
51. The opportunity to participate was promoted widely across the district, via traditional and social media channels. Posters were also displayed at each of the specific locations identified by the Public Spaces Protection Orders.
52. The results should now be used to inform the decisions that are required by law, to be taken with respect to each of the proposals. The information supplied by respondents should also be used to underpin the patrols undertaken by the Neighbourhoods Team, and every effort made to address their concerns.

Prepared by Deb Wyles
 Communications and Consultation
 20 September 2023



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

10 October 2023

Report of Councillor Phil Dilks, Cabinet Member for Housing and Planning

Housing Revenue Account (HRA) Disposal & Acquisitions Policy

Report Author

Julie Martin, Head of Technical Services

✉️ julie.martin@southkesteven.gov.uk

Purpose of Report

To seek approval from Cabinet of the adoption of the new HRA Acquisition and Disposal Policy which sets the framework for the way in which we acquire and dispose of land or assets to and from the Housing Revenue Account.

Recommendations

That Cabinet approves the adoption of the HRA Acquisition and Disposal Policy is in line with best practice and will provide clear operational guidance.

Decision Information

Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 Council approved on 28 September to allocate additional funding of £1m which can be utilised to acquire assets which meet the criteria set out in this policy

Completed by: Alison Hall-Wright, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

- 1.2 Adoption of a new Acquisition and Disposal Policy for the Housing Revenue Account will provide a clear framework and procedure to follow when undertaking such transactions, ensuring robust governance.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Human Resources

- 1.3 The Council needs to ensure that adequate resources and its staffing levels are sufficient to implement the Council's policy effectively.

Completed by: Fran Beckitt (Interim Head of HR)

2. Background to the Report

- 2.1 The Council has a clear commitment in its Corporate Plan 2020-2023 to provide "*Housing that meets the needs of all residents*". As a stock-retained local authority, the Council has around 5,900 properties.
- 2.2 The HRA Acquisition and Disposal Policy (Appendix 1) aims to identify a process and define the procedure to be followed to underpin how the Council acquires and disposes of properties in relation to the Housing Revenue Account.

3. Key Considerations

- 3.1 The HRA Acquisition and Disposal Policy is a critical working document which enables the Council to responsively acquire and dispose of properties following completion of the appropriate pro-forma contained within the policy.
- 3.2 The Council recognises that there may be opportunities to acquire and dispose of properties to enable the housing service to operate more efficiently and effectively as an essential part of a much wider asset management function.

4. Other Options Considered

- 4.1 Continue without an adequate policy or procedure.

5. Reasons for the Recommendations

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

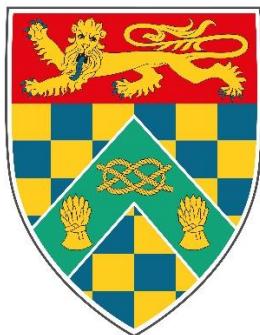
6. Consultation

- 6.1 Consultation has been undertaken within the wider teams in the Housing Directorate. The presentation of this Policy for Scrutiny is a key consultation step.

7. Appendices

- 7.1 Appendix 1 – HRA Acquisition and Disposal Policy
Appendix 2 – HRA Acquisition and Disposal Policy Equality Impact Assessment

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

**South Kesteven District Council
Housing Revenue Account
Asset Acquisition and Disposal Policy
2023**

Service Area	Housing		
Policy Owner	Director of Housing		
Introduced	2023	Last Reviewed	n/a
Version	One	Review Date	2026

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1. Introduction

The Councils, Housing Revenue Account Acquisition and Disposal Policy applies to the council's acquisition and disposal of land, development sites, residential properties, former council properties, current housing stock and empty homes acquired using Right to Buy receipts, Sec 106 affordable homes funding or HRA reserves to increase the supply of affordable homes and to bring more empty homes back into use.

2. Use of capital receipts acquired through Right to Buy

Under the latest Right to Buy (RTB) regulations owners of former council homes purchased under RTB regulations must, if they wish to re-sell their property within ten years of their initial purchase, offer it to their former landlord (the council), or another social landlord.

Should the sale take place within the first 5 years of their ownership they must also repay a percentage of the RTB discount they have received on the purchase of the property.

Local Authorities have the ability to reinvest RTB receipts within Retention Agreements (so-called 1-4-1 capital receipt agreements) for a period of 5 years. RTB receipts can be used for 30% of the capital costs of purchase and repair of a property or new build on the basis that they provide a one for one replacement for affordable housing (as defined by section 68 (1)(a) of the Housing and Regeneration Act 2008.)

The number of RTB sales over the past five years are shown in the table below.

Year	Number of RTB sales	Receipts £
2022/23	40	3,448,960
2021/22	21	1,645,785
2020/21	28	1,909,290
2019/20	56	3,794,320
2018/19	64	3,649,420

As a result of these sales there is a pressure on the council to spend RTB retained capital receipts for the purposes of replacing social housing. Any underspend of retained capital receipts will have to be returned to the Secretary of State with interest of 4% above the base rate on a day-to-day basis compounded with three monthly rests.

3. Criteria for Acquisition of former council homes

It is proposed that former council properties that are offered back to the council for purchase or are for sale on the open market will be assessed and a business case prepared with a recommendation to either purchase or reject the property. We will aim to purchase as many properties as is required to negate the requirement of returning

any RTB receipts. Properties can be purchased through the Right of Return process or through proactive engagement with local estate agents to identify available properties.

The decision to purchase properties will be dependent on a business case and considered on a property-by-property basis which would be determined by the following factors:

- There is a specific housing need for the type, size and location of the property that is being offered, in accordance with the council's housing register.
- A property is considered of strategic importance, for example individual units within a council owned block or located within the council's defined regeneration area.
- The decision to purchase individual properties funded by retained capital receipts will be considered alongside any planned or potential purchase of larger sites/properties.
- Larger sites/properties will be prioritised over individual properties if at any time there is a limit on the availability of the council's retained capital receipts.
- The purchase price and refurbishment costs will be met through RTB receipts and prudential borrowing or resources within the Housing Revenue Account, whichever is determined most financially prudent at the time of purchase.
- The non-availability of any RTB receipts will, however, not restrict the purchase of individual properties if there is still a business case to support the acquisition.
- The viability of the purchase, refurbishment and borrowing costs will be assessed against rent levels as set out in the council's rent policy to ensure that all purchased properties are self-funded and do not exceed the ceiling price. The property is purchased with vacant possession.
- Each party will bear the costs of their own legal and valuation fees.
- Each decision will be made bearing in mind the protected characteristics of the Equality Act.

The following process for the acquisition of former council homes will be adopted:

- Once a property has been identified a HRA Asset Acquisition pro-forma (Appendix A) shall be completed by a Housing Head of Service with sign off from the Director of Housing.
- The pro-forma shall be passed to the Chief Finance Officer or Assistant Director of Finance for authorisation.
- Once authorised the instruction sheet shall be passed to the relevant team/officer or external company for execution.

4. Criteria for Acquisition of strategic land sites and private housing.

The council are on occasions approached directly by landowners/property owners offering to sell vacant, recently developed housing sites or individual private properties. It is proposed that residential sites offered to the council for sale directly or that become available on the open market are assessed to determine if they meet the council's strategic priorities and a defined local housing need.

The decision to purchase sites will be dependent on a business case informed by the completion of a HRA Asset Acquisition pro-forma (Appendix A) and considered on a site-by-site basis which would be determined by the following factors:

- Due to the financial costs and resources required by the council to purchase

land/properties, larger sites will be prioritised over individual properties if resources are limited at any time.

- The viability of the purchase, new build/refurbishment and borrowing costs will be assessed against rent levels as set out in the council's rent policy to ensure that all development/developed sites/private properties are self-funded.
- The council will undertake land valuations (to be appointed internally or externally depending on the expertise/capacity available at the time) and ground surveys where necessary when considering any purchase of land sites.
- The council will consider the benefit of green spaces in the acquisition and development process.
- The purchase price and refurbishment costs will, in the first instance, be met by RTB receipts with the balance of financed through prudential borrowing or resources within the Housing Capital Programme. The non-availability of any RTB receipts will, however, not restrict the purchase of individual properties if there is still a business case to support the purchase.
- Where RTB receipts are used to purchase sites there is a specific housing need in location that is being offered, in accordance with the council's housing register. Where a site is purchased with existing housing the properties are sold with vacant possession.
- Each party will bear the costs of their own legal and valuation fees.
- Each decision will be made bearing in mind the protected characteristics of the Equality Act.

5. Criteria for Disposal of HRA assets.

The council are on occasions required to consider the disposal of HRA assets, whether that be parcels of land or properties. There can be numerous reasons for disposal of assets, to include, cost prohibitive building types reducing the ability to achieve lettable standards, listed buildings that require extensive and expensive alterations or repairs and small parcels of land that are maintained by the Council that have little value.

The decision to dispose of HRA assets will be considered following the completion of a HRA Asset Disposal pro-forma (Appendix B).

The following process for the disposal of HRA assets will be adopted:

- Once an asset has been identified a HRA Asset Disposal pro-forma (Appendix B) shall be completed by a Housing Head of Service with sign off from the Director of Housing.
- The pro-forma shall be passed to the Chief Finance Officer or Assistant Director of Finance for authorisation.
- Once authorised the instruction sheet shall be passed to the relevant team/officer or external company for execution.
- Each decision will be made bearing in mind the protected characteristics of the Equality Act.

In relation to the disposal of council homes following approval of the proposal the council are required to seek authorisation to dispose from the Secretary of State.

6. Appendix A

HRA Asset Acquisition pro-forma

To be completed in accordance with the SKDC HRA Asset Disposal and Acquisition Policy

Date, Monday, 02 October 2023

Prepared by,

Property address,

Site plan,

Valuation (include refurbishment costs)

Rental value per week (48 chargeable weeks per annum), £

Payback period in years =

Housing need to address (Housing, Supply, Homelessness, Development Opportunity, protection of green spaces),

Condition,

EPC,

Bedrooms,

Storeys,

Adaptable,

Parking,

Reason for acquisition,

Funding split, (HRA Capital, 1 for 1, sec 106)

Decision taken by,

Finance comments and sign off,

Authorised by,

7. Appendix B

HRA Asset Disposal pro-forma

To be completed in accordance with the SKDC HRA Asset Disposal and Acquisition Policy

Date, Monday, 02 October 2023

Prepared by,

Property address,

Site plan,

Valuation,

Void cost if applicable, £

Rental value per week (48 chargeable weeks per annum), £

Payback period in weeks = Void cost divided by rental income,

Reason for disposal,

Identification of loss of community asset if relevant,

Decision taken by,

Finance comments and sign off,

Authorised to apply to Secretary of State by,

Authorisation date,

Secretary of State approval, Yes/No

Secretary of State approval date,

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Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Housing Revenue Account Asset Acquisition and Disposal Policy
2. Summary of aims and objectives of the policy/funding activity/event	The purpose of the policy is to set out the circumstances in which the Council will acquire and dispose of land, development sites, residential properties, former council properties, current housing stock and empty homes.
3. Who is affected by the policy/funding activity/event?	Residents of South Kesteven district in need of council housing.
4. Has there been any consultation with, or input from, customers/service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please complete the consultation table below.	Consultation not required to be undertaken.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	To be completed.

Protected Characteristic	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact e.g. adjustment to the policy <small>(The Action Log below should be completed to provide further detail)</small>
Age	Positive	The policy will allow the acquisition of properties and land to provide affordable housing which will positively affect both young people and older people, who particularly tend to need affordable housing both in our towns and in the rural areas of the district.	
Disability	Positive	As above, the policy will allow the acquisition of properties and land to provide affordable housing which will positively affect people with disabilities, who particularly tend to need affordable housing both in our towns and in the rural areas of the district.	
Gender Reassignment	N/A	This protected characteristic is not affected by this policy and the implementation of it.	



Marriage and Civil Partnership	N/A	This relates to employment legislation only and therefore is not relevant.	
Pregnancy and Maternity	Positive	As with age and disability, the policy will allow the acquisition of properties and land to provide affordable housing which will positively affect people who are on maternity leave and on a lower income as they particularly tend to need affordable housing both in our towns and in the rural areas of the district.	
Race	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Religion or Belief	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sex	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Sexual Orientation	N/A	This protected characteristic is not affected by this policy and the implementation of it.	
Other Factors requiring consideration			
Socio-Economic Impacts	Positive	The policy will allow the acquisition of properties and land, which will positively affect people who need affordable housing.	
Carers (those who provide unpaid care to a family member, friend or partner)	Positive	The policy will allow the acquisition of properties and land, which will positively affect people who need affordable housing. In particular this includes carers who need to live in the same village as the person they are caring for and there is no, or limited, public transport.	



Consultation

Negative impacts identified will require the responsible officer to consult with the affected group/s to determine all practicable and proportionate mitigations. Add more rows as required.

Group/Organisation	Date	Response

Proposed Mitigation: Action Log

To be completed when barriers, negative impact or discrimination are found as part of this process – to show actions taken to remove or mitigate. Any mitigations identified throughout the EIA process should be meaningful and timely. Add more rows as required.

Negative Impact	Action	Timeline	Outcome	Status

Evaluation Decision

Once consultation and practicable and proportionate mitigation has been put in place, the responsible officer should evaluate whether any negative impact remains and, if so, provide justification for any decision to proceed.

Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?		
Final Decision	Tick	Include any explanation/justification required
1. No barriers identified, therefore activity will proceed		
2. Stop the policy or practice because the data shows bias towards one or more groups		
3. Adapt or change the policy in a way that will eliminate the bias		
4. Barriers and impact identified , however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision		



Did you consult with an Equality Ally prior to carrying out this assessment? Yes

Sign off

Name and job title of person completing this EIA	Celia Bown, Senior Housing Policy and Strategy Officer
Officer Responsible for implementing the policy/function etc	Craig Spence, Acting Director of Housing
Date Completed	31 st July 2023
Line Manager	Jodie Archer
Date Agreed (by line manager)	7 th August 2023
Date of Review (if required)	

Completed EIAs should be included as an appendix to the relevant report going to a Cabinet, Committee or Council meeting and a copy sent to equalities@southkesteven.gov.uk.

Completed EIAs will be published along with the relevant report through Modern.Gov before any decision is made and also on the Council's website.



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

10 October 2023

Report of
Councillor Ashley Baxter
The Deputy Leader of the Council

Finance Update Report: April – July 2023

Report Author

Alison Hall-Wright (Assistant Director of Finance)

 alison.hall-wright@southkesteven.gov.uk

Purpose of Report

To present the Council's forecast 2023/24 financial position as at the end of July 2023.
The report covers the following areas:

- General Fund Revenue Budget
- Housing Revenue Account Budget
- Capital Programmes – General Fund and Housing Revenue Account
- Reserves overview – General Fund and Housing Revenue Account

Recommendations

That Cabinet:

1. **Reviews and notes the forecast 2023/24 outturn position for the General Fund and HRA Revenue and Capital budgets as at the end of July 2023 and identifies any variances that might require action or investigation.**

Decision Information	
Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Growth and our economy Housing that meets the needs of all residents Healthy and strong communities Clean and sustainable environment High performing Council
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.1 The financial implications are included within the report.

Completed by: Richard Wyles, Chief Finance Officer

Legal and Governance

1.2 As part of good governance, it is important members are kept updated in respect of the financial position of Council expenditure during the year.

Completed by: Graham Watts, Assistant Director of Governance

Risk and Mitigation

1.3 A risk register is at Appendix E and shows that all known current risks are recognised and associated mitigating actions are in place.

Completed by: Tracey Elliott, Governance and Risk Officer

2 Background to the Report

2.1 During the current financial year, Cabinet are being provided with regular finance reports that monitor and forecast the budget against the current economic conditions that are facing the Council.

3 Revenue Budget 2023/24 – General Fund

3.1 The budget set by Council on 1 March 2023 was £22.256m. Table 1 shows the summary of movements.

Table 1 – General Fund Revenue Budget Amendments

Date of Approval	Revenue Budget amendment	£'000
		22,256
March 2023	ICT Reserve – Asset Management	58
March 2023	Coronation Celebrations	7
June 2023	Grantham Special Expense Area – Grantham Christmas Lights	28
July 2023	2022/23 Budget Carry Forwards	1,960
July 2023	Pay Award Reserve	461
July 2023	ICT Reserve – Pool Car Management	10
July 2023	ICT Reserve – Replacement Document Management System – Revenues & Benefits	67
Total		24,847

3.2 Table 2 shows the forecast outturn position as at 31 July 2023:

Table 2 – General Fund Forecast Outturn Position

Description	2023/24 Original Budget	2023/24 Current Budget	2023/24 Forecast Spend	Forecast Variance	Forecast Variance
	£'000	£'000	£'000	£'000	%
Corporate	9,405	8,927	9,019	92	1.0%
Finance	4,981	4,364	4,565	201	4.6%
Growth & Culture	7,688	9,410	9,116	(294)	(3.0%)
Housing & Property	2,125	3,792	3,235	(557)	(14.7%)
HRA Recharge	(2,814)	(2,814)	(2,814)	0	0.0%
Drainage Rates	871	871	902	31	3.6%
Investment Income	(760)	(760)	(950)	(190)	(25.0%)
Net Cost of Service	21,496	23,790	23,073	(717)	(3.0%)
Minimum Revenue Contribution	126	126	126	0	

Revenue Contribution to Capital	37	333	333	0
Depreciation	(4,859)	(4,859)	(4,859)	0
Net Budget Requirement	16,800	19,390	18,673	(717)
Total Funding	(15,560)	(15,560)	(15,648)	(88)
Transfers to/(from) earmarked reserves	(1,240)	(3,830)	(3,025)	805
Net Budget (Surplus)/ Deficit	0	0	0	0

3.3 Grounds Maintenance and Street Cleansing were integrated within the Growth Directorate from the Corporate Directorate from 1 July 2023. As such, the appropriate budgets have been transferred as shown in Table 2.

3.4 Table 3 shows the significant forecast variances which impact across all directorates for the General Fund revenue for 2023/24 as at 31 July 2023.

Table 3 – General Fund Revenue – Significant Variances

Explanation of Significant Variances	£'000
Utilities - Electricity Whilst there continues to be inflationary price increases during the year, the increases are significantly less than budgeted and more competitive prices are being secured through our supplier procurement framework. This, together with usage, continues to be monitored on a monthly basis	(402)
Business Rates Following a review of property rateable values, a number have reduced resulting in a forecast under spend for 2023/24	(93)
Fuel A reduction in predicated inflationary price increases has resulted in a forecast under spend based on modelling at 0.9% increase per week for the remainder of 2023/24. This is being monitored on a weekly basis.	(100)
Salary vacancy factor The Council's salary budgets are prepared with an assumed 3% vacancy factor in order to reflect the turnover of staffing that occurs during a financial year. At the present time, the Council is enjoying a relative stable workforce and where there are vacancies, there has been a need to utilise temporary staffing arrangements. The management and monitoring of the vacancy factor will continue to be reviewed during the course of the financial year	452
Investment Income Base rate increases have resulted in an increase on the interest rates available for investments. The Council is now able to secure interest rates of 5%	(190)

compared with the budgeted rate of 4%	
---------------------------------------	--

3.5 Appendix A provides further details of the outturn revenue position for each Directorate along with service specific variance comments other than those detailed in table 3.

4. General Fund Capital Programme 2023/24

The budget set by Council on 1 March 2023 for the 2023/24 General Fund Capital programme is £12.147m. Table 4 shows the summary of movements:

Table 4 – General Fund Capital Programme Budget Adjustments

Date of Approval	GF Budget amendment	£'000
		12,147
December 2022	Gonerby Hill Foot Play Park – (grant funded)	119
March 2023	UKSPF	296
July 2023	2022/23 Budget Carry Forwards	344
Total		12,906

4.1 Table 5 summarises the General Fund Capital forecast outturn position as at 31 July 2023.

Table 5 – General Fund Capital Forecast Outturn Position

Capital Scheme	2023/24 Original Budget	2023/24 Current Budget	2023/24 Forecast spend	Forecast Variance	Forecast Variance
	£'000	£'000	£'000	£'000	%
Corporate	2,881	3,040	2,992	(48)	0.0%
Finance	250	250	289	39	15.6%
Growth & Culture	5,846	5,823	5,823	0	0.0%
Housing & Property	3,170	3,793	2,548	(1,245)	(32.8%)
Total Expenditure	12,147	12,906	11,801	(1,205)	(9.3%)

4.2 Table 6 shows the significant forecast variances for the General Fund capital schemes for 2022/23 as at 31 July 2023.

Table 6 – General Fund Capital – Significant Variances

Explanation of Significant Variances	£'000
Trade Waste Bins No spend expected in 23/24 due to stock already held and capacity issues to take on any further customers.	(48)
Financial System Upgrade Specialist support has been procured to ensure scheme progresses in line with the project plan. Go live date 1 April 2024.	39
Welham Street Grantham Car Park A reduced scope of remedial and improvement works are due to commence in September and therefore the previous budgeted allocation is not required.	(237)
Sustainable Warmth Grant The grant funding was awarded on a formula driven bases of EPC conditions of properties within the district. The schemes have been promoted through direct correspondence to homes with EPC's rating of E and below, radio and signage advertising. The first scheme closed in May 23 with assessments of 28 homes with works completed in 21 of these totalling £280k. The second scheme is due to close in September and works are currently being finalised in 52 properties totalling £363k.	(1,030)
Changing Places Disabled Facilities Following the successful installation of a facility at the Grantham Meres Leisure Centre, a facility will be installed at South Street Bourne once the transfer to the Bourne Town Council has been concluded. Work is underway to identify suitable locations in Grantham and Stamford town centres. Should there be a overspend on the capital spend, this will be funded from revenue contributions.	22

5. General Fund Reserves

5.1 Appendix B details the General Fund forecast reserve movements for 2023/24. The appendix shows the provisional balances as at 31 March 2023 and their projected use for the current and future financial years.

6. Revenue Budget 2023/24 – Housing Revenue Account

6.1 The budget set by Council on 1 March 2023 for the 2023/24 HRA Revenue Budget was £7.519m. The budgeted surplus is fully utilised to fund future investment in stock growth and property maintenance. Table 7 shows the summary of movements:

Table 7 – HRA Revenue Budget Adjustments

Date of Approval	HRA Budget amendment	£'000
		(7,519)
March 2023	HRA budget bids approved as part of Council report	1,359
May 2023	Relocation of HRA Team	90
July 2023	2022/23 Budget carry forwards	307
July 2023	Pay Award	150
Total		(5,613)

6.2 Table 8 shows the HRA forecast outturn position for 2023/24 as at 31 July 2023.

Table 8 – HRA Revenue Forecast Outturn Position

Description	2023/24 Original Budget £'000	2023/24 Current Budget £'000	2023/24 Forecast spend £'000	Forecast Variance £'000	Forecast Variance %
Income	(28,403)	(28,403)	(27,949)	454	1.60%
Expenditure	19,306	21,212	21,248	36	0.17%
Net Cost of HRA Services	(9,097)	(7,191)	(6,701)	490	6.81%
Interest Payable	2,238	2,238	2,238	0	
Investment Income	(660)	(660)	(825)	(165)	
Surplus for the year	(7,519)	(5,613)	(5,288)	325	

6.3 Table 9 shows the significant forecast variances for the HRA Revenue fund schemes for 2023/24 as at 31 July 2023.

Table 9 – HRA Revenue – Significant Variances

Explanation of Significant Variances	£'000
Income Void rates are higher than budgeted due to ongoing contractor resources and outputs reduced as a result, combined with supply chain issues and an increased percentage of major works voids. Currently at 3.79% as at the end of July (budgeted at 1.5% and extrapolated at 2% from October to March) resulting in a forecast shortfall of £400k in rents.	454
Utilities- Electricity & Gas Whilst there have been inflationary price increases, these have at a lesser rate than anticipated with competitive prices secured through our suppliers. This together with usage is being monitored on a monthly basis	(141)

Salary vacancy factor	149
A reduction in vacant posts across the Council and increases in agency provision will have a direct impact on the achievement of the salary vacancy factor. This will continue to be monitored during the year and the forecast amended accordingly	
Investment Income	(165)
Base rate increases have resulted in an increase on the interest rates available for investments. The Council is now able to secure interest rates of 5% compared with the budgeted rate of 4%	

6.4 Appendix C provides further details of the HRA revenue forecast outturn position.

7. HRA Capital Programme 2023/24

The budget set by Council on 1 March 20223 for the 2023/24 HRA Capital programme is £18.497m. Table 10 shows the summary of movements:

Table 10 – HRA Capital Programme Budget Adjustments

Date of Approval	HRA Budget amendment	£'000
		18,497
March 2023	Local Authority Housing Fund	4,483
July 2023	2022/23 Budget Carry Forwards	1,669
September 2023	Housing Development Investment	1,000
Total		25,649

7.1 Table 11 summarises the HRA Capital forecast outturn position as at 31 July 2023.

Table 11 – HRA Capital Forecast Outturn Position

Capital Scheme	2023/24 Original Budget £'000	2023/24 Current Budget £'000	2023/24 Forecast spend £'000	Forecast Variance £'000
Energy Efficiency	5,398	5,474	4,398	(1,076)
ICT	470	740	630	(110)
Purchase of Vehicles	0	81	45	(36)
New Build Programme	4,500	5,500	5,500	0
Refurbishment & Improvements	8,129	13,854	12,043	(1,811)
Total Expenditure	18,497	25,649	22,616	(3,033)

7.2 Table 12 shows the significant forecast variances for the HRA capital schemes for 2023/24 as at 31 July 2023.

Table 12 – HRA Capital – Significant Variances

Explanation of Significant Variances	£'000
Heating & Ventilation Heating replacements are underway with approximately 35 being completed to date and a further 200 gas heating systems programmed with the contractor. Engagement has commenced with Eon regarding the SHDF bid which will see a further circa 100 heating system improvements delivered by the end of March 2024.	(1,076)
Housing System Enhancements The contract has been varied with the supplier resulting in significant reduction in contract costs. The proposed go-live is November 2023.	(110)
Kitchen Refurbishments We have completed circa 40 kitchens with a further 40 in programme. In progress of procuring a new contractor to work alongside an existing one in order to meet demand. Full spend is dependent on the timely appointment of an additional contractor.	(248)
Bathroom Refurbishments We have completed around 35 bathrooms to date. In progress of procuring a new contractor to work alongside an existing one in order to meet demand. Full spend is dependent on the timely appointment of an additional contractor.	(248)
Passenger Lifts The new lift installation at Church View is now complete and works have commenced at Riverside. A further 6 lifts have been identified for replacement and we are working on procurement of a contractor to deliver. Due to the lead in time of materials it is unlikely that all of these installations will be completed in this financial year.	(580)
Re-roofing The annual estimated programme is to replace 112 roofs, 2 have been fully completed at this time with a further 4 properties at the quotation stage. We are in progress of procuring a new contractor from framework to complete the delivery of this programme.	(369)
Re-wiring An estimated 267 re-wires have been budgeted for, currently around 160 have been programmed in with contractors across the Earlesfield programme and a separate rewire programme. To date 13 have been completed and works have commenced on the rewire programme.	(166)
External Wall Finishes The budget will allow improvements to around 35 properties based on the current cost estimates. We have identified 31 properties for improvement. Engagement has commenced with Eon regarding the SHDF bid which will	(200)

see improvements delivered by the end of March 2024.	
Repairs Vehicles Rescheduling of programme to 2024/25	(36)

8. HRA Reserves

8.1 Appendix D details the HRA forecast reserve movements for 2023/24. The appendix shows the provisional balances as at 31 March 2023 and their projected use for the current and future financial years.

9. Collection Rates

9.1 Table 13 details the current collection rates against target for 2023/24.

Table 13 – Collection Rates

Target Information	Council Tax	Business Rates	Rents
Annual collection rate	Target 98.48%	Target 98.32%	Target 97.35%
Target collection rate to end of July 2023	37.44%	39.45%	32.00%
Actual collection rate to end of July 2023	37.45%	38.53%	32.76%

9.2 The collection rate for Business Rates is below target as retail rate relief has been removed from 337 accounts as businesses have not completed the business rates relief application form. This will impact quarter 1 collection rates until payment instalments stabilise.

10. Reasons for the Recommendations

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

10.2 This report provides an overview of the forecast 2023/24 financial position for the Council and focuses on the position as at the end of July 2023.

11. Consultation

11.1 This report was presented to the Finance and Economic Overview and Scrutiny Committee on 19 September. Reports will be presented at each Finance and Economic Overview and Scrutiny Committee to ensure that members are kept regularly updated regarding the projected financial outturn position.

12. Background Papers

- 12.1 Determination of Budget 2023/24 and indicative budgets for 25/26 – General Fund, Housing Revenue Account and associated Capital Programmes Report.
[Council Budget Report 23-24.pdf \(southkesteven.gov.uk\)](https://southkesteven.gov.uk/Council-Budget-Report-23-24.pdf)
- 12.2 Provisional Outturn Position 2022/23 report
[Outturn report 2022-23 Governance Audit.pdf \(southkesteven.gov.uk\)](https://southkesteven.gov.uk/Outturn-report-2022-23-Governance-Audit.pdf)

13. Appendices

- 13.1 Appendix A – 2023/24 General Fund Significant Variance Analysis
- 13.2 Appendix B – 2023/24 General Fund Reserves
- 13.3 Appendix C – 2023/24 HRA Revenue Summary
- 13.4 Appendix D – 2023/24 HRA Reserves
- 13.5 Appendix E - Finance Risk Register

14. Other Options Considered

- 14.1 Not to receive the update. This update has already been presented to Finance and Economic Overview and Scrutiny Committee so this is the next stage in this report's process.

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Appendix A

Appendix A

2023/24 General Fund Revenue Significant Variance Analysis

Corporate						
Service Area	Current Expenditure Budget	Current Income Budget	2023/24 Current Budget	2023/24 Forecast Outturn	Forecast Variance	Forecast Variance
	£	£	£	£	£	%
Centralised & Business Support	481,700	(3,200)	478,500	481,900	3,400	0.7%
Communications	335,544	(4,300)	331,244	337,227	5,983	1.8%
Corporate Management	494,300	(1,750)	492,550	502,750	10,200	2.1%
Human Resources	446,160	(7,100)	439,060	450,460	11,400	2.6%
Legal & Democratic	2,093,541	(389,191)	1,704,350	1,815,700	111,350	6.5%
Ops & Public Protection Management	125,600	0	125,600	126,800	1,200	1.0%
Organisation & Transformation	799,500	(140,400)	659,100	670,500	11,400	1.7%
Public Protection	1,705,900	(392,000)	1,313,900	1,339,320	25,420	1.9%
Waste & Recycling	5,689,950	(2,307,600)	3,382,350	3,294,318	(88,032)	(2.6%)
Total	12,172,195	(3,245,541)	8,926,654	9,018,975	92,321	1.0%

Explanation of Significant Variances	£'000
Legal & Democratic Land Charges - Additional search fee costs together with an increase in non-chargeable personal searches and significant reduction in official searches based on previous years has resulted in a forecast overspend of £80k.	111
Waste & Recycling Commercial Waste - (net additional income £86k) additional income of £166k has been forecast because of in year price increases and continued growth in the customer base since the budget was set. Customer base has now stabilised with little capacity for further growth without additional investment in the service. Garden Waste - Additional income of (£24k) has been received with 30,144 households renewing their subscription for 2023/24 (29,526 at this point last year) and 634 new households joining the service.	(88)

Finance						
Service Area	Current Expenditure Budget	Current Income Budget	2023/24 Current Budget	2023/24 Forecast Outturn	Forecast Variance	Forecast Variance
	£	£	£	£	£	%
Finance	1,798,043	(171,250)	1,626,793	1,678,307	51,514	3.2%
Finance Management	253,192	(16,850)	236,342	237,442	1,100	0.5%
ICT Services	1,873,309	(41,750)	1,831,559	1,842,959	11,400	0.6%
Revenues, Benefits & Customer Services	18,796,200	(18,127,050)	669,150	806,510	137,360	20.5%
TOTAL	22,720,744	(18,356,900)	4,363,844	4,565,218	201,374	4.6%

Explanation of Significant Variances	£'000
Revenues, Benefits & Customer Services	137
The number of summonses being issued has reduced and the summons cost the Council is able to charge has been reduced by Government which have resulted in a net forecast reduction in court cost income of £66k.	
The cost of collection allowance provides billing authorities with income to help meet the cost of administering the rating system. The award for 2023/24 is £25k less than budgeted.	

Growth & Culture						
Service Area	Current Expenditure Budget	Current Income Budget	2023/24 Current Budget	2023/24 Forecast Outturn	Forecast Variance	Forecast Variance
	£	£	£	£	£	%
Arts & Culture	2,709,316	(933,050)	1,776,266	1,690,500	(85,766)	(4.8%)
Building Control	1,018,600	(859,400)	159,200	134,433	(24,767)	(15.6%)
Community Engagement	346,600	(19,000)	327,600	336,500	8,900	2.7%
Culture & Leisure Mgmt	309,334	0	309,334	286,165	(23,169)	(7.0%)
Development & Policy	1,936,566	(1,453,100)	483,466	486,466	3,000	0.6%
Economic Development	1,466,329	(535,429)	930,900	933,000	2,100	0.2%
Growth Management	241,700	0	241,700	252,300	10,600	4.4%
Leisure	2,919,100	(131,350)	2,787,750	2,794,600	6,850	0.2%
Parks & Open Spaces	604,450	(121,450)	483,000	466,400	(16,600)	(3.4%)
Street Scene	1,965,630	(54,500)	1,911,130	1,735,150	(175,980)	(9.2%)
TOTAL	13,517,625	(4,107,279)	9,410,346	9,115,514	(294,832)	(3.0%)

Explanation of Significant Variances		£'000
Street Scene		(160)
In accordance with the report presented to Cabinet in February 2023, £160k of establishment savings have been identified from the integration of the Grounds Maintenance and Street Cleansing teams. Further work will be undertaken to identify additional efficiency savings of £192k from service costs such as fuel and vehicle running costs and office accommodation.		

Housing & Property						
Service Area	Current Expenditure Budget	Current Income Budget	2023/24 Current Budget	2023/24 Forecast Outturn	Forecast Variance	Forecast Variance
	£	£	£	£	£	%
Health & Safety	127,000	0	127,000	126,600	(400)	(0.3%)
Housing Services	1,430,607	(1,106,860)	323,747	321,790	(1,957)	(0.6%)
Property Services	5,863,008	(2,791,485)	3,071,523	2,516,470	(555,053)*	(18.1%)
Waste Depot	270,000	0	270,000	270,000	0	0.0%
TOTAL	7,690,615	(3,898,345)	3,792,270	3,234,860	(557,410)	(14.7%)

* variance explanation included in table 3 of the report

Explanation of Significant Variances	£'000
Housing Services	(2)
Homelessness – An increase in the usage of emergency accommodation combined with health and safety works required on SKDC homelessness units has resulted in a forecast pressure of £200k in 2023/24. Whilst additional FSHG has been received in year as this is a demand led service it is not clear whether this one-off funding will be sufficient to respond to ongoing demand which is currently at unprecedented levels. Budgets will be reviewed as part of budget setting as it is likely to continue to be a pressure in future years.	

2023/24 - 2025/26 General Fund Reserves Statement

		Provisional Balance as at 31 March 2023 £'000	Forecast movement	Forecast Balance as at 31 March 2024 £'000	Forecast movement	Forecast Balance as at 31 March 2025 £'000	Forecast movement	Forecast Balance as at 31 March 2026 £'000
	General Fund							
	Discretionary Reserves							
1	Climate Change	331	(41)	290	0	290	0	290
2	Commercial	0	0	0	0	0	0	0
3	Training and Development	15	0	15	0	15	0	15
4	Street Scene	331	(45)	286	0	286	0	286
5	ICT investment	499	(222)	277	(29)	248	(19)	229
6	Economic Development & Growth	0	0	0	0	0	0	0
7	Local Priorities Reserve	5,544	33	5,577	(33)	5,544	(597)	4,947
8	Invest to Save	816	(13)	803	0	803	0	803
9	Housing Delivery	2,105	(1,547)	558	0	558	0	558
10	Property Maintenance	1,285	(253)	1,032	0	1,032	0	1,032
11	Regeneration	1,199	(712)	487	(305)	182	(25)	157
		12,124	(2,800)	9,324	(367)	8,957	(641)	8,316
	Governance Reserves							
12	Insurance Reserve	211	0	211	0	211	0	211
13	Pensions Reserve - Former Employees	277	(33)	244	(33)	211	(33)	178
14	Budget Stabilisation	1,654	(716)	938	0	938	0	938
15	Section 31 Grant Reserve	3,531	0	3,531	0	3,531	0	3,531
16	Pay Award Reserve	500	(375)	125	0	125	0	125
17	Rev Grants c/fwd	72	(72)	0	0	0	0	0
18	Building Control	84	(31)	53	(28)	25	(29)	(4)
19	Football 3G Pitch	150	25	175	25	200	25	225
20	Special Expense Area Reserve	339	(91)	248	106	354	118	472
21	Inflation Reserve	0	0	0	0	0	0	0
		6,819	(1,293)	5,526	70	5,596	81	5,677
22	Total General Revenue Reserves	18,943	(4,093)	14,850	(297)	14,553	(560)	14,690
	Homelessness	120	(120)	0	0	0	0	0
	New Burdens Grant	389	(21)	368	0	368	0	368
	Neighbourhood Planning Grant	32	0	32	0	32	0	32
	Individual Electoral Registration	0	0	0	0	0	0	0
	Changing Places	40	0	0	0	0	0	0
	Historic England	44	(44)	0	0	0	0	0
	Grantham Growth	69	(69)	0	0	0	0	0
	Welfare Reform	177	0	177	0	177	0	177
	Future High Streets	0	0	0	0	0	0	0
	Blue Green Corridor	193	(193)	0	0	0	0	0
23	Government Grants Received	1,064	(447)	578	0	578	0	578
24	Working Balance	1,986	(40)	1,946	0	1,946	0	1,946
25	Total Revenue Reserves	21,993	(4,580)	17,373	(297)	17,076	(560)	16,516
26	Capital Reserve							
27	LAMS Reserve	18	(18)	0	0	0	0	0
28	General Fund Capital Reserve	34	18	52	0	52	0	52
29	Useable Capital Receipts Reserve	3,493	(365)	3,128	(1,523)	1,605	(1,605)	0
30	Total Capital Reserves	3,545	(365)	3,180	(1,523)	1,657	(1,605)	52
31	Total General Fund Reserves	25,538	(4,945)	20,553	(1,820)	18,733	(2,165)	16,568

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Appendix C

Appendix C

2023/24 HRA Revenue Summary

	Description	2023/24 Original Budget £'000	2023/24 Current Budget £'000	2023/24 Forecast Spend £'000	2023/24 Forecast Variance £'000
10	Expenditure				
1	Repairs and Maintenance	7,836	9,391	9,410	19
2	Supervision and Management - General	1,994	2,252	2,254	2
3	Supervision and Management - Special	1,867	1,960	1,975	15
4	Depreciation and Impairment of Fixed Assets	3,944	3,944	3,944	0
5	Debt Management Expenses	35	35	35	0
6	Provision for Bad Debts	394	394	394	0
7	Other Expenditure (Pension Deficit)	422	422	422	0
8	Earlesfield 2022/23 Project	0	0	0	0
9	Support Recharge from General Fund	2,814	2,814	2,814	0
10	Total Expenditure	19,306	21,212	21,248	36
11	Income				
11	Dwelling Rents	(27,283)	(27,283)	(26,816)	467
12	Non Dwelling Rents	(300)	(300)	(312)	(12)
13	Charges for Services and Facilities	(750)	(750)	(751)	(1)
14	Other Income	(70)	(70)	(70)	(0)
15	Total Income	(28,403)	(28,403)	(27,949)	454
16	Net Cost of HRA Services	(9,097)	(7,191)	(6,701)	490
17	Interest Payable and Similar Charges	2,238	2,238	2,238	0
18	Interest and Investment Income	(660)	(660)	(825)	(165)
19	Net Position Before Reserve Movements	(7,519)	(5,613)	(5,288)	325
20	Movement on the HRA Reserve Balance				
21	Housing Revenue Account Balance at start of Year	2,041	2,028	2,028	
22	Net position as at 31 March	7,519	5,613	5,288	
23	Repayment of Principal	(3,222)	(3,222)	(3,222)	
24	Funding from HRA Priorities Reserve	0	547	547	
25	Major Repairs Reserve Transfer	(3,248)	(3,248)	(3,248)	
26	Housing Revenue Account Balance at end of Year	3,090	1,718	1,393	
27	Major Repairs Reserve Balance at Start of Year	16,430	19,553	19,553	
28	Depreciation & MRR Transfer	7,192	7,192	7,192	
29	Capital Financing & Loan Repayment	(12,492)	(12,492)	(9,058)	
30	Major Repairs Reserve Balance at End of Year	11,130	14,253	17,687	
31	Working Balance: Current Bids: Council Tax Voids Pest Control Tenant Engagement General Maintenance Window Cleaning Tunstall Stock Condition Legal Charges Systems Compensation Specified Works Power Tools Materials Protective Clothing Legal Fees Compensation Compliance Radon DDA New Working Balance	3,090 (33) (25) (15) (15) (8) (33) (90) (8) (45) (35) (69) (35) (113) (3) (15) (17) (500) (300) 0 (1,359)			
				1,731	

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HRA Reserves Statement

		Provisional Balance at 31 March 2023 £'000	Forecast Movement £'000	Forecast Balance at 31 March 2024 £'000	Forecast Movement £'000	Forecast Balance at 31 March 2025 £'000	Forecast Movement £'000	Forecast Balance at 31 March 2026 £'000
Revenue Reserves								
1 HRA Priorities Reserve		14,784	(6,980)	7,804	0	7,804	0	7,804
2 LAHF Reserve		0	0	0	0	0	0	0
3 Residents Involvement		630	(630)	0	0	0	0	0
4 Working Balance		2,028	(310)	1,718	288	2,006	664	2,670
5 Total HRA Revenue Reserves		17,442	(7,920)	9,522	288	9,810	664	10,474
HRA Capital Reserve								
6 HRA Capital Receipts Reserve		12,155	(2,043)	10,112	690	10,802	500	11,302
7 Major Repairs Reserve		19,553	(1,866)	17,687	(4,486)	13,201	(3,779)	9,422
8 Total HRA Capital Reserves		31,708	(3,909)	27,799	(3,796)	24,003	(3,279)	20,724
9 Total HRA Reserves		49,150	(11,829)	37,321	(3,508)	33,813	(2,615)	31,198

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Appendix E – Finance Risk Register

Risk	Likeli-hood	Impact	Residual Risk Score	Mitigating Action
1. Capital programmes requiring borrowing in the medium term	4	3	12 Very High	Continue to undertake financial modelling to identify consequences of undertaking borrowing and align this with savings that will need to be approved before borrowing is undertaken in order to ensure ongoing affordability and financial sustainability. The capital programme can currently be financed without borrowing although this is kept under review.
2. Lack of clarity for funding levels from 2024/25 and beyond	3	3	9 High	The Government announced a one-year settlement along with high level financial planning assumptions for 2024/25. Any changes to the assumed levels will need to be modelled to assess their impact.
3. Increase in bad debts as a result of economic circumstances	3	2	6 High	The Council has pro-active debt management procedures in place.
4. Increased maintenance costs of fixed assets	3	2	6 High	The budget proposals for 2023/24 include an approved budget for asset maintenance and the budget carry forward proposals include a further £357k. The medium-term outlook is a continuation of high levels of maintenance that will require financing
5. Fuel price volatility	2	3	6 High	Weekly monitoring of fuel charge and proactive interventions to ensure optimisation of fuel consumption.
6. Inflation increases beyond budgeted levels	2	2	4 Medium	Budget assumptions kept up to date with most recent projections and monthly sensitivity analysis is produced to monitor the impact of inflationary increases.
7. Fee Income volatility	2	2	4 Medium	Early monitoring of deviations and regular reporting to both budget holders and members.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

10 October 2023

Report of Cabinet Member for Housing
and Planning

Stamford North Statement of Common Ground

Report Author

Shaza Brannon, Planning Policy Manager

shaza.brannon@southkesteven.gov.uk

Purpose of Report

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

Recommendations

That Cabinet:

1. **Agrees to South Kesteven District Council becoming a signatory to Stamford North Statement of Common Ground and in so doing, authorises 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.**

Decision Information	
Is this a Key Decision?	No
Does the report contain any exempt or confidential information not for publication?	Yes – Appendices C and D under paragraph 5 of Schedule 12A of the Local Government Act 1972; legally sensitive information.
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

1.1 Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

1.2 A key purpose of the Statement of Common Ground is an agreement between the two authorities that developer contributions collected from the proposed development will be spent on the delivery of essential infrastructure to mitigate the impact of the development.

Richard Wyles, Deputy Chief Executive and s151 Officer

Legal and Governance

1.3 Local authorities are bound by a legal duty to cooperate. Due to the cross-boundary nature of the development, South Kesteven District Council and Rutland County Council have a duty to work together on the delivery of the site.

1.4 Paragraph 24 of the National Planning Policy Framework states:
'Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.'

1.5 It is proposed that a Joint Strategic Planning Board be created to enable both Councils to work collaboratively on any future planning matters. A Terms of Reference for the Board is appended to the Statement of Common Ground and sets out roles and responsibilities, reporting, escalation and governance.

1.6 The Stamford North Statement of Common Ground and Terms of Reference have been finalised subject to legal advice.

Mandy Braithwaite, Legal Executive, Legal and Democratic Services.

Risk and Mitigation

1.7 Legal advice was sought on the risk of signing/not signing the Statement of Common Ground. The advice is appended as exempt information, to this report.

1.8 The Joint Strategic Planning Board will be governed by Terms of Reference (ToR) which seeks to deal with any issues, concerns or complaints about any project undertaken by this ToR by the inclusion of an escalation procedure. The Terms of Reference also seeks to minimise risk by clearly setting out principles of cooperation, roles, responsibilities and powers, intellectual property and principles for project management.

Diversity and Inclusion

1.9 Stamford North is included within the adopted Local Plan as an allocation expected to deliver 1,350 homes, with an additional 650 within Rutland County. The adopted Local Plan seeks to meet the needs of our diverse community and includes evidence-based policies for meeting the district's housing need, including affordable and adaptable housing. Developers are required by the Local Plan to provide appropriate type and sized dwellings to meet the needs of current and future households.

1.10 An Equalities Impact Assessment (EIA) was developed at each stage of Local Plan preparation which ensures that the Local Plan is inclusive and celebrates diversity.

1.11 Any current or future planning applications will be bound by the Council's Statement of Community involvement which seeks to make consultation inclusive, ensuring that our diverse community are made aware of; and given the opportunity to comment on planning applications. This includes ensuring that the planning process is transparent and accessible.

Is an Equality Impact Assessment required?

1.12 An Equality Impact Assessment (EIA) is not required to accompany the Statement of Common Ground or Terms of Reference as policy is not being introduced. An EIA was produced for the adopted Local Plan, which includes policy on the Stamford North Development.

Community Safety

1.13 The planning system has a major role in shaping our neighbourhoods to be accessible, inclusive and safe.

- 1.14 A key purpose of the Statement of Common Ground is agreement between the two authorities where developer contributions collected from the proposed development, both by Rutland County Council and South Kesteven District Council, will be spent on the delivery of essential infrastructure to mitigate the impact of the development this could include CCTV (closed circuit television) and the police service.
- 1.15 The Stamford North Local Plan policy requires the production of a comprehensive masterplan of the site which will be expected to include design principles which ensures the safety of its community.
- 1.16 The Local Plan promotes and will expect Stamford North to incorporate active travel. Sustainable travel through walking, cycling and the use of the public transport is dependent on the safety of the built environment.

Mental Health and Emotional Wellbeing

- 1.17 Local Plan policies seek to ensure that South Kesteven is a great place to live, work and visit in line with the Corporate Plan.
- 1.18 The proposed development of Stamford North will be expected to include valuable assets such as community facilities and green infrastructure, ensuring that development provides a natural and built environment for the enjoyment of all. Ensuring that our community has the right housing, employment and natural environment should positively affect mental health and emotional wellbeing.
- 1.19 The Statement of Common Ground seeks to ensure that any impact on existing facilities, such as health and education will be mitigated.

Climate Change

- 1.20 The production of a Statement of Common Ground and Terms of Reference has no identified impacts on climate change.
- 1.21 The Local Plan and planning system is a mechanism to support delivery on the climate change agenda and the Council's commitment to reduce the organisations' carbon footprint by at least 30 per cent by 2030 and endeavour to become net-zero as soon as is viable before 2050.
- 1.22 Policy relating to Stamford North is contained within the Local Plan and was subject to a sustainability appraisal. The Local Plan also includes policy which seeks to ensure developments mitigate and adapt to climate change.

2. Background to the Report

- 2.1 The South Kesteven Corporate Plan (2020-2023) vision highlights the importance of working hand-in-hand with other public sector partners across Lincolnshire and the wider region to individually and collectively deliver for residents and businesses. In further support of such an approach, the 2018 National Planning Policy Framework (NPPF) requires local planning authorities to produce Statement of Common Ground (SoCGs) to demonstrate agreement on cross-boundary strategic issues.
- 2.2 In January 2020 the Council adopted the South Kesteven District Local Plan. With the inclusion of policies which shape development and protect and enhance our environment, the Local Plan is a key vehicle to help meet the priorities identified in the Corporate Plan. The Local Plan allocates land for housing and employment to meet the housing needs of all residents and enable economic growth; and the Plan also includes environmental policies which seek to ensure a clean and sustainable environment.
- 2.3 The Local Plan includes a housing allocation for 1,350 houses at Stamford North which extends into Rutland County, providing an additional 650 homes. The section of the development within Rutland is necessary for the deliverability of the development to come forward due to a facilitating link road.
- 2.4 The Rutland Local Plan submission included the 650 homes at Quarry Farm (known as Monarch Park) as a proposed allocation, however the plan was withdrawn in 2021 and now has no policy basis. Despite this, both Councils have a legal duty to cooperate as both authorities prepare new respective Local Plans.
- 2.5 A Statement of Common Ground between South Kesteven District Council, Rutland County Council and Lincolnshire County Council was prepared in 2019, including planning arrangements for the proposed development at Stamford North. The purpose of the Statement of Common Ground was to enable the delivery of a sustainable development, with supporting infrastructure.
- 2.6 The 2019 Statement of Common Ground was scrutinised by the Finance, Economic Development and Corporate Services Overview and Scrutiny Committee and subsequently approved at Cabinet on 11 June 2019. Whilst the SoCG was not signed, it demonstrated a longstanding commitment by both Councils to work collaboratively. A link to the 2019 Statement of Common Ground Cabinet report can be found in the **background paper section** of this report.
- 2.7 Due to material changes since 2019, including the withdrawal of the Rutland Local Plan and the submission of planning applications in each administrative area, a new Statement of Common Ground (**Appendix A**) has been prepared by Officers at South Kesteven District Council and Rutland County Council. The Statement of Common

Ground takes into account legal advice, which agrees to the following broad principles:

- Housing development within the separate two local authority areas of Stamford North (totalling 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 within Rutland County Council would contribute to Rutland's needs). There is therefore no requirement on either authority to meet the unmet needs of the other.
- Acknowledges that there will likely be an impact on the existing infrastructure of Stamford. To this end, Rutland County Council has agreed to prioritise expenditure of Community Infrastructure Levy (CIL) receipts generated by the Stamford North development to ensure the development, as a whole, mitigates its impact on infrastructure.

- 2.8 To aid cooperation, it is proposed a Joint Strategic Planning Board is established, including elected Member and Officer representatives from both councils to oversee any strategic planning matters, such as the Stamford North development. Terms of Reference for the Board (**Appendix B**) have been prepared by South Kesteven District Council and Rutland County Council to govern this proposed Board to enable both Councils to work collaboratively to meet the current Duty to Cooperate and any future matters of strategic planning of mutual interest.
- 2.9 The Terms of Reference sets out governance arrangements and responsibilities of each party, including the escalation of any issues, concerns or complaints that may arise.
- 2.10 The Chief Executive of South Kesteven District Council has delegated powers to sign the Statement of Common Ground. However, both South Kesteven District Council and Rutland County Council considered the Statement of Common Ground and the decision to create a joint Board, warranted being taken to the respective Cabinets for approval, prior to signing.
- 2.11 The signed Statement of Common Ground will be presented to the Planning Inspector at each Council's Local Plan Examination, evidencing cooperative working under our current duty to cooperate, and a reached agreement.

Next Steps

- 2.12 If agreed at respective Cabinets, the next steps are:
 - a. For the Chief Executives at Rutland County Council and South Kesteven Council to sign the Statement of Common Ground for subsequent implementation.

- b. For a Joint Strategic Planning Board to be created, governed by approved Terms of Reference.

3. Key Considerations

- 3.1 The Council has a current legal duty to cooperate with neighbouring authorities. The Statement of Common Ground and establishment of the Joint Strategic Planning Board will give certainty and clarity setting out governance arrangements, responsibilities of each party, along with areas of common ground.
- 3.2 The Statement of Common Ground seeks to ensure developer contributions collected by South Kesteven District Council and Rutland County Council will be spent to mitigate the impact of the development on local infrastructure.
- 3.3 The Statement of Common Ground and Terms of Reference for the Joint Strategic Board have been subject to legal advice (**Appendix C**) around the wording and ensuring that the interests of the District are dealt with. Further advice from the Assistant Director of Planning regarding these documents is provided at **Appendix D**.

4. Other Options Considered

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

5. Reasons for the Recommendations

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

6. Consultation

- 6.1 Consultation on the Stamford North Statement of Common Ground is not a regulatory requirement. The preparation of the Statement of Common Ground has been undertaken in consultation with Rutland County Council Planning Officers in accordance with the Duty to Cooperate.

6.2 Current and future planning applications will be subject to public and stakeholder consultation, in accordance with the Council's published Statement of Community Involvement.

7. Background Papers

7.1 *Proposed development at Stamford North* – Report to Cabinet, published 11 June 2019, available online at:
<https://moderngov.southkesteven.gov.uk/documents/s22901/Stamford%20North%20Cabinet%20report%20June%202019%20v2%202.pdf>

7.2 *South Kesteven Local Plan* – Adopted January 2019, available online at:
<http://www.southkesteven.gov.uk/index.aspx?articleid=14904>

8. Appendices

8.1 Appendix A: Stamford North Statement of Common Ground
8.2 Appendix B: Joint Strategic Planning Board Terms of Reference
8.3 Appendix C: Advice from the Assistant Director for Planning (exempt)
8.4 Appendix D (Exempt): Legal advice on the risks of signing/not signing the Stamford Statement of Common Ground



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 and/or improvements 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 capable of being mitigated through improvements to links and junctions including 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.

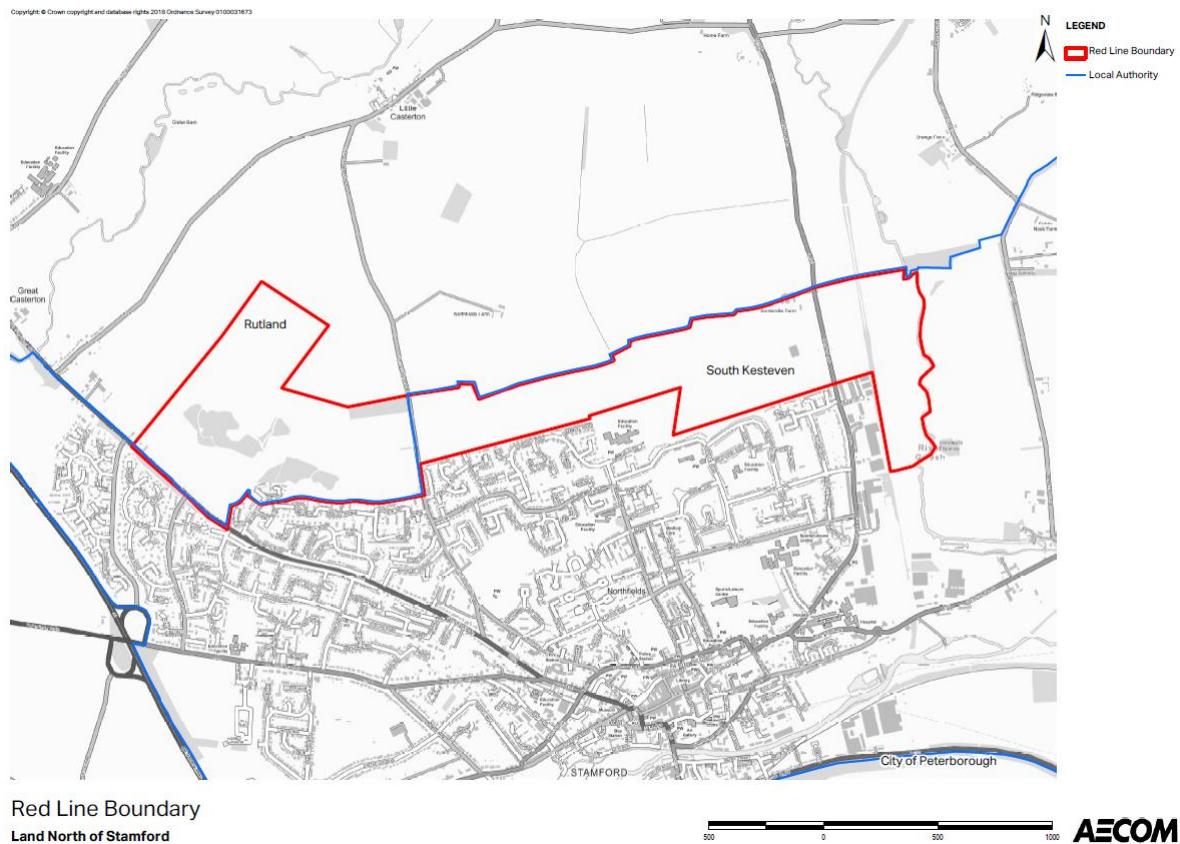
4.0 Governance

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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Terms of Reference

South Kesteven District Council & Rutland County Council Joint Board on Strategic Planning Matters of Mutual Interest

September 2023

Principles of governance Scope of the Joint Strategic Planning Board

1. The Joint Strategic Planning Board (“the Board) has the purpose of enabling both Councils to work collaboratively to meet their current Duty to Cooperate and any future matters of strategic planning of mutual interest. Paragraph 24 of the National Planning Policy Framework states:

‘Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.’

2. South Kesteven District Council and Rutland County Council (each an “authority” agree to the following principles of governance when carrying out joint planning. The Board should:

- (a) provide strategic oversight and direction;
- (b) be based on clearly defined roles and responsibilities at organisation, group and, where necessary, individual level;
- (c) align decision-making authority with the criticality of the decisions required;
- (d) be aligned with the overall scope and each stage of the joint planning process (and may therefore require changes over time);
- (e) leverage existing organisational, group and individual joint working arrangements;
- (f) provide coherent, timely and efficient decision-making; and
- (g) correspond with the key features of the governance arrangements.

Joint Strategic Planning Board

3 Items for consideration by the Board will be agreed by both parties and added to the agenda of the subsequent Board meeting, with the identification of a lead officer. The Board will meet at least once a quarter.

4 Each authority will provide a senior officer as part of its resource commitment to act as the lead point of contact and involvement.

5 The Board will consist of the following attendees:

- Rutland County Council:
 - Leader of the Council

- The Portfolio Holder for Planning and Property
- Strategic Director or Deputy Director for Place (or equivalents) or their representatives
- Head of Sustainable Economy and Place (or equivalents)
- Planning Policy Manager or Principal Planning Policy Officer (or equivalent/s)
- South Kesteven District Council:
 - Leader of the Council
 - The Cabinet member
 - Director of Growth and Culture
 - Assistant Director of Planning (or equivalent/s)
 - Planning Policy Manager (or equivalent/s)

6. The Corporate Board will meet on a quarterly basis.

Project Management

7. Any projects overseen by the Board should be approved by the Board within a reasonable time frame from the date of the signing and publication of a Position Statement (“PS”). It will be a ‘live’ document, to be updated as appropriate from time to time as the joint planning work progresses.

The Project Plan will identify:

- (a) key delivery milestones relating to project objectives against an agreed timeframe;
- (b) expectations of project teams and/or employees (other than those identified in this PS);
- (c) any secondment arrangements between signatory authorities, if appropriate; and
- (d) practical working arrangements, for example which staff will require access to the premises of the other authority.

8. The position of Lead Project Manager will be determined by the Board. The Board will meet regularly and will from time to time include representatives of any other organisations with related interest in the joint planning process, which might, for example, include relevant statutory or non-statutory consultees as set out in the Planning Policy Guidance (PPG).¹

¹ List of statutory and non-statutory consultees for planning applications available at <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications>

Principles of co-operation

9. The authorities further agree to adopt the following principles of co-operation when carrying out joint planning:

- a) collaborate and co-operate. Establish and adhere to the governance structure set out in these the terms of reference to ensure that activities are delivered and actions taken as required;
- (b) be accountable. Take on, manage and account to each other for performance of the respective roles and responsibilities;
- (c) be open. Communicate openly about major concerns, issues or opportunities relating to the joint planning process;
- (d) learn, develop and seek to achieve full potential. Share information, experience, materials and skills to learn from each other and develop effective working practices, work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce cost;
- (e) adopt a positive outlook. Behave in a positive, proactive manner;
- (f) adhere to statutory requirements and best practice. Comply with applicable laws and standards including EU or relevant procurement rules, data protection and Freedom of Information legislation.;
- (g) act in a timely manner. Recognise the time-critical nature of the joint planning process and respond accordingly to requests for support;
- (h) work with stakeholders effectively;
- (i) deploy appropriate resources. Ensure sufficient and appropriately qualified resources are available and authorised to fulfil responsibilities; and
- (j) act in good faith to support achievement of the key objectives set out in - the 'Roles, responsibilities and powers' section below and compliance with these principles of co-operation.

Roles, responsibilities and powers

10. The Board is established for the purposes of joint planning exercises. Such a structure will retain democratic accountability for the work as well as having the technical input from Officers. This will be supported by appropriate day to day working between officers across the two local authorities, with further engagement with officers from Lincolnshire County Council where appropriate. This will entail:

- a) preparing, integrating and publishing appropriate evidence base, technical and policy documents;
- b) managing all communication, consultation and engagement processes;
- c) carrying out any other tasks required by the Board;
- d) updating the Position Statement as appropriate over the period of joint planning; and

- e) reporting progress against the Project Plan milestones on a regular basis to the Project Board.
- 11. The authorities will continue to work together on strategic issues other than the joint planning process in accordance with the Duty to Co-Operate and will establish the appropriate arrangements to do so without prejudice.

External reporting and publication

- 12. External reporting and publication will take place as follows:
 - a) Minutes, attendees and actions will be recorded for each Project Board meeting. Any additional reporting requirement will be at the discretion of the Project Board. Minutes, attendees and actions will be made publicly available on the Authority websites
 - b) Draft technical and/or evidence outputs² will be considered and endorsed by the Project Board. Once endorsed by the Project Board, outputs will then be circulated to the authorities' cabinets before publication.
 - c) Draft policy outputs³ will be considered and endorsed by the Project Board. Once endorsed by the Project Board, outputs will then be approved by the authorities' Cabinets before publication, as appropriate.
 - d) The Board will liaise with Town and Parish Councils, as appropriate, to act as a liaison between the Board and the local residents.

Communication

- 13. Both authorities will commit to issuing joint correspondence, joint press releases and attending joint press conferences, where appropriate, to ensure communities are updated. Both authorities will provide information about the proposals on their websites.

- 14. A communication strategy for each project will be put in place to ensure that both RCC and SKDC carry out the same level of consultation.

Escalation

- 15. If any of the authorities have any issues, concerns or complaints about any project undertaken under this ToR, or any matter, that authority shall notify the other authority and the authorities should then seek to resolve the issue by a structured communication. If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Board, which should decide on the appropriate course of action to take.

² These may comprise either technical and/or evidence outputs specific to the area being jointly planned, or relevant chapters/sections of technical and/or evidence outputs supporting the whole of the emerging South Kesteven and/or Rutland Local Plan(s).

³ These may comprise either policy outputs specific to the area being jointly planned, or relevant chapters/sections of Development Plan Documents and/or other policy documents.

16. If any authority receives any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the Freedom of Information Act 2000 (FOIA) and/or the Environmental Information Regulations 2004 (EIR)) in relation to the joint planning process, the matter shall be referred as soon as is reasonably practicable to the Board (or its nominated representatives). It shall be for the authority concerned to determine how to respond to any such inquiry, complaint, claim or action, however, to the extent that it is possible such response will not adversely affect the joint planning process.

17. The parties acknowledge that an authority may be required under the FOIA and/or the EIR to disclose information without consulting or obtaining consent from the Project Board. Each authority shall take reasonable steps to notify the Project Board of a request for information (in accordance with the Cabinet Office's Freedom of Information Code of Practice issued under section 45 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so, but each authority shall be responsible for determining in its absolute discretion whether any information is exempt from disclosure in accordance with the FOIA and/or the EIR.

Intellectual property

18. The authorities intend that [notwithstanding any working arrangements such as, but not limited to, secondment(s)] any intellectual property rights created in the course of the joint planning process shall vest in the party whose employee created them (or in the case of any intellectual property rights created jointly by employees of two or more authorities such rights shall vest, in the authority that has been agreed as lead authority for the part of the project to which the intellectual property right relates).

19. Where any intellectual property right vests in either authority in accordance with paragraph 17 above, that authority shall grant an irrevocable licence to the other authority to use that intellectual property for the purposes of the project in question.

Term and Termination

20. These Terms of Reference will commence on the date of signature by both authorities, and shall expire on the adoption of both authority Local Plans, or supplementary planning work relating to the Local Plans.

21. The Position Statement will be reviewed at the end of the first 6 months in order to inform any changes necessary for further joint working.

22. Either authority may cease to commit to the Joint Strategic Planning Board thereby giving at least three months' notice in writing to the other authorities.

Governing Law and Jurisdiction

23. The Joint Strategic Planning Board shall be governed by and construed in accordance with English law and, without affecting the escalation procedure set out in paragraphs. Both authorities agree to submit to the exclusive jurisdiction of the courts of England and Wales.

Signatories

Signed for and on behalf of Authority One: Rutland County Council

Name:

Position:

Signature:

Signed for and on behalf of Authority Two: South Kesteven District Council

Name:

Position:

Signature:

CONTACT POINTS:

RUTLAND

Name:

Position:

Office address:

Tel No:

E-mail Address:

SOUTH KESTEVEN

Name:

Position:

Office address:

Tel No:

E-mail Address:

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Appendix C

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Appendix D

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

10 October 2023

Report of the Chief Executive

Cabinet Forward Plan

Report Author

Lucy Bonshor, Democratic Officer

l.bonshor@southkesteven.gov.uk

Purpose of Report

This report highlights matters on the Cabinet's Forward Plan.

Recommendations

That Cabinet:

- 1. Notes the content of this report.**

Decision Information

Is this a Key Decision? No

Does the report contain any
exempt or confidential
information not for
publication?

What are the relevant
corporate priorities? High performing Council

Which wards are impacted? All

1. Cabinet's Forward Plan

- 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 preceding 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.

2.0 Appendices

- 2.1** Appendix 1 – Cabinet's Forward Plan



CABINET FORWARD PLAN
Notice of decisions to be made by Cabinet
2 October 2023 to 1 October 2024

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.

The Forward Plan

The Cabinet Forward Plan is a rolling, 12-month plan that will be updated on a regular basis. It includes those Key Decisions and Non-Key Decisions that are scheduled to be considered by Cabinet during the plan period.

Notice of future Cabinet decisions and recommendations to Council

Summary	Date	Action	Contact
Managed Stores Contract - Key Decision			
The supply of parts and sundries for all of the Council's vehicle fleet.	10 Oct 2023	To approve the contract	The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) George Chase, Waste and Recycling Manager E-mail: george.chase@southkesteven.gov.uk
Review of Public Space Protection Orders - Key Decision			
To consider the existing Public Space Protection Orders in force across the district	10 Oct 2023	To review the existing Public Space Protection Orders in force across the district	Councillor Rhea Rayside Ayeisha Kirkham, Public Protection Manager E-mail: ayeisha.kirkham@southkesteven.gov.uk
South Kesteven District Council and Rutland County Council - Stamford North Statement of Common Ground - Non Key Decision			
That Cabinet agree that the Chief Executive is authorised to sign the Stamford North Statement of Common Ground	10 Oct 2023	Cabinet to agree that a Joint Board is established with Rutland County Council to oversee the potential proposed development of Stamford North, taking account of the Terms of Reference appended to the report.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Shaza Brannon, Planning Policy Manager E-mail: shaza.brannon@southkesteven.gov.uk

Summary	Date	Action	Contact
HRA Disposal & Acquisitions Policy – Non Key Decision			
To seek approval for policy.	10 Oct 2023	To approve the policy.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Budget Monitoring Report Period 4 Forecast - Non Key Decision			
Financial budget monitoring and forecasting for Period 4, April to July 2023.	10 Oct 2023	To note the report, and make any recommendations as necessary to the Finance and Economic Overview and Scrutiny Committee.	The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) Alison Hall-Wright, Assistant Director of Finance (Deputy Section 151 Officer) E-mail: A.Hall-Wright@southkesteven.gov.uk
Health Cash Plan - Non Key Decision			
Proposed introduction of a Health Cash Plan for employees of the Council – a report previously considered by Employment Committee.	7 Nov 2023	To approve any recommendation from Employment Committee	Cabinet Member for People & Communities (Councillor Rhea Rayside) Fran Beckitt, Interim Head of HR E-mail: fran.beckitt@southkesteven.gov.uk

Summary	Date	Action	Contact
Rent and Service Charges Policy - Non Key Decision			
The policy outlines how the Council will calculate and charge rent and service charges for the housing stock that it owns and has responsibility to manage and maintain. The Council is required by law to carry out a review of council service charges from time to time and to ensure the Housing Revenue Account (HRA) does not fall into a deficit position. The rent level determines the income to the Housing Revenue Account that drives the HRA Business Plan.	7 Nov 2023	To approve the policy.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Celia Bown, Senior Housing and Policy Strategy Officer E-mail: c.bown@southkesteven.gov.uk
Apex Asset Management System - Key Decision			
To agree the upgrade and implementation to our current Asset Management System Apex, this shall ensure that we can make effective data led decisions in relation to future investment programmes.	7 Nov 2023	To confirm approval of upgrade.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Housing Repairs Policy - Non Key Decision			
To review the current Housing Repairs Policy and make any required changes.	7 Nov 2023	To approve any changes required.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk

Summary	Date	Action	Contact
Contract Awards in relation to social landlord responsibilities - Key Decision			
To seek approval of contract.	7 Nov 2023	To approve contract	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
HRA Business Plan and Asset Management Strategy 2021-2026 - Key Decision			
To consider the strategy	5 Dec 2023	To adopt a Housing Asset management Strategy	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Contract Awards in relation to social landlord responsibilities - Key Decision			
To seek approval of contract	5 Dec 2023	To approve contract.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Budget Monitoring Quarter 2 Forecast -			
Financial budget monitoring and forecasts for period 2 of 2023/2024.	5 Dec 2023	To note the report, and make any recommendations as necessary to the Finance and Economic Overview and Scrutiny Committee.	The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) Alison Hall-Wright, Assistant Director of Finance (Deputy Section 151 Officer) E-mail: A.Hall-Wright@southkesteven.gov.uk

Summary	Date	Action	Contact
Local Council Tax Support Scheme - Key Decision			
To consider the Council's Local Council Tax Support Scheme for the 2024/2025 financial year.	5 Dec 2023	To recommend to Council	<p>The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter)</p> <p>Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer)</p> <p>E-mail: r.wyles@southkesteven.gov.uk</p>
Council Tax Base 2024/2025 - Key Decision			
To determine the Council Tax Base to form the basis of the 2023/2024 budget proposals to be recommended to Council.	5 Dec 2023	To recommend to Council.	<p>The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter)</p> <p>Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer)</p> <p>E-mail: r.wyles@southkesteven.gov.uk</p>
Corporate Plan - Key Decision			
To adopt a refreshed Corporate Plan and Corporate Priorities for the Council.	18 Jan 2024	To adopt the Plan.	<p>Leader of the Council (Councillor Richard Cleaver)</p>
The Corporate Priorities were recommended by the Employment Committee meeting held in June 2023.	25 Jan 2024		<p>Leader of the Council (Councillor Richard Cleaver)</p> <p>Debbie Roberts, Head of Corporate Projects, Policy and Performance</p> <p>E-mail: Debbie.Roberts@southkesteven.gov.uk</p>

Summary	Date	Action	Contact
Contract Awards in relation to social landlord responsibilities - Key Decision			
To seek contract approval.	18 Jan 2024	To approve contract.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Draft Budget Proposals for 2024/2025 - Key Decision			
To consider the draft budget proposals for 2024/2025	18 Jan 2024	To consider the draft budget proposals.	The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer) E-mail: r.wyles@southkesteven.gov.uk
Contract Awards in relation to social landlord responsibilities - Key Decision			
To seek contract approval.	6 Feb 2024	To approve contract.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Craig Spence, Acting Director of Housing E-mail: craig.spence@southkesteven.gov.uk
Budget Monitoring Quarter 3 Forecast -			
Financial budget monitoring and forecasting for period 3 in 2023/2024.	6 Feb 2024	To note the report and make any recommendations as necessary to the Finance and Economic Overview and Scrutiny Committee.	The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) Alison Hall-Wright, Assistant Director of Finance (Deputy Section 151 Officer) E-mail: A.Hall-Wright@southkesteven.gov.uk

Summary	Date	Action	Contact
Budget Proposals for 2024/2025 and Indicative Budgets for 2025/2026 and 2026/2027 - Key Decision			
To consider the proposed budget for 2024/2025	6 Feb 2024	To recommend the Budget proposals to Full Council.	<p>The Deputy Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter)</p> <p>Richard Wyles, Chief Finance Officer and Deputy Chief Executive (Section 151 Officer)</p> <p>E-mail: r.wyles@southkesteven.gov.uk</p>
Contract Awards in relation to social landlord responsibilities - Key Decision			
To seek contract approval.	12 Mar 2024	To approve contract.	<p>Cabinet Member for Housing & Planning (Councillor Phil Dilks)</p> <p>Craig Spence, Acting Director of Housing</p> <p>E-mail: craig.spence@southkesteven.gov.uk</p>