

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.