

Cabinet



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Tuesday, 12 March 2024 at 2.00 pm
Council Chamber - South Kesteven House, St. Peter's
Hill, Grantham. NG31 6PZ

Cabinet Members: Councillor Ashley Baxter, Leader of the Council (Chairman)
Councillor Richard Cleaver, Deputy Leader of the Council (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-I Channel](#)

1. **Apologies for absence**
2. **Minutes of the previous meeting** (Pages 3 - 16)
Minutes of the meeting held on 6 February 2024.

3. **Disclosure of Interests**

Items for Cabinet Decision: Key

4. **Contract Award Earlesfield Refurbishment Project** (Pages 17 - 20)
To seek approval to enter into a contract with United Living to complete the works associated with the Earlesfield Refurbishment Project. The contract will be awarded via the Fusion 21 Framework for a period of 12 months commencing 1 April 2024.

Published and despatched by democracy@southkesteven.gov.uk on Monday, 4 March 2024.

☎ 01476 406080

Karen Bradford, Chief Executive

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- 5. Contract award for the upgrade of the CCTV network and to enable Connected Towns** (Pages 21 - 70)
- To approve the award of the contract for the upgrade the Council's CCTV network and public wi-fi access points to support the UKSPF 'Connected Towns' project.

Appendix 1 is exempt under Section 100(a)(4) of the Local Government Act 1972; paragraph 3 of Schedule 12A of the Act. The press and public may be excluded from the meeting during consideration of Appendix 1, on the grounds that if they were to be present, exempt information could be disclosed to them.

Items for Cabinet Decision: Non-Key

- 6. Lincolnshire Discretionary Housing Financial Assistance Policy** (Pages 71 - 94)
- The Council currently provides discretionary disabled facility grants (DFG) for adaptations to private residential dwellings within the district, in addition to its mandatory DFGs requirement. The Council is required to publish a policy if it provides discretionary DFGs and the existing Private Sector Housing Assistance Policy is out of date and due for review. The report provides the updated policy for consideration.
- 7. Private Sector Housing Houses of Multiple Occupation Licensing Policy** (Pages 95 - 109)
- The Council is required to licence specified Houses of Multiple Occupation (HMO) under the Housing Act 2004. This has been a requirement since 2006 and is currently undertaken by the Private Sector Housing Team. There is no requirement to have a policy on the licensing of these HMO's, however the purpose of this report is to present a HMO Licensing Policy that is considered good practice and demonstrates how the Council performs this statutory requirement in a transparent and consistent manner.
- 8. Public Spaces Protection Order- Pottergate Road** (Pages 111 - 141)
- This report considers an additional Public Spaces Protection Order be implemented on a specific area in order to prevent and reduce the impact of fly tipping.

Items for information

- 9. Key and Non-Key Decisions taken under Delegated Powers** (Pages 143 - 146)
- This report provides an overview of decisions taken by individual Cabinet Members since the last meeting of the Cabinet on 6 February 2024.
- 10. Cabinet's Forward Plan** (Pages 147 - 154)
- This report highlights matters on the Cabinet's Forward Plan.

Minutes

Cabinet

Tuesday, 6 February 2024



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

**Published 13 February 2024 – last
date for call-in would be 20 February
2024**

The Leader: Councillor Ashley Baxter, Leader of the Council (Chairman)

The Deputy Leader: Councillor Richard Cleaver, Deputy Leader of the Council
(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 Tim Harrison

Officers

Karen Bradford, Chief Executive

Richard Wyles, Deputy Chief Executive and Section 151 Officer

Nicola McCoy-Brown, Director of Growth and Culture

Alison Hall-Wright, Deputy Director (Finance and ICT) and Deputy Section 151
Officer

Graham Watts, Assistant Director (Governance and Public Protection) and
Monitoring Officer

Karen Whitfield, Assistant Director – Leisure, Culture and Place

Emma Whittaker, Assistant Director of Planning

Jodie Archer, Head of Housing Services

George Chase, Waste and Recycling Operations Manager

Chris Prime, Communications Manager

James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)

Patrick Astill, Communications Officer

Alice Atkins, Corporate Project Officer

Shaza Brannon, Planning Policy Manager

Carol Drury, Community Engagement & Manager

75. Apologies for absence

There were no apologies for absence.

76. Minutes of the previous meeting

The minutes of the meeting held on 18 January 2024 were agreed as a correct record.

77. Disclosure of Interests

There were no disclosures of interests.

78. Budget Proposals for 2024/2025 and Indicative Budgets for 2025/2026 and 2026/2027

Purpose of report

The Council was required to set a balanced budget and agree the level of Council Tax for 2024/25 and this report contained a summary of the proposals that had been considered for inclusion. The proposals were considered and scrutinised in detail by the Budget Joint Overview and Scrutiny Committee on 15 January 2024. The proposals had been consulted upon by residents and businesses during the period 19 January – 2 February 2024.

Decision

Recommendations to Council:

1. To set a General Fund budget requirement of £18.521m for 2024/25 detailed at section 2 of this report and shown in detail at Appendix A (inclusive of special expenses).
2. To propose a Council Tax level of £183.89 for 2024/25 (Band D property) after taking into consideration the consultation findings.
3. To note the indicative base estimates for 2025/26 and 2026/27 as detailed at Appendix A.
4. To approve Housing Revenue Account (HRA) dwelling rent increases of 7.7% for 2024/25 in accordance with Government rent setting guidelines providing an average rent of £96.99 per week.
5. To approve an increase in HRA garage rents of 6.7%.
6. To approve an increase in shared ownership rents by 7.7%.
7. To approve the HRA Revenue Summary for the year 2024/25 and to note the indicative budgets for 2025/26 and 2026/27 shown at Appendix A.
8. Approve the General Fund Capital programme for 2023/24 to 2025/26 detailed at

section 5 of this report and shown at Appendix B.

9. Approve the General Fund Capital Financing statement detailed at Appendix B.
10. Approve General Fund Capital Programme budget carry forward of £14.381m from 2022/23 shown at Appendix B.
11. Approve the Housing Capital Investment programme for 2024/25 to 2026/27 detailed at section 5 of this report and as shown at Appendix B.
12. Approve the HRA Capital Financing statement detailed at Appendix B.
13. Approve the Housing Revenue Account Capital Investment Programme budget carry forward of £0.177m from 2023/24 shown at Appendix B.
14. To approve the movements in General Fund Revenue and Capital Reserves and balances detailed at section 7 of this report and shown at Appendix C.
15. To approve the movements in HRA revenue and Capital Reserves and balances detailed at section 7 of this report and shown at Appendix C.
16. To approve the Treasury Management Strategy Statement detailed at section 10 of this report and shown at Appendix F.
17. To approve the Capital Strategy detailed at section 10 of this report and shown at Appendix G.
18. To approve additional one-off funding of £153,000 be added to the Local Priorities Reserve.

Alternative options considered and rejected

The Council was legally required to set a balanced budget each financial year, therefore there was no option not to set a budget.

Reasons for decision

The Council was legally required to set a balanced budget each financial year.

There had been a successful public consultation on the Budget proposals, with a higher response seen from previous years. 48% of people responding to the survey supported an increase in Council Tax by the maximum amount, higher than the corresponding number of 'nos' in this category.

A final settlement announced on 5 February 2024 included £153,000 of one-off funding, and it was recommended to add this funding to the Local Priorities Reserve.

Further points were highlighted during debate:

- A balanced position had been achieved for the Budget without any additional pressures on reserves.
- There had been a projected increase to the Minimum Revenue Provision (MRP).
- Borrowing would be undertaken to fund the capital programme.
- This was the first budget following the removal of the Housing Regulatory Notice. Dwelling rent increases of 7.7% were recommended for 2024/2025, in accordance with Government rent setting guidelines.
- The Council would continue to invest in and maintain its assets. Examples of this were the replacement of vehicles on the Streetscene and Waste Services, as well as the investment in the new Depot.
- Capital funding within the Housing Revenue Account was fixed on energy efficiency initiatives.
- Projects were coming forward to utilise the Climate Change reserve, with the aim of reducing the Council's carbon footprint.

79. Grantham Future High Streets Fund - Upper Floor Grants Scheme

Purpose of report

This report requested Cabinet approval to award a maximum grant of £225,000 for the conversion of unutilised retail space into nine units of residential accommodation at 17 – 19 High Street, Grantham, NG31 6PN.

Decision

That Cabinet:

1. Approves a grant award of a maximum of £225,000 under the Grantham Future High Streets - Upper Floor Grants Scheme.
2. Delegates authority to the Deputy Chief Executive to sign and approve the legal agreement.

Alternative options considered and rejected

Significant progress had been made with the delivery of the Future High Streets Fund (FHSF). It remained key for the development and promotion of Grantham that the Upper Floor Grants Scheme was delivered. Therefore, the option to not award the grant funding was not recommended.

Reasons for decision

In 2021, South Kesteven District Council was awarded £5.56 million funding through the Future High Streets Fund by the Department for Levelling Up, Housing and Communities (DLUHC). The funding allowed the ambitions for Grantham town centre to be realised and intervened directly in repurposing properties to deliver a more

diverse high street offer that was fit for the future, including town centre living and reimagined vacant retail space. This was achieved through the conversion of under-utilised upper floor retail and commercial space.

£550,000 was allocated for the provision of upper floor grants; the grant scheme would provide up to 50% of the commercial conversion costs of vacant upper floor accommodation to a maximum of £25,000 per residential unit created.

The FHSF programme had recently been extended to March 2025. Monitoring of the programme by DLUHC required the Council to report on the private sector match funding delivered through the grant process; the matched funding target was £929,000, but based on expressions of interest to date the matched funding amount was £986,000.

The FHSF would provide infrastructure improvements to help unlock the potential of Grantham and assisted in the promotion of the town as a place to live, work and visit.

There were four applications to the scheme that had passed the 'expression of interest' phase (inclusive of this application). If successful a further 20 residential units in Grantham town centre would be delivered.

The Finance and Economic Overview and Scrutiny Committee received updates on the wider FHSF programme and the most recent report was heard on 15 January 2024.

80. Regulation 18 Draft Local Plan Consultation

Purpose of report

The purpose of this report was to recommend the Council continues to prepare a new Local Plan for South Kesteven and agreed to consult on its Regulation 18 Draft Local Plan for a minimum period of six weeks.

Decision

That Cabinet:

1. Approves the consultation of the Regulation 18 Draft Local Plan (Appendix A) in accordance with the timetable contained within the Council's Local Development Scheme (approved by Cabinet May 2023).
2. Delegates authority to the Assistant Director of Planning, in consultation with the Cabinet Member for Housing and Planning, to make any minor, inconsequential amendments to the document (in order to correct matters of fact or aid clarity to the reader) prior to its publication for consultation purposes.

Alternative options considered and rejected

The alternative of not publishing a Draft Local Plan was discounted. Whilst the Council had already discharged Regulation 18 of the Town and Country Planning Act (Local Planning) (England) 2012 by publishing the Issues & Options, it was best practice to keep the community informed and to seek comment, as the plan evolved.

Publishing the Draft Local Plan also ensured that Local Plan remained on track and adhered to the timetable set out in the Council's Local Development Scheme.

Reasons for decision

The reason for the decision was to ensure the Council had an up-to-date, legally compliant Local Plan and met the agreed timetable. Work on the Local Plan was ongoing, and once a Local Plan was signed off, work could begin on the next iteration of the Local Plan.

It was vital for local authorities to ensure that their Local Plans were up to date, relevant, and addressed housing need, as well as tackling other areas, such as climate change.

It was the government that determined housing need, and their latest method for determining this demanded 701 new houses per year in South Kesteven District.

The new Local Plan was expected to run until 2041. In this current draft, suitable sites were identified to meet housing demand; the Council would need to make evidence-based choices in the coming years. The Local Plan also updated the provision of employment land, and also addressed issues such as gypsy and traveller accommodation.

It was vital to know the views and priorities of residents, and they, along with landowners and others were encouraged to take part in the public consultation opening on 29 February 2024.

Further details would follow when the Local Plan reached the next stages of its formulation, which were as follows:

Local Plan Review Stage	Proposed Date
Commencement of Document Preparation	April 2020
Issues and Options + Call for Sites Consultation (Regulation 18)	Completed: 12 October – 23 November 2020
Draft Consultation on Local Plan Review (Regulation 18)	Winter 2023/24
Pre Submission Consultation (Regulation 19)	Summer 2024
Submission to the Secretary of State (Regulation 22)	Winter 2024

Public Examination (Regulation 24)	Winter 2024/25 – Winter 2025/26
Inspector's Report (Regulation 25)	Winter 2026/26
Adoption (Regulation 25)	Spring 2026

The following points were highlighted during debate:

- Decisions rooted in, and backed up by data would be important to the authority, in order to better understand the needs of the community.
- Efforts to rebuild a sustainable community must be redoubled, particularly in light of recent flooding events in the District.
- The preparation of the Local Plan was not political. There were four sets of opinions that would feed into the final Local Plan; experts, circumstances (such as climate change, biodiversity and the housing crisis for example), Council members, and the public.
- The current Local Plan was approved in 2020 but the Planning Inspectorate pointed out that the issue of gypsy and traveller sites within the District needed to be addressed in future iterations of the Local Plan. If travellers arrived in the locality and there were no designated sites, it would be difficult to resolve any issues that may occur.
- A Local Plan Working Group, containing members of all political groupings on the Council had been set up to look at aspects of the Local Plan as it reached different points in its timeline.

81. Award of contract for upgrade of streetlights

Purpose of report

To enter into a contract with E.ON Energy Solutions Limited for a programme of works to upgrade South Kesteven District Council's stock of streetlights to LED units.

Decision

That Cabinet:

1. Approves the award of a contract with an estimated value of £1 million for the upgrade of the Council's streetlights to LED units to E.ON Energy Solutions Limited.
2. Requests that the Environment Overview and Scrutiny Committee receives ongoing monitoring updates regarding the project.
3. Delegates authority to the Deputy Chief Executive to ensure the delivery of the project in accordance with the contract.

Alternative options considered and rejected

A programme of upgrades over 12 years was initially approved by Cabinet. Whilst

this option would reduce immediate financial outlay for the Council, there would be significant additional electricity costs for powering the existing stock of streetlights.

Reasons for decision

The proposed contract award had undergone a compliant procurement process and would help to deliver cost savings through decreased utilities expenditure, as well as a reduction in operational carbon emissions.

There were roughly 3800 street lights for which South Kesteven District Council was responsible. The intention was to upgrade to LED units, and dim most of the lighting at night, with the exception of some local variances according to their circumstances.

Around 300 units had already been upgraded. These LED units would be sensitive to wildlife, which was something that the Environment Overview and Scrutiny Committee had recommended be ensured.

82. Finance Update Report: April - December 2023

Purpose of report

To present the Council's forecasted 2023/2024 financial position as at end of December 2023. The report covered the General Fund Revenue Budget, Housing Revenue Account Budget, Capital Programmes and Reserves Overview.

Decision

That Cabinet:

1. Noted the forecast 2023/2024 outturn position for the General Fund, Housing Revenue Account Revenue and Capital Budgets as at the end of December 2023.

Alternative options considered and rejected

This was a monitoring report, therefore no other options were considered.

Reasons for decision

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

This report provided an overview of the forecasted 2023/24 financial position for the Council and focused on the position as at the end of December 2023. The financial position as at the end of December 2023 was more positive than originally predicted,

due to a number of factors; one example was less pressure on utility bills than had been expected.

The report would also be considered by the Finance and Economic Overview and Scrutiny Committee.

83. Regulation of Investigatory Powers Act Policy

Purpose of report

To provide Cabinet with an opportunity to approve the Council's new Regulation of Investigatory Powers Act Policy and confirm the process for its annual review via the Governance and Audit Committee.

Decision

That Cabinet:

1. Approves the new Regulation of Investigatory Powers Act Policy.
2. Recommends that the Governance and Audit Committee undertakes an annual review of the Council's Regulation of Investigatory Powers Act Policy.
3. Delegates authority to the Chief Executive to make any changes to the Policy following the externally facilitated training on RIPA scheduled to be held later this year if she deems that any element of the Policy could be strengthened, in consultation with the Cabinet Member for Corporate Governance and Licensing.

Alternative options considered and rejected

To retain the existing RIPA policy.

To have suggested any further amendments to the RIPA policy.

Reasons for decision

The revised RIPA Policy ensured that the Council was compliant with the requirements of the Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016. The Regulation of Investigatory Powers Act 2000 (RIPA) enabled Local Authorities to carry out certain types of surveillance activity, as long as specified procedures were followed. The information obtained as a result of surveillance operations would be relied upon in court proceedings providing RIPA was complied with. Such activity can include:

- Directed Surveillance (covert surveillance conducted as part of a specific investigation likely to result in obtaining private information about an individual or individuals).
- Use of Covert Human Intelligence Sources (CHIS) (a person who maintains a personal or other relationship with a person for the covert purpose of

obtaining or gaining access to information).

There were certain legal procedures that needed to be followed, and these were contained within the Policy. The Policy had been used once in the previous three years.

There was a requirement to publish the Policy.

84. Community Engagement and Development Strategy 2024-2027

Purpose of report

To consider a recommendation made by the Rural and Communities Overview and Scrutiny Committee that the draft Community Engagement and Development Strategy – Our People, Our Place (2024 – 2027) be formally adopted along with its accompanying draft Action Plan.

Decision

That Cabinet:

1. Approves the adoption of the Community Engagement and Development Strategy (2024 to 2027) to underpin the corporate priority of Connecting Communities.
2. Endorses a six-monthly update is provided to Rural and Communities Overview and Scrutiny Committee detailing progress and delivery of the Action Plan which accompanies the Community Engagement and Development Strategy.

Alternative options considered and rejected

Within its Corporate Plan, the Council had set out its ambition for *connecting communities*. The development of this strategy contributed strongly to this ambition. Therefore, the other options were discounted.

Reasons for decision

At the meeting of Rural and Communities Overview and Scrutiny Committee held on 16 March 2023, Members considered a report outlining a proposal to develop a Community Engagement and Development Strategy. Members of the Committee endorsed the commencement of the community consultation and the subsequent development of a strategy for the District. At its meeting of 14 December 2023, Members of Rural and Communities Overview and Scrutiny Committee were presented with a further report detailing the work undertaken to develop the draft Community Engagement and Development Strategy – Our People, Our Place and its Action Plan. Following debate, a recommendation to Cabinet was made that the Strategy should be formally adopted.

Members of the Culture and Leisure Overview and Scrutiny Committee have agreed to receive six monthly updates on the progress and delivery of the Action Plan contained within the draft Cultural Strategy.

The following points were highlighted during debate:

- Effective community engagement through consultation allowed the Council to tap into expertise of the residents, as well as highlighting challenges and opportunities within the district for different groups.
- It was essential to work closely with communities through consultation and engagement.

85. South Kesteven District Council Anti-Social Behaviour Policy (Landlord Services)

Purpose of report

The Policy addressed how the Council would manage any anti-social behaviour of the occupants of Council owned housing stock. This Policy was recommended by the Housing Overview & Scrutiny meeting held on 22 January 2024.

Decision

That Cabinet:

1. Notes the contents of the report, policy and appendices.
2. Approves the Anti-Social Behaviour Policy.

Alternative options considered and rejected

The Council considered managing Anti-Social Behaviour (ASB) in line with the Lincolnshire wide ASB policy only. However, the Regulator of Social Housing required the Council to have a local ASB policy specific to the South Kesteven area.

Reasons for decision

The Council could clearly demonstrate how it managed ASB in South Kesteven within its stock of 6000 Council houses. ASB covered neighbourhood disputes and car parking, amongst other areas.

The new Policy set out how to tackle the causes and impact of ASB, improve public perception, support victims, and the promotion of health and wellbeing of residents. It also outlined powers the Council had available, such as acceptable behaviour contacts and criminal behaviour injunctions.

Levels of ASB within the housing stock were low when compared to other areas. However, residents could be assured that all would be done to ensure the District was a safe place to work, live and visit.

Residents were encouraged to report ASB where it was occurring.

Officers were commended for their work in this area, especially in light of the loss of many PSPOs in the District.

86. Total Housing Compliance Policy

Purpose of report

To inform the Cabinet of the new Total Housing Compliance Policy which set a framework for the monitoring of key consumer standards. In addition, it set out to advise Cabinet members on key responsibilities and the process of achieving compliance with the standards and regulations.

Decision

That Cabinet approves the adoption of the Policy as recommended by the Housing Overview and Scrutiny Committee meeting of 22 January 2024.

Alternative options considered and rejected

To do nothing – this was discounted.

Reasons for decision

The clarity provided by The Housing Repairs and Maintenance Policy enabled staff working in the service to make operational decisions efficiently and consistently. This in turn provided greater transparency and understanding for tenants of the standards and activities the repairs and maintenance service would deliver.

The Council was released from national special measures for Housing in Autumn 2023, and the Total Housing Compliance Policy was a vital tool for setting out the way in which the Council would remain legally compliant.

An audit made recommendations in relation to the implementation of key policies regarding compliance activity. This Policy incorporated previous guidelines and management protocols into one document managed by best practice and current legislation. Risks such as asbestos, fire, water hygiene and radon were touched on by this Policy.

87. Tenancy and Estate Management Policy

Purpose of report

The purpose of the Tenancy Management Policy was to outline the circumstances in which changes to a tenancy may happen and any possession action which could be

taken, why this could happen and the tenancy support which would be offered.

The purpose of the Estate Management Policy was to set out the approach to the delivery and management of estate services to internal and external communal areas.

Decision

That Cabinet:

1. Notes the content of the report, policies and appendices.
2. Approves the Tenancy and Estate Management Policy for adoption.

Alternative options considered and rejected

The alternative option would have been to not have these policies. However, in order to meet the Regulator of Social Housing standards; how we manage tenancies and our estates are set out within the policies.

Reasons for decision

The policies provided clarity on how the operational services were provided.

The Council had a duty to its tenants as their landlord, but tenants also had a responsibility to actively manage their tenancy so that the Council did not need to resort to measures such as eviction proceedings.

The Policy also set out the approach to the delivery and management of estate services to both internal and external communal areas of the Council's housing stocks. It was an aid in ensuring clean, green and safe environments.

Consultation had taken place with tenants, through workshops and other means. Feedback had been taken into account within the final version of the Policy.

Thanks were given to the Chairman and Vice-Chairman of the Housing Overview and Scrutiny Committee for their work in this area, along with the officers involved in the formulation of the Policy.

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

Decisions taken since the previous meeting of Cabinet on 18 January 2024 were noted.

89. Cabinet's Forward Plan

The Cabinet Forward Plan was noted.

90. Exclusion of the Public and Press

Under Section 100(a)(4) of the Local Government Act 1972, the press and public were excluded from the meeting on the grounds that if they were present, exempt information could be disclosed to them as defined in paragraph 3 of Schedule 12A of the Act.

91. Swimming Pool Support Fund (Phase Two - Capital)

Purpose of report

To consider the next steps as detailed within the report.

Decision

The recommendations within the exempt report were **AGREED**.

Alternative options considered and rejected

These were detailed within the report.

Reasons for decision

The reasons for the decision were set out within the exempt report.

The meeting closed at 3:12pm.



**SOUTH
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Cabinet

12 March 2024


Councillor Phil Dilks

Cabinet Member-Housing & Planning

Contract Award Earlesfield Refurbishment Project

Report Author

Nick Thacker – Interim Head of Service, Housing Technical Services

 nick.thacker@southkesteven.gov.uk

Purpose of Report

To seek approval to enter into a contract with United Living to complete the works associated with the Earlesfield Refurbishment Project. The contract will be awarded via the Fusion 21 Framework for a period of 12 months commencing 1 April 2024.

Recommendations

It is recommended that Cabinet:

- 1. Approve the award of a contract to United Living to complete the works associated with the Earlesfield Project for a period of 12 months with a contract value of £2.4m.**

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?	Housing that meets the needs of all residents Healthy and strong communities
Which wards are impacted?	Grantham only.

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

- 1.1 The cost of these works will be met from the approved budget for the HRA capital programme.

Reviewed/Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Procurement

- 1.2 It is confirmed that a fully compliant procurement process has been completed and the Council's Procurement Lead has been consulted throughout the process.

Completed by: Helen Baldwin, Procurement Lead

Legal and Governance

- 1.3 There are no significant legal and governance risks arising from the report which are not already reflected elsewhere in the report, particularly in relation to procurement and compliance with the Council's Contract Procedure Rules.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Risk and Mitigation

- 1.4 Any risks will be monitored as part of the contract management process.

Completed by: Tracey Elliott, Governance and Risk Officer

Health and Safety

- 1.5 As part of the tender documentation, a comprehensive Pre-Construction Information document was provided for the contractor to consider the aspects of health & safety associated with the works.
- 1.6 When the contract is awarded to the successful bidder, a Construction Phase Plan will be requested/provided by the Principal Contractor, and this will detail how all the health & safety risks associated with the construction phase will be implemented to minimise the risks where possible or eliminate them.

Completed by: Phil Swinton, Emergency Planning and Health and Safety Lead

2. Background to the Report

- 2.1 The Council has a clear commitment in its Corporate Plan 2024-2027 to ensure that all residents can access housing which is safe, good quality, sustainable and suitable for their needs and future generations.
- 2.2 The purpose of this report is to seek approval to enter into a contract with United Living for the completion of the refurbishment works in the properties identified on the Earlesfield Estate. The contract will be a direct award through the Fusion 21 Framework and will be for a period of 12 months.
- 2.3 The current contract with United Living will end on 31 March 2024 and be superseded by this contract as the current scope of works no longer meets the Council's requirements for this project.
- 2.4 Awarding the contract to United Living will ensure continuity of service as they have an existing network of contractors in the area, and they are familiar with the removal and refurbishment process. A revised scope of works has been agreed as part of the contract renewal which clearly defines the responsibilities of the contractor and the council.

- 2.5 The initial project identified 119 properties requiring refurbishment works and it is anticipated that works will have been completed on 45 properties by 31 March 2024.
- 2.6 The identified properties contain asbestos materials which can lead to significant issues when completing repairs and refurbishment works. As part of this project all asbestos materials will be removed which will mean that dwellings are safe for the residents and the refurbishments works that are being completed will mean that the properties will not require improvement works for a considerable amount of time.

3. Key Considerations

- 3.1 That the existing dwellings have asbestos materials located within them which could potentially pose a risk to the residents and contractors completing works on the properties.
- 3.2 Refurbishment and repair works have become increasingly difficult due to the presence of the asbestos materials and as such improvement works have been challenging to complete. Typically, this has resulted with the tenant needing to be moved out of their home to allow for works to be completed safely or works being left until the property becomes void.

4. Other Options Considered

- 4.1 The Council could go out to formal tender for the contract, but this would delay the completion of the works on the properties.

5. Reasons for the Recommendations

- 5.1 The direct award to the contractor through the Fusion 21 Framework is a compliant procurement route and is the most expedient way to continue with the asbestos removal and refurbishment works that the contractor has already commenced with. This will minimise disruption to the tenants and ensure that the project is completed. The contractor has an existing network of contractors in the area, and they are familiar with the removal and refurbishment process.

6. Consultation

- 6.1 Both the Council and the contractor are engaging with the residents who are affected by the works on a frequent basis to ensure they are kept informed on the progress of the works.



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Cabinet

Tuesday, 12 March 2024

Report of Councillor Richard Cleaver,
Deputy Leader of the Council

Contract award for the upgrade of the CCTV network and to enable Connected Towns

Report Author

Alison Hall-Wright, Deputy Director (Finance and ICT) and Deputy Section 151 Officer



alison.hall-wright@southkesteven.gov.uk

Purpose of Report

To approve the use of the Crown Commercial Framework RM6116 Network Services 3 Framework to award the contract to upgrade the Council's CCTV network and support the UKSPF 'Connected Towns' project.

Recommendations

That Cabinet:

1. Approve the award of the contract to British Telecom PLC for the upgrade of the Council's CCTV Camera Network, provision of wireless hubs and the annual repairs and maintenance of the network for a period of 5 years.

Decision Information	
Is this a Key Decision?	Yes.
Does the report contain any exempt or confidential information not for publication?	Yes – Appendix 1 is exempt under Section 100(a)(4) of the Local Government Act 1972; paragraph 3 of Schedule 12A of the Act. The press and public may be excluded from the meeting during consideration of Appendix 1, on the grounds that if they were to be present, exempt information could be disclosed to them.
What are the relevant corporate priorities?	Effective council

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

- 1.1 The cost of the upgrade of the existing analogue network and public Wi-fi will be met from the UKSPF allocation. The upgrade of the cameras will be met from the approved capital budget and £15k will be allocated from the property maintenance reserve as the relocation of the control room to the police station will reduce ongoing maintenance costs.
- 1.2 The revenue budget includes £70k for the repair and maintenance of the CCTV network, savings will be identified in the 2024/25 General Fund Budget to meet the budget shortfall of £52k. This is referenced at section 2.12 of the report.

Completed by: Richard Wyles, Deputy Chief Executive and s151 Officer

Procurement

- 1.3 The Crown Commercial Service Framework is fully compliant with UK Public Procurement Regulations. Call-off from the Framework must be undertaken in accordance with the Council's own Procurement Regulations.

Completed by: Helen Baldwin, Procurement Lead

Legal and Governance

- 1.4 There are no significant legal and governance risks arising from the report which are not already reflected elsewhere in the report, particularly in relation to procurement and compliance with the Council's Contract Procedure Rules.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Risk and Mitigation

- 1.5 Any risks will be monitored as part of the contract management process.

2. Background to the Report

- 2.1 British Telecom PLC currently provides the Council's CCTV analogue network infrastructure which delivers CCTV coverage across the town centres in Grantham, Stamford, Bourne and Market Deeping.
- 2.2 The 2023/24 Capital programme includes a budget allocation of £597k for the upgrade of the CCTV network and connected Towns Project. The commencement of the project has been delayed due to BT reviewing their pricing structure in 2023 which impacted on the timeline for the provision of a quote. The project has also been delayed due to the decision by Openreach to retire the connectivity they currently provide for the CCTV network so an alternative connectivity option had to be identified.
- 2.3 As part of the upgrade of the CCTV network the Control Room will be relocated to the Grantham Police Station Headquarters which was approved by Cabinet on 11 September 2023. The Council is required to enter into a lease with the police for a period of 20 years for a peppercorn rent and it has been agreed that the annual service charge will be waived. Legal Services Lincolnshire are currently finalising the lease agreement with the Police.
- 2.4 The relocation of the control room to the Grantham Police Station Headquarters will bring a number of benefits including:
- Increased partnership working with the Police
 - 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

- 2.5 BT will upgrade the existing analogue network to Internet Protocol (IP) ethernet connectivity and 47 analogue CCTV cameras will be replaced with High Definition (HD) IP cameras, providing IP connectivity between the HD IP cameras across the network and the CCTV control room and “future proofing” the service when the analogue network is withdrawn.
- 2.6 The control room equipment will be upgraded which includes the supply of a new Milestone Video Management System Platform, 3 new workstations and video wall machines which includes connection of up to 150 cameras.
- 2.7 The upgrade includes free-to-access public Wi-Fi through the IP fibre network which will help to position the Council as an enabler, supporting digital inclusion. The access points will connect directly to the BT network so prior to installation of the points a detailed survey and design document will be produced for the Council which will ensure that we have a clear understanding of the wireless coverage that will be provided.
- 2.8 In the future, the Wi-Fi could be used to support other new services which complement the existing CCTV network, such as mobile deployable cameras and ‘smart place’ operations through internet connected sensors, for example, footfall monitoring.
- 2.9 It is proposed that the contract will be awarded to British Telecommunications PLC via a direct award of the Crown Commercial Service RM6116 Network Services 3 Framework.
- 2.10 The project and subsequent contract will consist of two elements using funding from the UK Shared Prosperity Fund (UKSPF) (upgrade of analogue network and Wi-Fi) and existing capital allocation to replace the analogue CCTV cameras with HD IP cameras.
- 2.11 The total cost of the project is £612k of which £244k will be funded from the UKSPF and there is a £353k approved allocation in the 2023/24 Capital programme. The budget shortfall of £15k will be funded from the property maintenance reserve.
- 2.12 BT will provide an annual repairs and maintenance service to the council for a period of 5 years for the IP network, replacement cameras, VMS platform and Wi-Fi access points for an annual cost of £122k, the proposed budget for 2024/25 is £70k so there is a budget shortfall of £52k.
- 2.13 The contract will be awarded to BT following approval and it is anticipated that the project will commence during March 2024 and will take a period of 4-6 months to complete.

3. Key Considerations

- 3.1 The key considerations are contained in this report.

4 Other Options Considered

- 4.1 The Council could go directly out to market, however, the existing network is currently provided by British Telecom PLC and switching supplier is not expected to deliver any benefit. It is not anticipated that going out directly to market would provide any preferential arrangement due to the economies of scale offered by the framework.

5. Reasons for the Recommendations

- 5.1 To ensure that the Council's CCTV network is upgraded, the quality of the CCTV imagery will be improved, the new control room location will improve the partnership working with the police who will benefit from a reduced timeline to review CCTV footage and to enable the installation of free-to-access public Wi-Fi.

6. Appendices

- 6.1 Appendix 1 - South Kesteven District Council CCTV Technical Solution Proposal (restricted)

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

Document is Restricted

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Cabinet


12 March 2024

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

Lincolnshire Discretionary Housing Financial Assistance Policy

Report Author

Tom Amblin-Lightowler, Environmental Health Manager – Environmental Protection & Private Sector Housing

 tom.amblin-lightowler@southkesteven.gov.uk

Purpose of Report

The Council currently provides discretionary disabled facility grants (DFG) for adaptations to private residential dwellings within the district, in addition to its mandatory DFGs requirement. The Council is required to publish a policy if it provides discretionary DFGs and the existing Private Sector Housing Assistance Policy is out of date and due for review. The report provides the updated policy for consideration.

Recommendations

That Cabinet:

1. Approves the Lincolnshire Discretionary Housing Financial Assistance Policy be adopted and published.

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 Wards)

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

- 1.1 The costs associated with implementing the policy will be met from the Disabled Facilities Grant which the Council currently receives on an annual basis.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no significant legal or governance implications which are not already referenced in the body of the report.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Diversity and Inclusion

- 1.3 Disabled facilities grants are awarded to support the continued independent living of persons with disabilities. The policy which provides the framework for the award of DFGs has been the subject of an Equality Impact Assessment which is provided along with this report.

Completed by Carol Drury, Community Engagement Manager

2. Background to the Report

- 2.1 The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on local housing authorities to provide grant assistance to qualifying disabled people to undertake a range of adaptations to their homes. The grant is subject to a means test (except in the case of children) and works must be eligible as defined by the Act and Regulations. The maximum grant available is £30,000.
- 2.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (“the RRO”) gives local authorities the power to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in the local authority area provided this is given in accordance with a published policy.
- 2.3 Grants are funded from the Better Care Fund which is a larger pot of money that each Council is awarded a portion of based upon a calculation done by the Department for Levelling up, Housing and Communities (DLUHC). This financial year (2023/24) the amount provided to South Kesteven District Council (SKDC) was £1,060,000.
- 2.4 In order for the Council to provide such discretionary assistance from this grant funding a policy must be published. The current policy was published in 2019 and needs updating in order to be fit for purpose.
- 2.5 The current policy was an SKDC policy only and is due for review, as part of that a larger piece of work was undertaken within Lincolnshire to create a county wide discretionary grants policy that removed the postcode variation of the amounts and types of grants offered between districts. This was produced by the Lincolnshire Health and Accessible Homes Group made up of representatives from all districts and relevant individuals from Lincolnshire County Council. This policy is referred to as;
- Lincolnshire Discretionary Housing Financial Assistance Policy
- 2.6 The main differences to the current policy can be summarised as follows:
- i. Increase on the amount on the maximum discretionary funding for individual grant applications.
 - ii. The introduction of a Discretionary Funding Panel within the Council to consider cases that have an increased amount beyond the base level grant funding available set within each of the policies.
 - iii. Minor amendments to operational procedures to remedy issues that have arisen within the existing policy.
- 2.7 Both proposed policies remedy the current constraints within the existing policy around the cap on grants, where on occasion given the rising costs associated with some works, applicants have had to fund large amounts above the grant maximum and often where they are not easily able to do so.

- 2.8 The draft Local Private Sector Housing Assistance Policy has the following proposed changes to the existing policy:
- i. the maximum funding value has been removed;
 - ii. the Disabled Adaption Assistance (and Stair Lifts) and Modular Ramps grant products have both increased to £10,000 nominal figure, which is an increase of £2,000 and £3,000 respectively.
 - iii. The maximum funding amount has been replaced with a normal working limit and if a grant exceeds these it will be referred to a discretionary funding panel to consider each grant above the normal working limit for approval.
 - iv. The operational change is to allow the discretionary grant funding to be used to cover as applicants assessed contribution following a means test, however this is only in cases where the applicant would be put into financial hardship if required to pay the contribution element.
 - v. The current and proposed local policy intends to keep the current land charge arrangements. There are two arrangements depending upon the grant product, both land charge elements are that the grant amount is attached for a period of 10 years only, with one of those charge types decreasing by 10% each year.
- 2.9 The draft Lincolnshire Discretionary Housing Financial Assistance Policy has been designed to remove the variation in grant awards and amounts across Lincolnshire. The main policy can be summarised as:
- i. providing grant funding for discretionary grants up to £15,000 which covers a variety of grant products;
 - ii. introduces the discretionary funding panels for grants exceeding this value.
 - iii. this policy has an explanatory note that accompanies it to account for some variation in delivery of such grants, South Kesteven District Council currently do not means test for stair lifts and modular ramps. This policy seeks to not alter this and allow for this to continue not in line with other districts.
 - iv. the main difference to the local policy relates to the Land Charge element, for the draft Lincolnshire Policy, where a grant is awarded a land charge maybe placed against the property to allow for the recovery of the grant on the sale of a property.
 - v. the Lincolnshire policy differs in that any grant exceeding £1000 where value is added to the property the land charge for the full amount of the grant will be attached indefinitely until such time as it is paid in full.

3. Key Considerations

- 3.1 The draft Local Private Sector Housing Assistance Policy is a working document that assists the Private Sector Housing Team carry out the award and delivery of DFG's to the residents within the district who require such adaptations.
- 3.2 Cabinet is requested to approves the Lincolnshire Discretionary Housing Financial Assistance Policy be for adoption and publication.

4. Other Options Considered

- 4.1 The other option considered is to not update the policy and continue within the existing Private Sector Housing Assistance Policy 2019

5. Reasons for the Recommendations

- 5.1 The current policy is out of date and requires review. The proposed policy meets the local requirements whilst ensuring consistent delivery across the county.

6. Consultation

- 6.1 There is no statutory requirements for a consultation on the proposed policy and no consultation is proposed. The policy is merely a document that pulls together the legislative requirements around the delivery of discretionary grants and provides the parameters in which such grants will be offered.
- 6.2 The policy along with a local variant were put to Rural Overview and Scrutiny on 1 February 2024, it was recommended at this meeting to take the proposed policy to Cabinet for approval rather than the local variant.

7. Appendices

- 7.1 Appendix A: Proposed Lincolnshire Discretionary Housing Financial Assistance Policy
- 7.2 Appendix B: Explanatory notes to Lincolnshire Discretionary Housing Financial Assistance Policy
- 7.3 Appendix C: Equality Impact Assessment.

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Lincolnshire Discretionary Housing Financial Assistance Policy

Policy overview

Discretionary Housing Financial Assistance (DHFA) may be awarded to assist people to live independently in their homes and communities where a person's needs cannot be met through a mandatory grant, as the assistance required is not within its scope or where extenuating circumstances necessitate.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 allows Local Housing Authorities to directly or indirectly provide assistance, provided a policy is adopted and published setting out how it intends to use this general power to give assistance.

Title	Lincolnshire Discretionary Housing Financial Assistance Policy
Version	Draft v.7.4
Owner	
Attachments	1. Lincolnshire Discretionary Housing Financial Assistance Policy Explanatory Notes
Approved by	
Review date	

Lincolnshire Discretionary Housing Financial Assistance Policy

1. Introduction

- 1.1. This policy takes into account relevant legislation relating to administering grants to improve housing standards. It also considers the duties imposed on the public sector relating to equalities, ensuring that each case is considered on individual circumstances and needs.
- 1.2. The policy has been developed to ensure that the council is working towards the health and wellbeing priorities identified within its own corporate plans and strategies as well as those supported across Lincolnshire. These include the Joint Health and Wellbeing Strategy and the Lincolnshire Homes for Independence Blueprint, with actions being delivered through the Housing, Health and Care Delivery Group and its subgroups.
- 1.3. The Joint Strategic Needs Assessment (JSNA) for Lincolnshire, which assesses the current and future health, care and wellbeing needs of the local community to inform local decision making, has two topics that are particularly relevant for this policy – ‘Unsuitable Homes’ and ‘Poor Condition Housing’.
- 1.4. Amongst other information, these identify:
 - Lincolnshire has a population that is ageing above the national average and areas that are in the top 10% of the most deprived in the country.
 - Across Lincolnshire, the total population aged 65 and over with a limiting long-term illness whose day-to-day activities are limited is projected to increase from an estimated 87,539 in 2019 to an estimated 120,655 in 2035.
 - 18% of private sector stock in the county is estimated to have a serious (Category 1) hazard under the Housing Health and Safety Rating System (HHSRS).
 - 17% of the private sector stock in the county is estimated to be occupied by low-income households.

2. Policy objective

- 2.1. To assist people who are unable to help themselves to live independently in their homes and communities for as long as possible.
- 2.2. Where a person's needs cannot be met through a mandatory Disabled Facilities Grant (DFG), as the assistance required is not within its scope or where extenuating circumstances necessitate, Discretionary Housing Financial Assistance (DHFA) may be awarded. The assistance will be subject to eligibility and provided for a range of purposes that support the national Better Care Agenda and reduces hospital admissions.
- 2.3. The range of purposes includes, but is not limited to:
 - helping an applicant to move to a suitable home (relocation)
 - topping up mandatory Disabled Facilities Grants
 - helping reduce delayed transfers of care (DTOC), e.g. priority works needed to facilitate hospital discharge

- helping people stay safe, warm and well
 - provide aids and adaptations for people with specific conditions e.g. dementia, learning disabilities, neurodiversity and sensory impairments
 - Assisting with an applicant's contribution to a mandatory grant
- 2.4. For the purpose of improving living conditions in their area, in accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, the Local Housing Authority may also directly or indirectly provide assistance in any form to acquire, adapt, repair, improve, demolish or construct housing accommodation subject to the appropriate approvals.

3. Council awards and allocations

- 3.1. Councils are under no obligation to award Discretionary Housing Financial Assistance, however, subject to the availability of funding Local Housing Authorities may award assistance on a case by case basis with authorised officers able to approve up to £15,000.
- 3.2. Assistance over this value may be awarded in accordance with the Councils agreed panel approach or in line with their appropriate scheme of delegation as set out in the attached 'Discretionary Housing Financial Assistance Policy - Explanatory Notes (**Explanatory Notes**)'. The availability of other potential funding streams will be taken into account as part of this process.
- 3.3. The capital resources available for discretionary housing financial assistance will vary depending on the amount of funding allocated to the district councils from the Better Care Fund - a pooled budget between Lincolnshire County Council and the NHS Lincolnshire Integrated Care Board, received from the Department of Health and Social Care, and the Department for Levelling Up, Housing and Communities.
- 3.4. The amount passed to each district council by Lincolnshire County Council varies and is set by national government using a prescribed allocation methodology. Each district council will then internally budget for anticipated mandatory DFGs before considering discretionary housing assistance.

4. Eligibility

- 4.1. **Person** - To be eligible for assistance an application must be supported in writing by one of the following:
- Occupational Therapist or Community Care Officer
 - GP or medical professional e.g. Practice Nurse
 - Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
 - Professional from another appropriate organisation (see Explanatory Notes)
- 4.1.1. The referral must set out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required.

- 4.2. **Property** - To qualify for assistance the following must apply in relation to the property (except for assistance towards relocation costs, when not all will be applicable):
- The property must be, or is going to be, the primary or sole residence of the eligible person and, depending on the nature of the works, they must intend to reside in it for as long as reasonably practicable. The exception to this is where a parent has legally agreed periods of custody over a disabled child.
 - The owner of the property must give their consent for the required works. Assistance for works to rented properties will only be undertaken where the responsibility for the work does not rest with the landlord e.g. DTOC
 - The property must be reasonably and practicably capable of being adapted or improved to meet the needs of the person, having regard to the age and condition of the dwelling.
 - The property must be located within the council area where the application is being made.

- 4.3. **Financial** - To be eligible for Discretionary Housing Financial Assistance, the following criteria will be applied:

If you or your partner are in receipt of any of the following benefits, subject to meeting the other eligibility criteria, you are eligible for DHFA without further financial assessment:

- Universal Credit
- Income Support
- Income- Related Employment and support allowance (not contribution based)
- Income related Job seekers allowance (not contribution based)
- Guarantee Pension Credit
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credit assessment is below £15,050)
- Housing Benefit

- 4.3.1. If you are not in receipt of any of the above benefits, and depending on any local Council variations to this policy (see Explanatory Notes) a financial assessment (based on the mandatory DFG means test) will determine if you are eligible for DHFA, or if you need to make a financial contribution towards the cost of the required works. For the avoidance of doubt, this includes applications relating to disabled facilities for children.
- 4.3.2. The allowances within the financial assessment may be adjusted to take into account inflation depending on the applicant's circumstances i.e. amount of savings and or income, at the discretion of the council.
- 4.3.3. In exceptional circumstances (such as cases of end of life care), subject to the provision of appropriate supporting evidence (see Explanatory notes), the Local Authority may waive the financial assessment in order to expedite works up to the value of £8,000.

5. Financial assessment

- 5.1. The income and savings of couples, whether married or not will be included in the financial assessment, along with that of all other adults residing in the property (if

applicable). However, if there is clear evidence that other household members such as adult children or the applicant's parents, are already contributing appropriately to the household finances e.g. paying board and lodgings, this may be taken into account as income. Each case will be considered on its circumstances.

- 5.2. Any equity in the property you own and live in will be discounted along with a standard £6,000 in savings. Second homes will be included as capital or income depending on the circumstances. Households with an individual or combined income over £30,000 will not qualify for Discretionary Housing Financial Assistance unless evidence of exceptional circumstances is provided sufficient to satisfy a council's panel decision or applicable scheme of delegation. Households assessed as being able to make a contribution may, depending on the specific circumstances, be assisted by any appropriate means in accordance with the Regulatory Reform (Housing Assistance) Order 2002 e.g. payment scheme or discretionary interest free loan, in order to meet that contribution.

6. Local Land Charges

- 6.1. Where the council provides Discretionary Housing Financial Assistance of more than £1000 and the works are considered likely to increase the value of the property (see Explanatory Notes), a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. However, where the DHFA is linked to the top up of a mandatory DFG, the **full value** of the DHFA (excluding any amount awarded under the mandatory DFG) will be registered and recoverable as a Local Land Charge.

7. Warranties

- 7.1. The council is not responsible for any ongoing maintenance or repair relating to grant funded works, although there is normally an initial defects liability period, which is the responsibility of the contractor who undertook the works. Unless it has been agreed that it is included in the grant, it is the applicants responsibility to ensure that any extended / manufacturers warranties are applied for.

8. Other important information

- 8.1. Only one discretionary grant can be applied for in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach. Further details can be found within the attached Explanatory Notes.
- 8.2. While there are no statutory or regulatory timescales that apply, professional recommendations relating to urgency will be considered alongside the specific circumstances of the case and the council will use its best endeavours to make decisions on discretionary assistance as quickly as possible when provided with all the necessary information. Discretionary assistance works by their nature can be complex and time consuming, however we will strive to ensure that works are undertaken and completed as soon as practicable.

- 8.3. Works undertaken with Discretionary Housing Financial Assistance may affect any application for housing to the relevant councils Housing Register.
- 8.4. If applicants are dissatisfied with the service they receive or do not believe all relevant information has been taken into account, and are unable to resolve directly with the departmental service, they may use the complaints process for the council they are applying to for assistance.

9. General Conditions of Assistance

- 9.1. The term assistance means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement and adaptation. This may include a grant, an improvement scheme in which people are invited to participate, a loan of other form of financial assistance, whether provided directly or indirectly. Condition means any condition(s) attached to the assistance
- 9.2. Where stated, any financial assistance and any related conditions will be secured as a legal charge against the property (in the case of disabled facilities grants this would not apply to the tenant of a registered housing provider).
- 9.3. Any charge will not be removed until either all the conditions expire or until the assistance is repaid, together with any interest or additional charges apply. A breach of any conditions could also see the Council using existing powers and remedies to enforce the charge and secure payment of any amount due.
- 9.4. A charge against the property is binding on any person who is for the time being an owner of the premises concerned. Where any condition(s) is in force the Council may require the person responsible to provide any information to satisfy the Council that the condition(s) is being complied with. Failure to comply with a request for information within a reasonable time period and in the form required by the Council will be deemed a breach in itself and thus any assistance must be repaid to the Council. It is the responsibility of the person responsible to prove the condition is being complied with to the Council's satisfaction. Failure to do so will be treated as a failure to comply with the condition. The Council does not therefore have the burden of having to prove that any condition is not being complied with.
- 9.5. No applications for financial assistance will be considered where the relevant work has been started or completed. The approval of assistance does not imply or give the Council's approval of any other consents that might be required. e.g. planning permission or building regulations. It is the responsibility of the applicant to obtain any consents that are required.
- 9.6. Conditions will generally be enforced in all cases. Any money repaid or recovered will be recycled into the Council's capital programme for private sector housing renewal.

10. Delegations

- 10.1. As with any policy, over time parts of this document may become outdated as a result of amendments to legislation, financial constraint and the influence of other strategic policy documents produced by the Council, Government or other national authorities. Thus it is essential that it is kept under regular review and updated when necessary and appropriate, therefore:

- i. Relevant Senior Housing Managers have delegated authority to make minor and inconsequential changes to the policy in consultation with the Members/Committee with responsibility for Housing if agreed on a countywide basis. Variations will not make changes to the policy that substantively change the purpose of the policy.
- ii. Relevant Senior Housing Managers have delegated authority to make amendments to the Explanatory Notes in consultation with the relevant Member/Committee with responsibility for Housing. This delegation will not be used to make amendments to the Explanatory Notes that impact other districts, unless agreed on a countywide basis.
- iii. Chief Executive Officers have delegated authority to suspend the awarding of any discretionary assistance under this policy in consultation with the relevant Senior Housing Manager and Member/Committee with responsibility for Housing.

How to access the Assistance

Please contact the relevant Local Authority as set out below for further information or an application form.

Authority	Contact (for referrals other than through Mosaic)
Boston Borough Council	DFG@boston.gov.uk Tel: 01205 314563 for enquiries
City of Lincoln Council	housing.privatesector@lincoln.gov.uk
East Lindsey District Council	Grants.Admin@e-lindsey.gov.uk
South Holland District Council	privatehousing@sholland.gov.uk
North Kesteven District Council	housingrenewal@n-kesteven.gov.uk
South Kesteven District Council	dfg@southkesteven.gov.uk Tel: 01476 406080 for enquiries
West Lindsey District Council	dfg@west-lindsey.gov.uk Tel: 01427 676676 for enquiries

Further advice in relation to housing assistance, including financial advice can be found from:

- The council's website
- Citizens Advice
- Shelter
- Gov.uk

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Lincolnshire Discretionary Housing Financial Assistance Policy - Explanatory Notes

These notes sit alongside the Lincolnshire Discretionary Housing Financial Assistance Policy and provide additional information where considered appropriate, to support all parties to fairly and consistently apply the policy so that it may effectively meet its objectives.

These notes are by no means comprehensive as the intention of the policy is to allow each case to be considered on its own merits depending on the specific circumstances so that assistance may be provided when reasonable and appropriate.

Range of purposes

Further information is contained within the table below on the range of purposes Discretionary Housing Financial Assistance (DHFA) may, subject to eligibility, be used for. However any justifiable, appropriate and reasonable case will be considered.

Applications must be supported in writing by an appropriate professional (see who can support an application / make a referral) setting out the type and details of housing assistance they believe the person requires and the reasons they consider the assistance is required

Purpose	Eligible costs	Who can refer?
Relocation Grant – It may be considered appropriate to assist an eligible DFG applicant to move to a suitable home where: <ul style="list-style-type: none"> • their current home is not suitable for adaptation, or • their landlord refuses to allow the property to be adapted, or • an owner occupier is in financial difficulty and needs to move to a suitable affordable home. 	Reasonable legal, estate agents fees and removal costs.	<ul style="list-style-type: none"> • Local Housing Authority • Occupational Therapist or Community Care Officer
Topping up a mandatory Disabled Facilities Grant	Eligible costs above the mandatory DFG maximum.	<ul style="list-style-type: none"> • Local Housing Authority
Helping reduce delayed transfers of care (DTC)	The cost of reasonable necessary and appropriate works to the patient's home in order to facilitate their safe discharge from hospital.	<ul style="list-style-type: none"> • Occupational Therapist or Community Care Officer • GP or medical professional

		<ul style="list-style-type: none"> • Hospital Housing Link Worker
Helping people stay safe, warm and well	The cost of remedial works to address a Housing Health and Safety Rating System Hazard or other potential risk e.g. hoarding clearance, following assessment by a qualified Local Authority Officer or other appropriate information and evidence	<ul style="list-style-type: none"> • Local Authority Officer • Occupational Therapist or Community Care Officer • GP or medical professional • Professional from another appropriate organisation.
Providing aids and adaptations to support those with conditions such as dementia, learning difficulties, neurodiversity and sensory impairments to live safely in their homes	The cost of appropriate aids and adaptations in line with national guidance. This may include assistive technology where absolutely necessary and appropriate and no other funding source should be providing.	<ul style="list-style-type: none"> • Occupational Therapist or Community Care Officer • GP or medical professional • Hospital Housing Link Worker • Local Authority Officer • Professional from another appropriate organisation
Assisting with an applicant's contribution to a mandatory grant	Reasonable assistance to meet calculated contribution amount in some circumstances	<ul style="list-style-type: none"> • Local Housing Authority

Professions and organisations who can support an application for DHFA

- Occupational Therapist or Community Care Officer
- GP or other medical professional e.g. Practice Nurse
- Local Authority Officer e.g. Housing or Environmental Health Officer, Wellbeing Lincs
- Professional from another appropriate organisations including but not limited to: Lincolnshire Police, Lincolnshire Fire and Rescue, voluntary sector or third sector organisation e.g. Citizens Advice, Age UK.....

Applications must be supported in writing setting out the type and details of housing assistance they believe the person requires and the reasons they consider the financial assistance is required. Contact details of the supporting / referring professional must be provided.

Panel approach

Approval of Discretionary Housing Financial Assistance over £15,000 will be made through a panel approach or in accordance with the Councils Scheme of Delegation, details of the approach for each council are:

Authority	Decision and delegation
Boston Borough Council	Approval may be given by the relevant Assistant Director, Deputy Chief Executive or Chief Executive who must secure consent from the relevant portfolio holder with a full audit trail of the circumstances and decision process.
City of Lincoln Council	Panel to be made up of: <ul style="list-style-type: none">• Private Sector housing Team Leader• Case officer• Referring body
East Lindsey District Council	Approval may be given by the relevant Assistant Director, Deputy Chief Executive or Chief Executive who must secure consent from the relevant portfolio holder with a full audit trail of the circumstances and decision process.
North Kesteven District Council	Decisions on applications will be made in accordance with the Council's Constitution and Scheme of Delegation
South Holland District Council	Approval may be given by the relevant Assistant Director, Deputy Chief Executive or Chief Executive who must secure consent from the relevant portfolio holder with a full audit trail of the circumstances and decision process.
South Kesteven District Council	Decisions on applications will be made in accordance with the Council's Financial Regulations as follows: <ul style="list-style-type: none">• Up to £15,000 - Team Leader• Up to £30,000 - Head of Service• Above £30,000 - Assistant Director
West Lindsey District Council	Panel to be made up of: <ul style="list-style-type: none">• Homes, Health and Wellbeing Team Manager• Senior Homes, health and Wellbeing Officer• Senior Homelessness Prevention officer• Referring body

On Discretionary housing financial assistance can be applied for once in each financial year unless exceptional circumstances can be evidenced to the satisfaction of the councils agreed panel approach.

These circumstances may include significant deterioration of the applicants/clients condition or a substantial and unforeseen deterioration in the properties condition e.g. due to a leak.

Local variations to the Financial Assessment set out within the policy (if any)

Authority	Detail of local variation
Boston Borough Council	None
City of Lincoln Council	All applicants for a discretionary grant up to the value of £15,000 will not be required to undertake a financial assessment of means. However, when 75% of the Council's Better Care Fund available budget has been committed discretionary grants will not be available until the next years funding has been received. In these instances, the Council does not undertake to maintain a waiting list.
East Lindsey District Council	None
North Kesteven District Council	No applicant is expected to pay the first £1,800.00 of an assessed contribution
South Holland District Council	None
South Kesteven District Council	A discretionary grant for a stair lift and/or modular access ramp is available to any disabled resident who meets the criteria for a Mandatory Disabled Facilities Grant. The maximum funding available is £7,000 per item. This grant is not subject to a financial assessment or repayment condition, but the application must be supported by a recommendation for the adaptation from a Lincolnshire County Council Occupational Therapist.
West Lindsey District Council	None

Waiver of financial assessment

In exceptional circuses (such as end of care), the following supporting evidence should be provided to support the waiver of the financial assessment in order to expedite works up to the value of £8,000:

- Letter from the GP, Consultant or other appropriate medical professional involved in the person's care.

Works considered likely to increase the value of a property

Where works are considered likely to increase the value of a property, a Local Land Charge will be registered to recover the funding when the property is sold or otherwise transferred. The following works are considered likely to increase the value of a property:

- Renewal or significant repair or replacement of extensive element/s of a property e.g. roof, electrics, heating system
- Works that would increase the habitable floor space of a property or significantly improve the facilities available e.g. DFG extension, conversion of a part of an existing property.
- Where Discretionary Housing Financial Assistance is linked to the top up of a mandatory Disabled Facility Grant, the **full value** of the DHFA will be registered and recoverable as a Local Land Charge.

Title	Lincolnshire Discretionary Housing Financial Assistance Policy – Explanatory Notes
Version	Draft v.1.4
Owner	
Attachments	Lincolnshire Discretionary Housing Financial Assistance Policy
Approved by	
Review date	

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Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	Private Sector Housing Assistance Policy April 2024/Lincolnshire Discretionary Housing Assistance Grants Policy
2. Summary of aims and objectives of the policy/funding activity/event	To enable the delivery of discretionary grant funding for the purposes of adapting properties for eligible residents to remain in their homes and carry out everyday tasks.
3. Who is affected by the policy/funding activity/event?	Residents of South Kesteven District Council who meet the eligibility of the grant products offered via the policy. In most cases that will be individuals who are either disabled or have vulnerabilities that require works within the property to enable them to carry out every day activities.
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.	No - policy has been developed in accordance with the relevant legislation and guidance around the use of such grant funding as provided by the Better Care Fund.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/funding activity/event?	Quarterly/annual monitoring of spend, and grants approved/completed that is returned to the relevant ministerial department.

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 <i>(The Action Log below should be completed to provide further detail)</i>
Age	Neutral	The grant funding is available to all ages, the main criteria relates to health and disabilities.	N/A
Disability	Positive	The grant funding provided within the policy is intended to assist individuals with disabilities by carrying out adaptations with properties to assist with completion of every day task, such as bathing, cooking and accessibility into and around the home.	N/A
Gender Reassignment	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Marriage and Civil Partnership	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A



Pregnancy and Maternity	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Race	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Religion or Belief	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Sex	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Sexual Orientation	Neutral	The policy has no direct implications to adversely effect individuals with the characteristic.	N/A
Other Factors requiring consideration			
Socio-Economic Impacts	Positive	The grant funding provided within the property is intended to assist those in the majority of cases that have been disadvantages due to their circumstances, where that be physical or financial.	N/A
Carers (those who provide unpaid care to a family member, friend or partner)	Neutral/positive	The policy has no direct implications to affect careers, it has the potential to benefit them through the delivery of works to assist with the caring needs of the individual being cared for.	N/A

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
N/A	N/A	N/A

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
N/A	N/A	N/A	N/A	N/A

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?	No – as detailed above the policy only seeks to assist those with some of the protected characteristics.	
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/No

Sign off

Name and job title of person completing this EIA	Tom Amblin-Lightowler – Environmental Health Manager, Environmental Protection & Private Sector Housing
Officer Responsible for implementing the policy/function etc	Tom Amblin-Lightowler – Environmental Health Manager, Environmental Protection & Private Sector Housing
Date Completed	12/1/24
Line Manager	Ayeisha Kirkham
Date Agreed (by line manager)	21/2/24
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
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COUNCIL**



Cabinet

12 March 2024

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

Private Sector Housing Houses of Multiple Occupation Licensing Policy

Report Author

Tom Amblin-Lightowler, Environmental Health Manager – Environmental Protection & Private Sector Housing



tom.amblin-lightowler@southkesteven.gov.uk

Purpose of Report

The Council is required to licence specified Houses of Multiple Occupation (HMO) under the Housing Act 2004. This has been a requirement since 2006 and is currently undertaken by the Private Sector Housing Team. There is no requirement to have a policy on the licensing of these HMO's, however the purpose of this report is to present a HMO Licensing Policy that is considered good practice and demonstrates how the Council performs this statutory requirement in a transparent and consistent manner.

Recommendations

That the Cabinet

1. Approves the Private Sector Housing Houses of Multiple Occupation Licensing Policy for adoption, and publishing.

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 Wards)

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

- 1.1 There are no financial implications associated with the adoption of this policy, the income received from Multiple Occupation licences is included in the General Fund budget

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no significant legal and governance arrangements arising from this report. The development and adoption of a policy is discretionary, but is considered good practice.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Human Resources

- 1.3 No additional staffing is required as the function is already undertaken within the existing team structure.

2. Background to the Report

- 2.1 The Housing Act 2004 Part 2 places a statutory duty upon the Council to licence HMO's that meet the prescribed description under The Licensing of Houses of Multiple Occupation (Prescribed Description) (England) Order 2018. The Council carry out this function and has 56 properties that are currently licensed under this requirement.
- 2.2 The Private Sector Housing Licensing of Houses of Multiple Occupation Policy has been created to strengthen the current process by providing an overview as to how the Council undertakes this process and provides a clear, transparent, and consistent approach to the licensing requirements.
- 2.3 There is no legal requirement to produce and publish such a policy, but by having a policy it helps demonstrate best practice and adds strength to decision making in the licensing process that may be subject to appeals.
- 2.4 The policy covers the main areas around licensing of such properties, which are the Fit and Proper Person checks/criteria, suitability for multiple occupation, licensing length and clarifies the licensing of companies as the licence holder.

3. Key Considerations

- 3.1 The Private Sector Housing Licensing of Houses of Multiple Occupation Policy is a working document that assists the Private Sector Housing Team carry out the statutory function of licencing Houses of Multiple Occupation.
- 3.2 Currently the Private Sector Housing Enforcement policy briefly comments on the licensing process and this policy is designed to work in conjunction with the enforcement policy. It strengthens the Councils procedures and position in licensing such properties.

4. Other Options Considered

- 4.1 The other option considered is to not produce and publish the HMO licensing policy and strengthen the section within the Private Sector Housing Enforcement Policy.

5. Reasons for the Recommendations

- 5.1 HMO licensing is a key function that has a complex and detailed licensing process, currently the Private Sector Housing Enforcement Policy has a light touch consideration and leaves the council decisions open to being overturned during the appeal process if the applicant is dissatisfied with the decision as to whether to grant, refuse, vary or revoke a Licence.

- 5.2 The proposed Houses of Multiple Occupation licensing policy provides a document that is clear and demonstrates consistent decision making that will greatly reduce the likelihood of successful appeals to decisions made by the Council.

6. Consultation

- 6.1 There is no statutory requirements for a consultation on the proposed Houses of Multiple Occupation Licensing Policy and no consultation is proposed. The policy is intended to be working reference document that pulls together the legislative requirements around the licensing and states how the Council applies it practically.

7. Appendices

- 7.1 Appendix A: Draft Houses of Multiple Occupation Licensing Policy.



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Private Sector Housing Licensing of Houses in Multiple Occupation Policy.

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1. INTRODUCTION

The main function of local government enforcement is to protect the public and the environment, promote health, safety and welfare and enhance the quality of life of all residents, workers and visitors to the District. This Policy sets out South Kesteven District Council's (SKDC) approach to the licensing of Houses of Multiple Occupation under Part 2 of the Housing Act 2004. In securing compliance with legal regulatory requirements, this policy aims to ensure that all actions will be undertaken in a fair, equitable and consistent manner.

2. SCOPE

This policy covers how SKDC will apply the relevant legislation to applications for licences for Houses of Multiple Occupation (HMO). For the context of this policy, a HMO is that as defined by the Housing Act 2004 and subsequent legislation relating to the description of licensable HMOs.

This policy covers the following aspects in relation to HMOs:

- Licensing under Part 2 of the Housing Act 2004;
- SKDC's approach to determine "fit and proper person" status;
- The fees and charges applicable to licensable HMOs;

Whenever the Private Sector Housing Team interact with clients or other stakeholders in relation to any of the above, or other relevant functions, they will do so clearly and with suitable regard to all relevant information relating to this specific function, including the reason for any intervention and any proposed future actions.

This policy is intended to provide information for officers, businesses, consumers and the public. It does not affect the discretion of SKDC to take legal proceedings where this is considered to be in the public interest. Any legislation requiring a specific published policy will be published in a separate document.

The overarching approach to enforcement by the Private Sector Housing Team is laid out in the Private Sector Housing Enforcement Policy 2018 and this policy is intended to be used in conjunction with that policy and the principles contained therein. It is not to be used as a stand-alone policy and regard must always be had to the Private Sector Housing Enforcement Policy 2018.

3. POLICY FRAMEWORK

The Legislative and Regulatory Reform Act 2006 requires regulators including SKDC to have regard to the Regulators' Code, published by the Department for Business Innovation and Skills Better Regulation Delivery Office. At the time of publication, this Code was available online at [Regulators' Code \(publishing.service.gov.uk\)](https://publishing.service.gov.uk). This policy and all associated documents have regard to this Code.

4. INFORMATION SHARING & DATA PROTECTION

If it is in the public interest, matters concerning non-compliance may be shared, where appropriate, with other enforcement agencies. This could include situations where there is a shared or complementary enforcement role with other agencies such as the Police, Fire & Rescue, Health & Safety Executive and other SKDC departments. Any such action will be undertaken in compliance with current data protection regulations.

Personal data will be collected, used, processed, stored, handled and retained in accordance with the provisions of the General Data Protection Regulations and the Data Protection Act 2018.

In accordance with s.232 Housing Act 2004, SKDC will maintain a register of all Licences granted under parts 2 and 3 which are in force. The register will be available for public inspection.

Other requests for information will be considered having regard to the Freedom of Information Act 2000 and current data protection regulations. All data held will be subject to our 'Retention and Disposal Policy'.

5. TRAINING AND AUTHORISATION

Only duly authorised officers may undertake enforcement duties in accordance with SKDC's scheme of delegation. Officers will only be authorised where their level of qualification, training and experience are considered acceptable. Newly appointed officers will also be assessed for competency and referred for training where necessary. Officers will also undergo any training necessary with regard to newly adopted legislation.

All officers are responsible for ensuring they have regard to relevant guidance documents and procedures.

6. ENFORCEMENT OPTIONS

Enforcement decisions shall be consistent, balanced, fair, proportionate and relate to common standards. In order to achieve and maintain consistency of enforcement, officers will have regard to official guidance, codes of practice and the general enforcement policy.

Factors to be considered in reaching an enforcement decision include;

- the seriousness of the offence;
- the past history of the offender;
- the confidence in management and the degree of wilfulness involved;
- the consequence of non-compliance;
- mandatory / discretionary duties;
- public interest / benefit.

There are a suite of HMO regulations under the Housing Act 2004, including management regulations. The management regulations cover all HMOs and place specific requirements on property managers in relation to management and safety of HMOs. Enforcement action for non-compliance with HMO regulations, in particular the HMO Management regulations will be considered in each case in accordance with this policy and the Private Sector Housing Enforcement Policy 2018.

7. LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMOS)

Part 2 of the Housing Act 2004 require certain HMOs to have a licence to operate. When an application is made, SKDC must either grant a licence to the applicant (or another person if both persons agree), or refuse to grant a licence¹.

In order for a licence to be granted the SKDC must be satisfied that the requirements of s.64(3) Housing Act 2004 are made.

All licences will come with conditions that the SKDC consider appropriate for regulating the management, use and occupation of the house and its condition and contents. All conditions must be complied with during the period of the licence.

A fee will be charged for all licence applications as detailed in the Private Sector Housing fees and charges.

Licences may be issued for up to a maximum of 5 years². SKDC will consider making a grant of a licence for 5 years from the date of decision to grant a licence. SKDC reserves the right to grant licences for less than 5 years when appropriate to do so.

Alternative licence lengths may be applicable in certain circumstances. When the proposed HMO property is subject to a lease, the length of the licence may be restricted to the length of the lease agreement if less than 5 years. Consideration to the type of lease and whether it is appropriate to restrict the licence length to the lease will be had, when determining the appropriate length of licence.

In addition, where a property is converted into HMO, this may need planning permission, and the planning status will need to be considered. Where planning permission has not been sought and it is required a licence may be granted for a short period of time to allow for planning to be gained prior to a 5 year licence being issued.

8. FIT AND PROPER PERSON

As part of the HMO licensing process SKDC is required to ensure that the proposed licence holders and those involved in the management are fit and proper persons³.

Part 2 of the Housing Act 2004 specifies that when deciding whether to grant a licence SKDC is required to look at whether the following conditions are met ⁴:

- The proposed licence holder is a fit and proper person;
- The proposed manager is a fit and proper person;
- The proposed management arrangements are satisfactory.

If the above are deemed satisfactory and the property is suitable for the proposed maximum occupation; and there is no Banning Order in force, then the licence must be granted.

Upon receipt of a valid application and payment of the relevant fee, the application will be processed and checked to determine whether the above 3 conditions are met.

¹ Section 64(1) Housing Act 2004

² Section 68(4) Housing Act 2004

³ Section 66 Housing Act 2004

⁴ Section 64(3) Housing Act 2004

The person having ‘control’⁵ in this context is that as defined in the Housing Act 2004.

When determining “fit and proper” each case will be determined on its own merits; and each specific offence, incident or issue will be considered in terms of its relevance to the holding of a licence or to management and will take into account the date and gravity of the offence, the risk of reoccurrence and any risk to tenants.

Therefore a conviction, caution, reprimand or warning will not necessarily mean that a HMO licence will be refused.

Where the proposed licence holder or proposed manager has made a declaration which may affect the suitability to be a HMO licence holder, or the information within the application is insufficient, SKDC may contact the applicant for further information or permission to make further enquiries. Where no other information is available or forthcoming, SKDC can refuse to grant the licence on grounds of insufficient evidence to satisfy the fit and proper requirement.

Where a Limited Company or Body Corporate applies for a licence in this context the company will be treated as “a person” for the fit and proper person and the licence may be issued to the company. In these circumstances it requires the appropriate person within the company such as a Director or person of sufficient position to be able to provide the relevant information on behalf of the company.

In these circumstances the person of sufficient position will be determined on a case by case basis as they are answering the fit and proper person declaration on behalf of the company to declare in effect that all persons employed by the company who will have direct involvement with the HMO to be licenced are fit and proper.

The application may be refused on the grounds that the applicant is not the person of sufficient position to apply on behalf of the company of Body Corporate.

9. FIT AND PROPER PERSON CRITERIA

In determining whether a person is a fit and proper person to be a licence holder or manager of a HMO, Section 66(2) Housing Act 2004) requires that the authority must have regard to any evidence which shows that the licence holder, manager or any person associated or formerly associated with them has:

- Committed any offences involving fraud or other dishonesty, or violence or drugs, or any offences listed in Schedule 3 to the Sexual Offences Act 2003,
- Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connect with, the carrying on of any business:
- Contravened any provision of the law relating to housing or of landlord and tenant law
- Acted otherwise in accordance with any applicable code of practice approved under section 233.

When determining whether a person is fit and proper, SKDC will have regard to:

⁵ Section 263 Housing Act 2004

- any relevant convictions, cautions, reprimands or warnings in relation but not limited to offences listed in Appendix 1 to the policy.
- If involved in the management of the HMO, whether the person has the necessary experience and/or managerial skills and competence to manage the HMO in accordance with the satisfactory provisions and relevant legislation.
- The person is aware of, and sensitive to, the needs of all sections of society. This means that their property and arrangements are promoted and accessible to all, without discriminating on grounds of any characteristic protected under the Equality Act 2010 including race, colour, gender, religion, ethnic or national origin, disability (where appropriate) or sexual preference.

Consideration will also be had to whether the proposed licence holder resides within the UK. If resident outside of the UK, suitable management arrangements will need to be demonstrated within the UK.

SKDC may have regard to any other facts or matters which it considers to be relevant to the application.

A person subject to a Banning Order under section 16 of the Housing and Planning Act 2016 is not a fit and proper person whilst the order is in force.⁶

10. SUITABILITY FOR MULTIPLE OCCUPATION

When determining the suitability of properties for occupation as HMOs the authority will apply relevant statutory prescribed standards⁷ where possible in addition to having regard to its own amenity standards.

Current statutory standards exist in relation to minimum bedroom sizes for use by a number of persons and these have been incorporated into SKDC's own amenity standards.

The maximum number of occupants ultimately is determined by SKDC and will be based upon either the number requested within the application if the property standards permit this number, or alternatively SKDC will set the maximum based upon the provisions of facilities and the permissible maximum number of persons as specified within the SKDC's amenity standards.

11. INSPECTIONS

An officer will visit a property where a valid HMO application has been submitted prior to the licence being approved or refused for the purpose of:

- Determining whether the house is reasonably suitable for occupation by a particular number of households or persons; and
- Verifying that the management arrangements are satisfactory; and
- Identifying whether there are any category 1 or 2 hazards present which would require the council to use its Part 1 functions.

HMOs that are currently licensed will also be revisited to ensure compliance with conditions, if they are subject to complaint or if there is concern about management

⁶ Section 64(3)(aa) Housing Act 2004

⁷ Section 65 Housing Act 2004

standards at the property. If additional license conditions are required after an inspection of an HMO, the license may be varied to include such conditions.

12. FEES

As part of a valid application SKDC can set a fee payable to cover the costs in administering a licence. Without the applicable fee being paid any application is deemed incomplete and will not be processed.

The fees are set outside of this policy and reviewed periodically. The fees set in relation to the licensing of HMOs reflect the actual cost of this process.

The applicable fee for all applications is divided into two parts.

- Payment 1 – This is payable at the time of submitting the application and covers the costs of processing the application, checking the application and the fit and proper person checks.
- Payment 2 – This is payable once the inspection of the property has occurred and the authority has determined that the property is suitable for licensing in addition to the proposed licence holder/manager passing the fit and proper person check.

Additional fees and discounts can be applied where the fee structure has specified any such additional fees or discounts.

13. VARIATION AND REVOCATION

The Council may vary a licence with the agreement of the licence holder or if there has been a change in circumstances since the time when the licence was granted. Where a licence is varied by the Council, this will not incur a fee.

The Council may revoke a licence with the agreement of the licence holder, or it may do so if there is a serious breach of the conditions, or if it no longer considers the licence holder to be a fit and proper person. In determining whether to revoke a licence, the Council will have regard to provisions within the Act.

14. APPEALS AGAINST DECISIONS

An applicant may appeal a decision of the Council. Any appeal must be made within 28 days of the decision to the First Tier Tribunal (Residential Property). Any right of appeal against a decision will be communicated to the applicant in the decision letter.

15. COMPLAINTS

The Private Sector Housing Team will aim to provide effective, timely complaint responses in accordance with SKDC's Customer Feedback Process, Compliments, Comments & Complaints process.

If a customer is unhappy with any aspect of their dealings with the Private Sector Housing Team they should:

Contact the Private Sector Housing Team on 01476 406080 or write to

Private Sector Housing Team
South Kesteven District Council,

Council Offices,
The Picture House,
St Catherine's Road,
Grantham,
NG31 6TT

Or email EHS@Southkesteven.gov.uk where the complaint will be forwarded to the relevant person for a response.

Alternatively, or if a customer is not satisfied with the previous course of action, they can make a formal complaint using the SKDC's official complaint form on the SKDC website.

If a customer is still not satisfied with the response they may complain to the Local Government Ombudsman if they feel they have been unfairly treated. A leaflet about this is available on request.

16. REVIEW

The Private Sector Housing Team is committed to improving the service it provides and welcomes feedback, both good and bad, from customers. If a customer has any comments on the policy or would like to discuss any matters relating HMO Licensing please ring 01476 406080, email ehs@southkesteven.gov.uk or write to the address given above.

This Policy will reviewed periodically in the light of any significant changes in legislation, Codes of Practice, or other guidance.

HOUSES OF MULTIPLE OCCUPATION (HMO) POLICY

Appendix 1

List of relevant offences to consider as part of the “fit and proper” person criteria. This is divided into three categories based upon severity.

Category 1 offences A conviction /caution for these offences will usually result in the licence application being rejected.	
Offences and contraventions of the law relating to dishonesty:	Offences under the Fraud Act 2006 Benefit fraud Forgery Burglary Conspiracy to defraud Obtaining money or property by Deception Money laundering Blackmail Conspiracy to commit any of the above offences Criminal attempts in relation to the above offences
Offences and contraventions of the law relating to violence:	Murder Manslaughter Arson Malicious wounding (s20 Offences against the Person Act 1861) Possession of a firearm Possession of an offensive weapon Actual bodily harm (s47 Offences Against the Person Act 1861) Grievous bodily harm (s18 Offences Against the Person Act 1861) Robbery s.1 Riot s.2 Violent Disorder s.3 Affray Any racially aggravated offence (Crime and Disorder Act 1988) Conspiracy to commit the above offences Criminal attempts in relation to the above offences
Offences and contraventions of the law relating to drugs:	Importation of drugs Supply of drugs Possession with intent to supply drugs Conspiracy to commit the above offences
Offences and contraventions of the law relating to sex and indecency:	Any offence under Schedule 3 of the Sexual Offences Act 2003
Offences and contraventions of the law relating to Housing and Landlord and Tenant Law.	Protection from Harassment Act 1997 Protection from Eviction Act 1997 Any conviction for failure to comply with the licensing regime as set out in the Housing Act 2004 s95

	Provision of false or misleading information (s238 of Housing Act 2004) Obstruction (s241 of the Housing Act 2004) Failure to hold a relevant licence (s72 of the Housing Act 2004) Breach of Improvement Notices and Prohibition Orders (s35(6), s32(2)(b) of the Housing Act 2004) Housing and Planning Act 2016
Other offences	Human Trafficking
Category 2 offences A conviction/ caution for these offences will be viewed seriously and, following further investigation, could result in the licence application being rejected:	
Other offences and contraventions of the law relating to dishonesty:	Handling or receiving stolen goods Theft
Other offences and contraventions of the law relating to violence: -	Assaulting a Police Officer
Category 3 offences A conviction, caution, reprimand or warning for these offences may also be taken into account and further information will be requested in order to determine the relevance of these offences. If deemed to be relevant or sufficiently severe, these offences could result in the licence application being rejected:	
Other offences and contraventions of the law relating to violence:	Common assault Criminal damage Obstruction of a Council Officer
All other offences relating to dishonesty, drugs, sexual offences and indecency, offences and contraventions of the law relating to Housing and Landlord and Tenant Law.	

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**SOUTH
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COUNCIL**



Cabinet


12 March 2024

Report of Councillor Rhea Rayside
Cabinet Member for People &
Communities

Public Spaces Protection Order - Pottergate Road

Report Author

Ayeisha Kirkham, Head of Public Protection

 ayeisha.kirkham@southkesteven.gov.uk

Purpose of Report

This report considers an additional Public Spaces Protection Order be implemented on a specific area in order to prevent and reduce the impact of fly tipping.

Recommendations

That Cabinet:

1. Notes the results of the public consultation on the proposed new Public Spaces Protection Order.
2. Approves the implementation of a new Public Spaces Protection Order for the Prevention of Vehicle Access (except for authorised vehicles) to prevent fly tipping with the installation of a gate at the north entrance to the Old A17 Pottergate Road, Fulbeck.

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?	Sustainable South Kesteven Effective council
Which wards are impacted?	Loveden Heath;

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

- 1.1 There are no financial implications associated with this report, as if the order is approved the costs of installing the gate will be met by Lincolnshire County Council.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 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.

Specialist advice from Legal Services Lincolnshire has been sought regarding the consultation around this proposed PSPO.

Completed by: Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

Diversity and Inclusion

- 1.3 An equality impact assessment has been completed for the consultation process and is at **Appendix 1**.

EIA completed by: (Kati Conway- Senior Neighbourhoods Officer)

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.

Evidence (pre consultation)

- 2.3 Evidence to support the proposed PSPO for has been gathered and reviewed.
- 2.4 The Old A17 Pottergate Road between the A17 and Sleaford Road, Fulbeck is on the boundary of both South Kesteven and North Kesteven. It is a hotspot area for fly tipping on both public and adjacent private land. The land adjacent to the Old A17 Pottergate Road is privately owned by local farmers. Landowners are responsible for ensuring the illegally deposited waste is disposed of legally at a cost to themselves. Fly tipping on public land is the responsibility of the Local Authority to dispose of at their expense. Warning signage has been erected in the area in an attempt to prevent fly tipping however, continued incidents are reported. Due to the nature of deposited items, evidence has not been obtained in order to identify the perpetrators.

- 2.5 Table 1 shows data held by South Kesteven District Council of the numbers of reported fly tipping incidents, broken down by year from 2020 to 2023.

Table 1. Data held by South Kesteven District Council

Year	Grand Total of incidents
2020	3
2021	0
2022	9
2023	3

- 2.6 Reports of fly tipping on both public land and private land, have consisted of asbestos, building materials, garden waste, tyres and house waste including furniture and white goods.
- 2.7 Asbestos deposited on public land, requires a competent external contractor to be employed to remove at an additional cost to the local authority.
- 2.8 In June 2020 Pottergate Road and surrounding land in both South Kesteven and North Kesteven became victim to several large-scale fly tips consisting of part processed waste. The waste deposited on Pottergate Road weighed approximately 40 tonnes.
- 2.9 The Lincolnshire Environmental Crime Partnership is currently trialling a Vulnerable Land Panel and this location was brought to meetings held, with a view to discussing the potential options available. Present at the meetings were representatives from South Kesteven District Council, North Kesteven District Council, Lincolnshire County Council (LCC), Lincolnshire Police, Environment Agency, National Farmers Union. The panel recommended that a PSPO be applied to this location, with SKDC leading the PSPO and LCC funding and installing the gate.

Proposed New Order

- 2.10 Following incidents of fly tipping, it is proposed a new PSPO is considered to prevent the unlawful deposit of waste on the section road known locally as the Old A17, Pottergate Road, Fulbeck and land accessed off this section of road. This would include the section of road which is in North Kesteven District Council's jurisdiction.

- 2.11 The order will include the installation of a gate by Lincolnshire County Council at the north entrance to the Old A17, Pottergate Road to prevent unauthorised vehicles accessing the restricted area.
- 2.12 The South Entrance from the A17 on to the Old A17 is already inaccessible to vehicle users.
- 2.13 The installation of a gate at the North Entrance of the Old A17 ensures that authorised vehicles can access the area. Authorised vehicles which need to access to this area will be able to obtain access details by contacting the Neighbourhoods Team at the Council.
- 2.14 Emergency services will be provided with access information at the point of installation of the gate.
- 2.15 **Appendix 2** attached to this report is the draft Order and Map which shows the area etched in red which would be covered by the PSPO. It is proposed that this Order be in effect for a period of three years.

3. Key Considerations

- 3.1 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.
- 3.2 The consultation has demonstrated broad support for the implementation of the proposed Order to ensure an effective enforcement mechanism is in place.
- 3.3 If the new Order is not put in place; this would prevent ability to enforce against the matters covered by the proposed Order.
- 3.4 Cabinet may determine that the legal test has not been met in the Orders. In this case the Order(s) should not be approved.
- 3.5 If as a result of the consultation, changes to the draft order are proposed, further consultation will be necessary.
- 3.6 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.

- 3.7 If the order is approved Lincolnshire County Council (LCC) will be contacted to arrange the installation of the gate. It is important to note that LCC have agreed to pay for and install the gate at this location.

4. Other Options Considered

- 4.1 If the proposed PSPO is not approved, South Kesteven District Council will have a reduced ability in which to prevent incidences of fly tipping in this area.

5. Reasons for the Recommendations

- 5.1 To ensure an effective mechanism is available to prevent fly tipping as detailed in the Order.

6. Consultation

- 6.1 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.
- 6.2 A four-week public consultation was undertaken from 11 December 2023 to 8 January 2024, the responses to the consultation is attached within **Appendix 3**. Any personal details from those completing the consultation has been redacted. The draft Order which was subject to consultation is at **Appendix 2**.
- 6.3 The consultation took the form of a questionnaire on the council's website. This was promoted through social media and press releases. Relevant 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.
- 6.4 Full details of the consultation, a list of consultees and breakdown of responses is at **Appendix 3**. In total, 10 responses were received. A summary of responses is detailed below.
- 6.5 **Consultation Results - Proposed Order**
- 80% said that they agree or strongly agree with the proposed Order.
 - 70% of respondents said they had experienced or are concerned by vehicles accessing, anti-social behaviour or fly tipping at the location.

- 70% of respondents did not consider the council to have any other options to prevent fly tipping in the area. 20% of respondents suggested the use of CCTV as an alternative. 10% requested the Council consider the use of Byelaws or Traffic Regulation Orders.
- 90% said the Order would not have a significant impact on them. 10% who stated the order would have a significant impact on them used the section of road as a cycle route.

Additional Information from the Survey

- 6.6 As part of the consultation respondents were given the option to provide further information about issues, they had experienced in relation to vehicles accessing, anti-social behaviour or fly tipping at the location. 60% of respondents took the opportunity to comment and all highlighted fly tipping as the key issue. One respondent stated, *'The fly tipping is unbearable, the cost to the adjoining landowners in terms of financial cost, environmental damage and blocked access is unsustainable'*.

7. Appendices

- 7.1 Appendix 1: Equality Impact Assessment
- 7.2 Appendix 2: Draft proposed Order and associated map
- 7.3 Appendix 3: Consultation Report.

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Equality Impact Assessment

Question	Response
1. Name of policy/funding activity/event being assessed	The council propose the implementation of a new Public Space Protection Orders (PSPOs).
2. Summary of aims and objectives of the policy/funding activity/event	To implement a new PSPO – Prevention of Unauthorised Vehicle Access (except of Authorised Vehicles)
3. What involvement and consultation has been done in relation to this policy? (e.g. with relevant groups and stakeholders)	<p>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 11th December 2023 – 8th January 2024.</p> <p>There were 10 responses to the consultation survey.</p>
4. Who is affected by the policy/funding activity/event?	Residents, visitors and other stakeholders within the locality of the Old A17 Pottergate Road, Fulbeck.
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.

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 <i>(The Action Log below should be completed to provide further detail)</i>
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 unauthorised vehicle accessing the area. 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	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.



		circumstances that relate directly to this protected characteristic.	
Disability	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 unauthorised vehicle accessing the area.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Gender Reassignment	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 unauthorised vehicle accessing the area. Gender Reassignment 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	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Marriage and Civil Partnership	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 unauthorised vehicle accessing the area. 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.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.



Pregnancy and Maternity	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 unauthorised vehicle accessing the area. 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.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Race	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 unauthorised vehicle accessing the area. 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.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Religion or Belief	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 unauthorised vehicle accessing the area. 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	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.



		offender can offer mitigating circumstances that relate directly to this protected characteristic.	
Sex	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 unauthorised vehicle accessing the area. Sex 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.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Sexual Orientation	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 unauthorised vehicle accessing the area. 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.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.
Other Factors requiring consideration			
Socio-Economic Impacts	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	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.



		unauthorised vehicle accessing the area.	
Carers (those who provide unpaid care to a family member, friend or partner)-	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 unauthorised vehicle accessing the area.	The implementation of the Order included a public consultation. The initial assessment has been reviewed taking into consideration the responses.

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 unauthorised vehicle accessing the area.	
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 unauthorised vehicle accessing the area.
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		

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	16 th February 2024
Line Manager	Andrew Beaver, Community Safety Manager - Public Protection
Date Agreed <i>(by line manager)</i>	19 th February 2024
Date of Review <i>(if required)</i>	

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

(Prevention of Vehicle Access except for Authorised Vehicles)

Public Spaces Protection Order 2024

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 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. Prevention of Vehicle Access except for Authorised Vehicles to land between Sleaford Road and the A17 Fulbeck, known as the old A17 Pottergate Road, Fulbeck.

Authorised Vehicles are as follows:

- i. Vehicles authorised to access private land adjacent to the restricted area.
- ii. Vehicles for the purpose of maintaining and ensuring the provision of utilities in the restricted area.
- iii. Vehicles for the purpose of responding to an emergency including but not limited to Police, Fire and Rescue and Ambulance.
- iv. Pedal cycles including those adapted for carrying one or more persons.
- v. Horse and Carriage.

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:

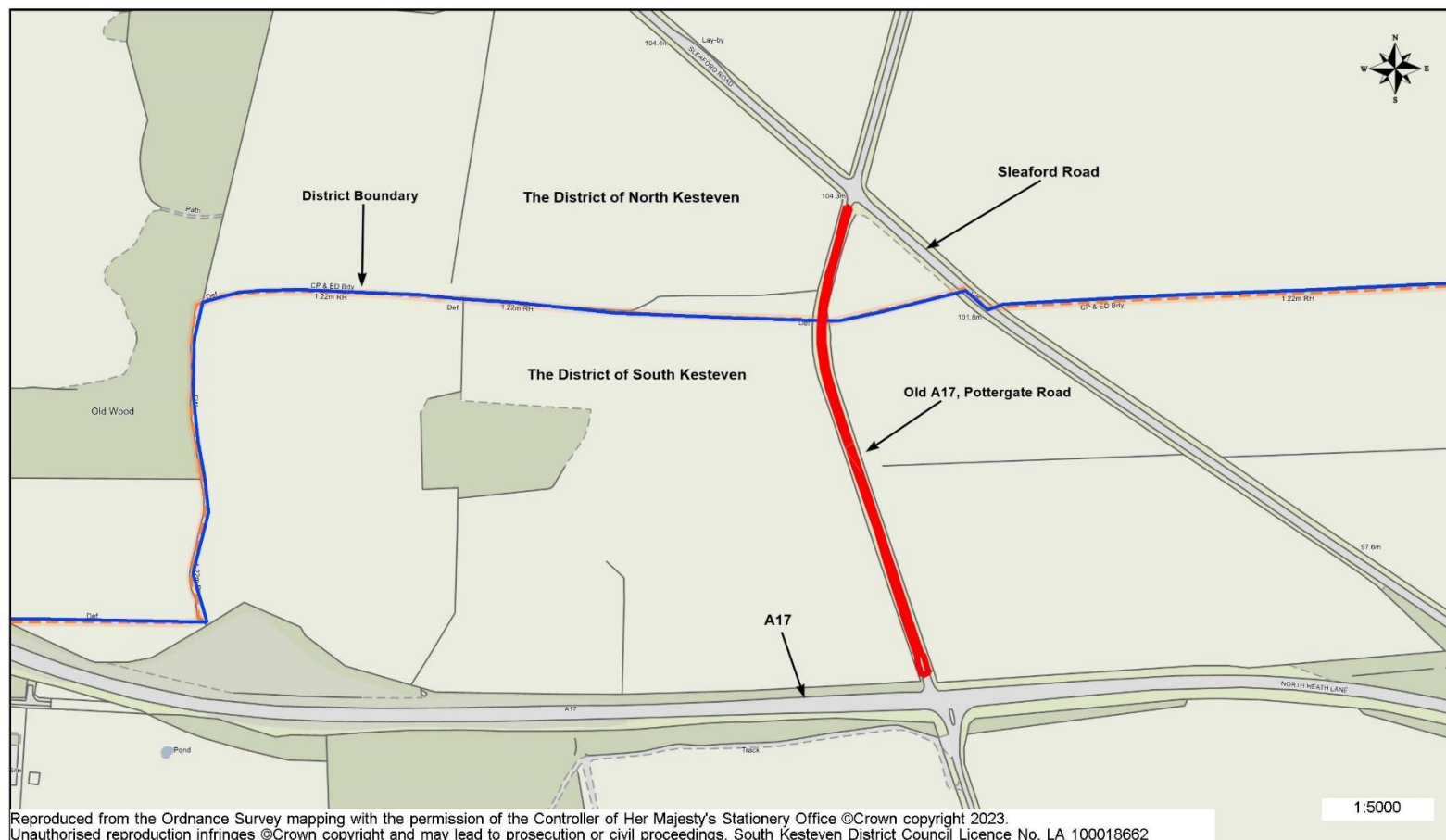
Schedule

This Order applies to land which is within the administrative area of South Kesteven District Council and North Kesteven District Council as edged red in the attached plans.

Public Spaces Protection Order - Prevention of Vehicle Access (except for Authorised Vehicles)

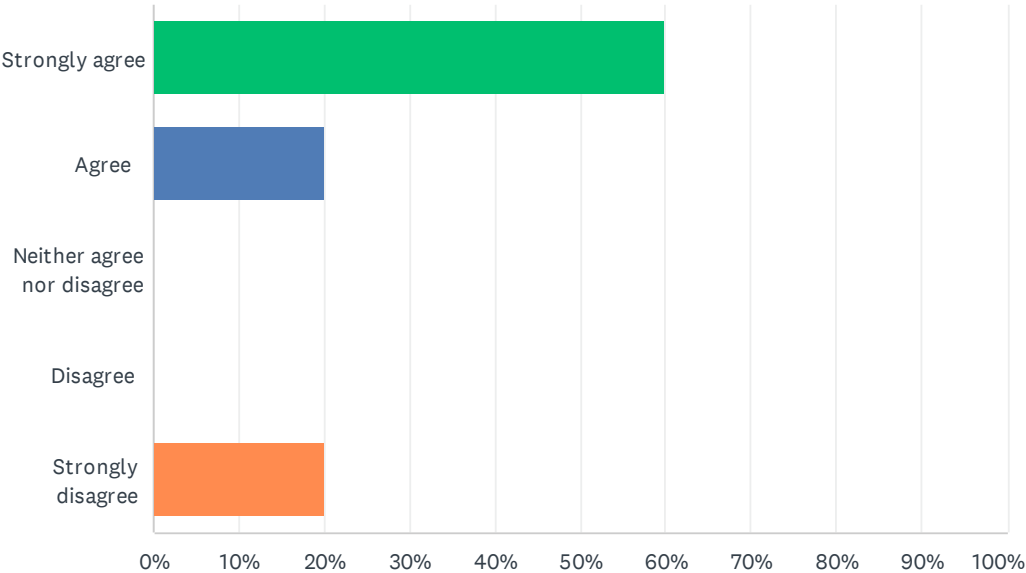


**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Q1 To what extent do you agree or disagree with this proposal? Please tick one only.

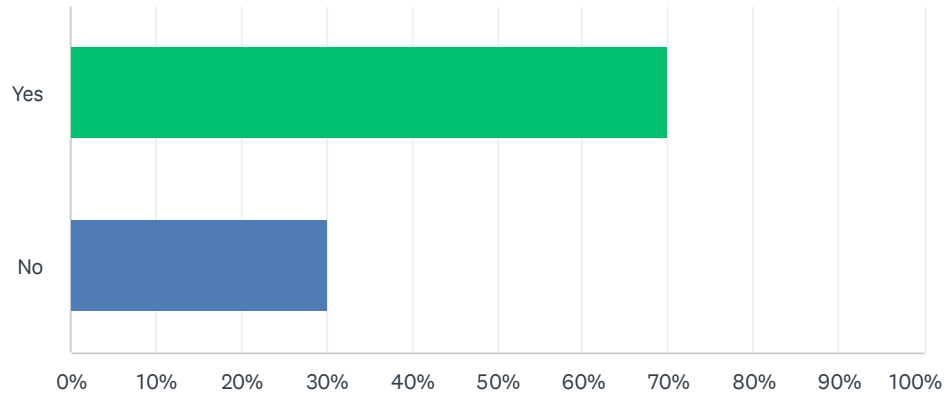
Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	60.00%	6
Agree	20.00%	2
Neither agree nor disagree	0.00%	0
Disagree	0.00%	0
Strongly disagree	20.00%	2
TOTAL		10

Q2 Are you concerned about or have experienced issues with vehicles accessing, anti-social behaviour or fly tipping in this location?

Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	70.00%	7
No	30.00%	3
TOTAL		10

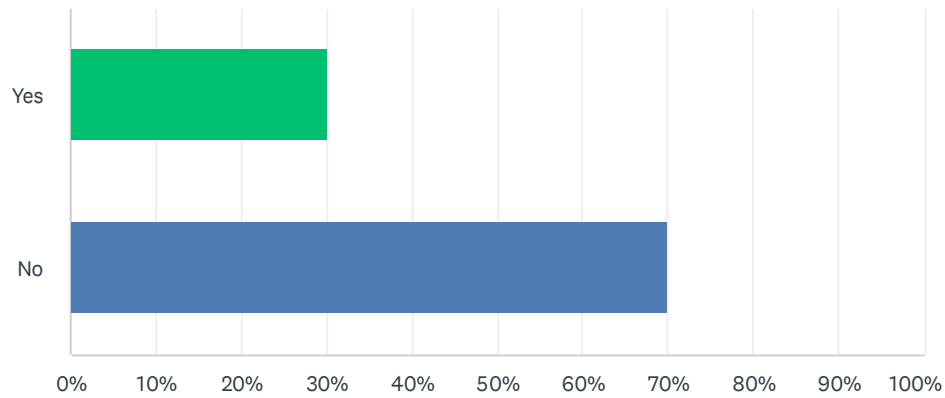
Q3 If yes, please give details:

Answered: 6 Skipped: 4

#	RESPONSES	DATE
1	fly tipping	12/29/2023 7:58 AM
2	I am a landowner that accesses from the road in question. The fly tipping is unbearable, the cost to the adjoining landowners in terms of financial cost, environmental damage and blocked access is unsustainable.	12/13/2023 12:13 PM
3	This is next to our land and the tipping has been a nightmare	12/12/2023 11:00 AM
4	I have observed fly tipping in this location	12/11/2023 5:38 PM
5	The area has been subject to fly tipping.	12/11/2023 3:29 PM
6	fly tipping	12/11/2023 2:54 PM

Q4 Do you think there are any other options the council could consider?

Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	30.00%	3
No	70.00%	7
TOTAL		10

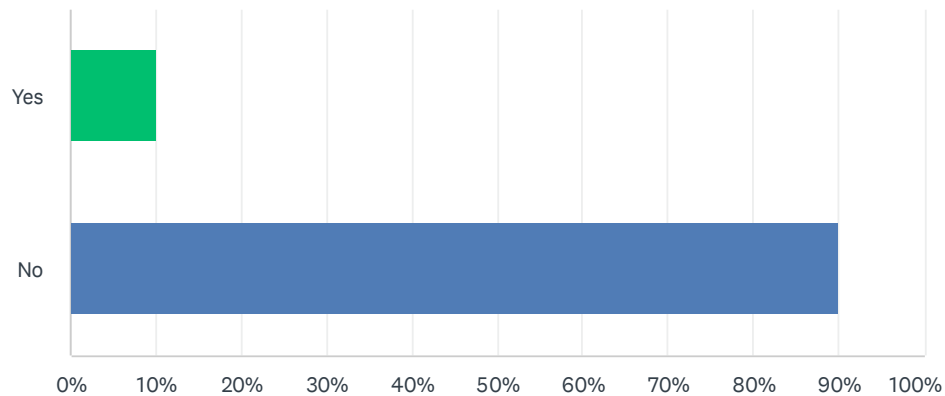
Q5 If yes, please use the space below to tell us what they are:

Answered: 3 Skipped: 7

#	RESPONSES	DATE
1	Surveillance cameras	12/29/2023 8:01 AM
2	Ask the Highways Authority to make a TRO under the Road Traffic Regulation Act 1984	12/28/2023 11:42 PM
3	CCTV	12/11/2023 2:54 PM

Q6 Will the introduction of a Public Spaces Protection Order for the section of Pottergate Road between the A17 and the Sleaford Road have a significant negative impact on you?

Answered: 10 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	10.00%	1
No	90.00%	9
TOTAL		10

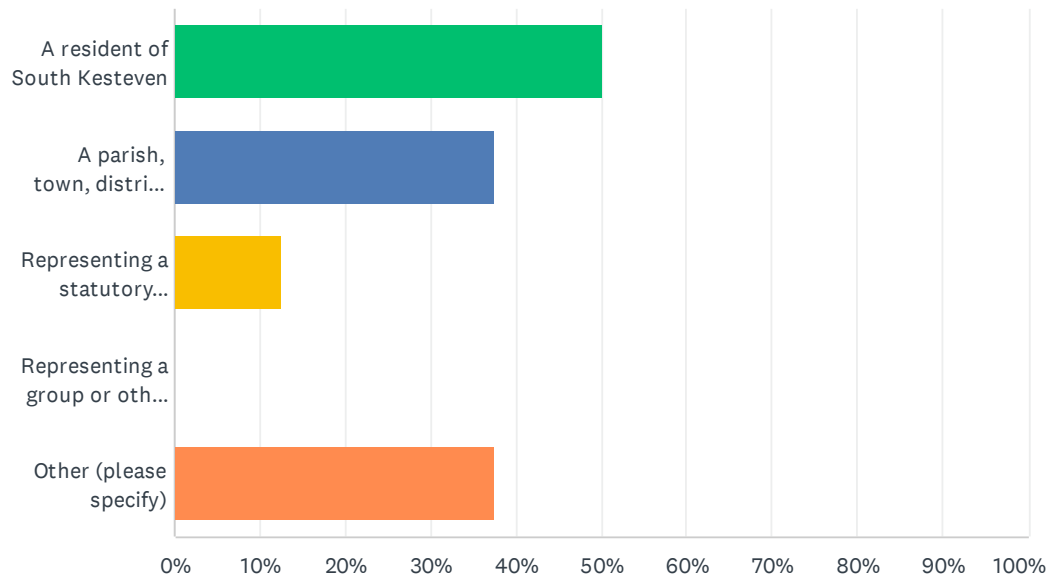
Q7 If yes, please use the space below to tell us about it:

Answered: 1 Skipped: 9

#	RESPONSES	DATE
1	i cycle this lane regularly. And want to ensure cycle access will be maintained	12/29/2023 8:01 AM

Q8 Please tell us if you are? Please tick all that apply:

Answered: 8 Skipped: 2

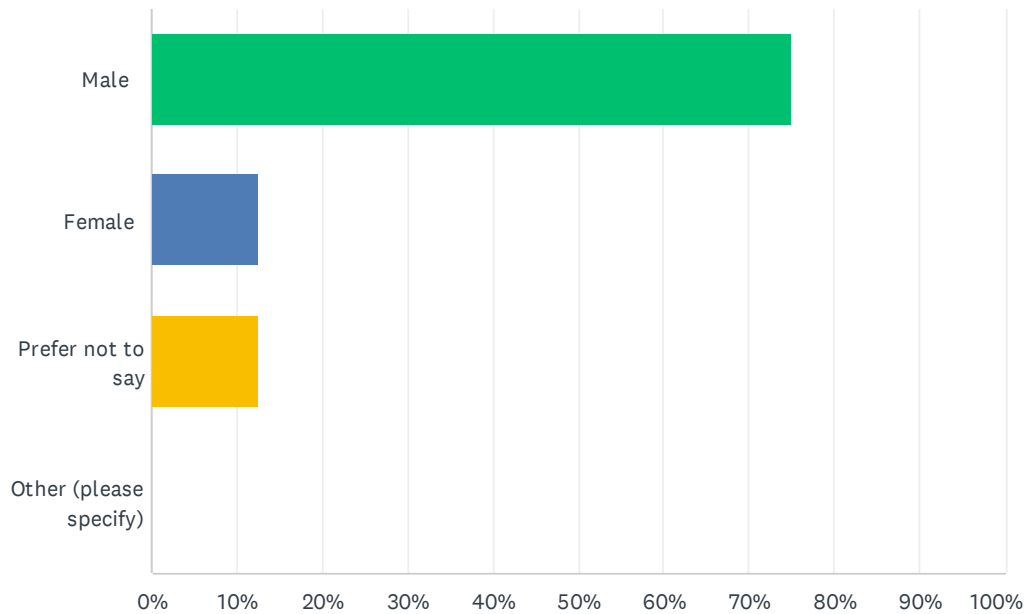


ANSWER CHOICES	RESPONSES	
A resident of South Kesteven	50.00%	4
A parish, town, district or county councillor	37.50%	3
Representing a statutory organisation eg NKDC, LCC, the Environment Agency or Drainage Board	12.50%	1
Representing a group or other organisation (please use the space below to tell us which one)	0.00%	0
Other (please specify)	37.50%	3
Total Respondents: 8		

#	OTHER (PLEASE SPECIFY)	DATE
1	resident of North kesteven	12/29/2023 8:02 AM
2	Landowner who accesses from the road in question	12/13/2023 12:15 PM
3	work in the area	12/11/2023 2:55 PM

Q9 What is your gender? Please tick one only.

Answered: 8 Skipped: 2

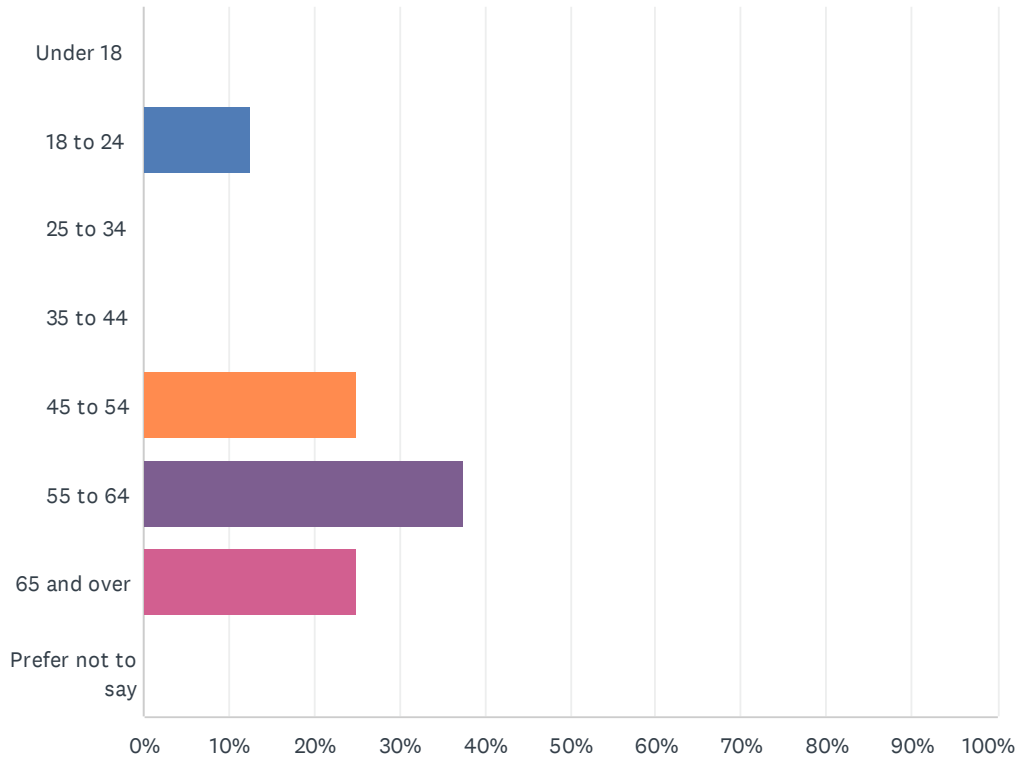


ANSWER CHOICES	RESPONSES	
Male	75.00%	6
Female	12.50%	1
Prefer not to say	12.50%	1
Other (please specify)	0.00%	0
TOTAL		8

#	OTHER (PLEASE SPECIFY)	DATE
	There are no responses.	

Q10 Which of the following age bands do you belong to? Please tick one only.

Answered: 8 Skipped: 2



ANSWER CHOICES	RESPONSES	
Under 18	0.00%	0
18 to 24	12.50%	1
25 to 34	0.00%	0
35 to 44	0.00%	0
45 to 54	25.00%	2
55 to 64	37.50%	3
65 and over	25.00%	2
Prefer not to say	0.00%	0
TOTAL		8

Q11 Please tell us the first four/five digits of your postcode eg NG32 3.
This will only be used to check that responses have been received from individuals and businesses from the area where the PSPO will be enforced, if it is approved. It will not be used to identify you in any way.

Answered: 7 Skipped: 3

ANSWER CHOICES	RESPONSES
Postcode	100.00% 7

#	POSTCODE	DATE
1	ln5 0	12/29/2023 8:02 AM
2	NG32 3	12/28/2023 11:42 PM
3	NG32 3	12/13/2023 12:15 PM
4	NG32 3JJ	12/12/2023 11:02 AM
5	NG32	12/11/2023 5:39 PM
6	NG32 3	12/11/2023 3:42 PM
7	NG32	12/11/2023 2:55 PM

Q12 If you have any questions or would like to comment on anything included in this survey, please use the space below:

Answered: 3 Skipped: 7

#	RESPONSES	DATE
1	I am looking to ensue cycle access is maintained. Sadly, this action will be useless as the fly tippers will move elsewhere, most likely down to ermine street as that has already been used as a fly tipping area. They need to be caught !	12/29/2023 8:10 AM
2	PSPOs are temporary measures. Byelaws or TROs are more appropriate for longer term issues such as this. What consideration has the Council given to a Byelaw or TRO?	12/28/2023 11:44 PM
3	The sooner this is done, the better.	12/13/2023 12:16 PM

Q13 If you would like a response to your query, please give us your contact details. They will only be used to contact you in relation to this query and will not be used for any other purpose or passed onto anyone else.

Answered: 2 Skipped: 8

ANSWER CHOICES	RESPONSES
Address 1	100.00% 2
Address 2	50.00% 1
Village/Town	100.00% 2
State	0.00% 0
Post code	100.00% 2
Country	0.00% 0

#	ADDRESS 1	DATE
1	[REDACTED]	12/28/2023 11:44 PM

2	[REDACTED]	12/12/2023 11:03 AM
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#	ADDRESS 2	DATE
1	[REDACTED]	12/28/2023 11:44 PM

#	VILLAGE/TOWN	DATE
1	[REDACTED]	12/28/2023 11:44 PM

2	[REDACTED]	12/12/2023 11:03 AM
---	------------	---------------------

#	STATE	DATE
There are no responses.		

#	POST CODE	DATE
1	[REDACTED]	12/28/2023 11:44 PM

2	[REDACTED]	12/12/2023 11:03 AM
---	------------	---------------------

#	COUNTRY	DATE
There are no responses.		

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

12 March 2024

Report of the Chief Executive

Key and Non-Key Decisions taken under delegated powers

Report Author

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Purpose of Report

This report provides an overview of decisions taken by individual Cabinet Members since the last meeting of the Cabinet on 6 February 2024.

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?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All

1.1 Since the Cabinet last met on 6 February 2024, the following Key and Non-Key decisions have been taken under delegated authority:

1.1.1 **Acquisition of Land at Garden Close, Grantham, NG31 9EF.**

Non-Key decision taken by the Leader of the Council and Cabinet Member for Finance and Economic Development on 13 February 2024.

Date decision effective: 21 February 2024.

The Decision Notice is attached at Appendix 1. The accompanying report can be viewed online at:

<https://moderngov.southkesteven.gov.uk/ieDecisionDetails.aspx?Id=1402>

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

CABINET MEMBER DECISION



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Decision:

That the Leader of the Council (and Cabinet Member for Finance and Economic Development) approves the acquisition of open space land at Garden Close, Grantham, NG31 9EF contained within Title Number LL2583832.

(1) Details of Decision

To seek approval to the acquisition of open space land contained within Title Number LL258383 at Garden Close, Grantham, NG31 9EF.

(2) Considerations/Evidence

The developer of the Garden Close (off Beacon Lane) development in Grantham, was obliged, under a Section 106 Agreement dated 12th November 2013 to transfer 2200m², in a position to be agreed with the Council, as formal public open space.

The land in question, was developed by Yelcon Homes.

The development was completed in 2019 and the land in question was used for the creation of a LEAP (Local Equipped Area for Play). The equipment was purchased and installed by the developer.

Since completion, the land and equipment have been maintained by the developer who is now very keen to have the adoption process completed.

The Section 106 Agreement contained provision for the developer to pay a commuted sum of £38,500 for future maintenance of the land.

(3) Reasons for Decision:

The recommendation is in line with the Council's legal and contractual obligations in this matter and the land is already maintained by the Council.

Conflicts of Interest

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

None

Dispensations

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

None

Decision taken by:

Name: Councillor Ashley Baxter
The Leader of the Council, Cabinet Member for Finance and Economic Development

Date of Decision: 13 February 2024

Date of Publication of Record of Decision: 13 February 2024

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

21 February 2024



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Cabinet

12 March 2024

Report of the Chief Executive

Cabinet Forward Plan

Report Author

Lucy Bonshor, Democratic Officer



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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?	No
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** Non-Key Decisions due to be made by Cabinet are also included within the Forward Plan.

2. Appendices

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

CABINET FORWARD PLAN
Notice of decisions to be made by Cabinet
4 March 2024 to 3 March 2025

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
Private Sector Housing Houses of Multiple Occupation Licensing Policy – Non Key Decision			
To seek approval to adopt a HMO Licensing Policy that is considered good practice and demonstrates how the Council performs this statutory requirement in a transparent and consistent manner.	12 Mar 2024	To adopt the policy	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Ayeisha Kirkham, Head of Public Protection E-mail: ayeisha.kirkham@southkesteven.gov.uk
Contract Award Earlesfield Refurbishment Project- Key Decision			
To seek approval to enter into a contract with United Living to complete the works associated with the Earlesfield Refurbishment Project. The contract will be awarded via the Fusion 21 Framework for a period of 12 months commencing 1 April 2024.	12 Mar 2024	To approve contract.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Jodie Archer, Head of Housing Services E-mail: jodie.archer@southkesteven.gov.uk
Contract award for the upgrade of the CCTV network and to enable Connected Towns - Key Decision			
To approve the award of the contract for the upgrade the Council's CCTV network and public wi-fi access points to support the UKSPF 'Connected Towns' project	12 Mar 2024	To approve the award	Cabinet Member for People & Communities (Councillor Rhea Rayside) Alison Hall-Wright, Deputy Director (Finance and ICT) and Deputy Section 151 Officer E-mail: A.Hall-Wright@southkesteven.gov.uk

Summary	Date	Action	Contact
Lincolnshire Discretionary Housing Financial Assistance Policy – Non Key Decision			
The Council currently provides discretionary disabled facility grants (DFG) for adaptations to private residential dwellings within the district, in addition to its mandatory DFGs requirement. The Council is required to publish a policy if it provides discretionary DFGs and the existing Private Sector Housing Assistance Policy is out of date and due for review. The report provides the updated policy for consideration.	12 Mar 2024	Approval of the Policy.	Cabinet Member for Housing & Planning (Councillor Phil Dilks) Tom Amblin-Lightowler, Environmental Health Manager – Environmental Protection & Private Sector Housing E-mail: tom.amblin-lightowler@southkesteven.gov.uk
Public Space Protection Order- Pottergate Road – Non Key Decision			
To request the approval for a new PSPO at Pottergate Road Leadenham, a new measure to prevent Flytipping in that location	12 Mar 2024	To approve the PSPO at Pottergate Road, Leadenham	Cabinet Member for Corporate Governance and Licensing (Councillor Philip Knowles) Ayeisha Kirkham, Head of Public Protection E-mail: ayeisha.kirkham@southkesteven.gov.uk
Replacement Depot - Award of Construction Contract - Key Decision			
To seek approval to enter into a build contract to construct the Turnpike Close site owned by the Council.	16 Apr 2024	To award the contract.	The Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) Alice Clarke, Corporate Project Officer E-mail: alice.clarke@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.	16 Apr 2024	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
Waste & Operations Policy Changes – Non Key Decision			
To approve the changes to Waste Operations & Policy	16 Apr 2024	To approve the changes to the Waste and Operations Policy	Cabinet Member for Environment and Waste (Councillor Rhys Baker) George Chase, Waste and Recycling Operations Manager E-mail: george.chase@southkesteven.gov.uk
South Kesteven District Council Electrical Energy Contract - Key Decision			
Provide agreement to enter into contract, via framework, to award SKDC electrical energy contract across the SKDC portfolio.	16 Apr 2024	To enter into the contract.	Deputy Leader of the Council (Councillor Richard Cleaver) Gyles Teasdale, Property Services Manager E-mail: g.teasdale@southkesteven.gov.uk

Summary	Date	Action	Contact
Review of Public Space Protection Orders - Key Decision			
To review the existing Public Space Protection Orders in force across the District.	16 Apr 2024	To agree a course of action for PSPOs in the District.	Cabinet Member for People & Communities (Councillor Rhea Rayside) Ayeisha Kirkham, Head of Public Protection E-mail: ayeisha.kirkham@southkesteven.gov.uk
South Kesteven District Council Car Parking Order – Tariff Changes - Key Decision			
The amendment to the existing South Kesteven District Council Car Parking Order Tariffs - amendment to the Car Parking Order needs to be done by way of modification Order – this has the effect to modify/amend the original Order.	14 May 2024	To consider the modification Order.	The Leader of the Council, Cabinet Member for Finance and Economic Development (Councillor Ashley Baxter) James Welbourn, Democratic Services Manager (Deputy Monitoring Officer) E-mail: james.welbourn@southkesteven.gov.uk
Vehicle Procurement - Key Decision			
To approve the Capital spend of over £200,000 for 2024/25 for street cleaning, refuse vehicles and vans, and other assorted vehicles.	Not before 31st May 2024	To approve the spend.	Cabinet Member for Environment and Waste (Councillor Rhys Baker) George Chase, Waste and Recycling Operations Manager E-mail: george.chase@southkesteven.gov.uk
Animal Welfare Policy – Non Key Decision			
A new Animal Welfare Policy for approval by Cabinet, following the 4-week consultation with the public, local businesses, partner agencies and other organisations.	Not before 31st May 2024	To approve the policy	Cabinet Member for Corporate Governance and Licensing (Councillor Philip Knowles) Heather Green, Licensing Team Leader E-mail: heather.green@southkesteven.gov.uk

Summary	Date	Action	Contact
Lease to Grantham Town Football Club – Non Key Decision			
The granting of a lease and delegation of authority to the Deputy Chief Executive in consultation with the Cabinet Member for Culture and Leisure to enter into it	Not before 3rd Jun 2024	To agree to enter into the lease.	Cabinet Member for Leisure and Culture (Councillor Paul Stokes) Karen Whitfield, Assistant Director – Leisure, Culture and Place E-mail: karen.whitfield@southkesteven.gov.uk