

Minutes

Cabinet

Tuesday, 12 March 2024



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Date of publication – 18 March 2024

Call in expiry – 25 March 2024 –

decisions can be implemented

(provided no call-in) 26 March 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 Gareth Knight

Councillor Penny Milnes

Councillor Max Sawyer

Councillor Ian Selby

Councillor Elvis Stooke

Officers

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

Ayeisha Kirkham, Head of Public Protection

Nick Thacker, Interim Head of Housing (Technical Service)

James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)

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

92. Apologies for absence

There were no apologies for absence.

93. Minutes of the previous meeting

The minutes of the meeting held on 6 February 2024 were agreed as a correct record.

94. Disclosure of Interests

There were no disclosures of interests.

95. Contract Award Earlesfield Refurbishment Project

Purpose of report

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 would be a direct award through the Fusion 21 Framework and for a period of 12 months.

Decision

That Cabinet approves 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.

Alternative options considered and rejected

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

Reasons for decision

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

Asbestos was originally identified within the build of a particular style of houses that were built a number of years ago. The previous administration had started a project of removal and identified 119 houses that required this work. By the end of March 2024 45 of those houses would have had the asbestos removed but will also have been refurbished and modernised.

By the end of March 2024 the existing contract with United Living would have expired; this contract would now be renewed with a target of completing the overall project by the end of the 2024/2025 financial year.

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

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.

Decision

That Cabinet approves 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.

Alternative options considered and rejected

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

Reasons for decision

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

The 2023/2024 capital programme included a budget of £597,000 for the upgrade of the CCTV network and Connected Towns project.

The CCTV control room was to be relocated to Grantham Police Headquarters; this relocation would bring a number of benefits, as documented in a report to Cabinet earlier in 2023/2024.

BT would upgrade the analogue network and replace with high-definition cameras. The upgrade included free to access public wifi points which would connect to the BT network. There was a capital budget shortfall of £15,000 which would be refunded through the Property Maintenance Reserve. BT would provide the annual repairs and maintenance service for £122,000 per year for a 5 year period. The revenue budget included £70,000 for the repair and maintenance of the CCTV network; savings would be identified in the 2024/2025 General Fund Budget to meet the shortfall of £52,000.

Members expressed an interest in a visit to the new Police Headquarters in Grantham at some point in the future.

97. Lincolnshire Discretionary Housing Financial Assistance Policy

Purpose of report

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

Decision

That Cabinet approves the Lincolnshire Discretionary Housing Financial Assistance Policy be adopted and published.

Alternative options considered and rejected

The other option considered was to not update the policy and continue within the existing Private Sector Housing Assistance Policy 2019.

Reasons for decision

The current policy was out of date and required a review. The proposed policy met the local requirements whilst ensuring consistent delivery across the county. The county-wide policy was considered and recommended to Cabinet by Rural and Communities Overview and Scrutiny Committee on 1 February 2024. A county-wide policy was favoured over having a standalone South Kesteven District Council (SKDC) policy.

SKDC provided DFGs for those who wanted to remain in their own homes but were less physically able. There were two main grant categories, mandatory and discretionary.

Funding for this was achieved through the Better Care Fund and could only be used for the delivery of disabled adaptations. This financial year the amount provided to SKDC was £1,060,000.

SKDC performed its own disabled adaptations to its own housing stock.

Whilst the policy would be adopted by Lincolnshire districts, there were some local discretionary differences for SKDC; SKDC did not currently means test for stair lifts and modular ramps, which was different to other neighbouring authorities. This was set to continue.

98. Private Sector Housing Houses of Multiple Occupation Licensing Policy

Purpose of report

The Council was required to licence specified Houses of Multiple Occupation (HMO) under the Housing Act 2004. This had been a requirement since 2006 and was currently undertaken by the Private Sector Housing Team. There was no requirement to have a policy on the licensing of these HMO's.

The purpose of the report was to present a HMO Licensing Policy that was considered good practice and demonstrated how the Council performed a statutory requirement in a transparent and consistent manner.

Decision

That Cabinet approves the Private Sector Housing Houses of Multiple Occupation Licensing Policy for adoption, and publishing.

Alternative options considered and rejected

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

Reason for decision

HMO licensing was a key function that had a complex and detailed licensing process, currently the Private Sector Housing Enforcement Policy had 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.

The proposed Houses of Multiple Occupation licensing policy provided a document that was clear and demonstrated consistent decision making that would greatly reduce the likelihood of successful appeals to decisions made by the Council.

There was no requirement to have a policy; it was discretionary but considered good practice. There were 56 properties across the district that were licensed and met the prescribed descriptions as HMOs. The licensing aspect of HMOs applied to those properties with 5 or more occupants. SKDC was required to maintain a public register of those licensed properties, which also contained other details such as a description of the dwelling.

99. Public Spaces Protection Order- Pottergate Road

Purpose of report

To consider the implantation of an additional Public Spaces Protection Order on a specific area in order to prevent and reduce the impact of fly tipping.

Decision

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 (contained within Appendix 2) 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.

Alternative options considered and rejected

If the proposed PSPO had not been approved, South Kesteven District Council would have a reduced ability in which to prevent incidences of fly tipping in this area.

Reasons for decision

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

The area in question was a known vulnerable area for fly tipping on public and private land. This provided a nuisance for the local land owner who was required to clear the land and dispose of the fly tipping in a responsible way, in conjunction with SKDC.

Warning signage had been posted in the area, however incidents of fly tipping had continued to be reported. In June 2020 land in SKDC and North Kesteven District Council (NKDC) became a victim to large scale fly tipping, consisting of part-processed waste of around 40 tonnes. This incident was still being investigated.

As part of the proposal Lincolnshire County Council would install a gate to the north entrance onto the old A17 at Pottergate Road. The South entrance to this road close to the present day A17 had already been made inaccessible to road users.

A consultation was conducted from 11 December 2023 to 8 January 2024, and this demonstrated broad support for implementation of the Order. The Order would be recommended for three years.

Members made the following comments on the report:

- Environmental Protection were to be praised.

- The lane was only of use to the local farmers, and there was no need for vehicular access. There would still be access for walkers, cyclists and horse riders.
- CCTV on the lane may be required in the future if the fly tipping continued.
- The costs for clearing the waste on the site had been borne by NKDC, SKDC and the local landowner.
- Residents were encouraged to report fly tipping and littering through the SKDC, and Lincolnshire County Council websites.

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

Decisions taken since the previous meeting of Cabinet on 6 February 2024 were noted.

101. Cabinet's Forward Plan

The Cabinet Forward Plan was noted.

102. Cabinet Member Question Time

Question 1 – Councillor Max Sawyer to the Leader of the Council

Councillor Max Sawyer asked the Leader of the Council for documented proof of what had happened to the £2.7 million of surplus parking funding from the past 4 years, as well as requesting reassurance that if any funding had been spent, that it had been in accordance with the 1984 and 2004 Road Traffic Act concerning the expenditure of money obtained from parking.

The Leader of the Council promised to provide a written response, to be appended to the minutes of the meeting.

Question 2 – Councillor Gareth Knight to the Leader of the Council.

Councillor Gareth Knight asked the Leader of the Council whether the current administration had rejected the SLC report's findings into the LeisureSK Limited business plan, and whether there were further cuts planned to the Leisure SK Limited budget.

In response, the Leader of the Council confirmed that the administration had not rejected the SLC report and were currently in negotiations with Leisure SK Limited regarding a Recovery Mitigation Plan for this year. This week the Leader had written to the Chairman of Leisure SK Limited to express the dissatisfaction of Cabinet towards plans shared to date.

It was a difficult time for the leisure industry, in part due to the lower funding that Council's received to provide this service. The Portfolio Holder for Leisure and Culture had attended a Leisure SK Board meeting recently and reported some positive early signs, as increased marketing of the service had increased the income potential. Whilst the SLC report had raised some legitimate queries, there were

meetings going forward between the administration, officers and LeisureSK Limited to discuss these.

Question 3 – Councillor Elvis Stooke to the Portfolio Holder for Corporate Governance and Licensing

Councillor Elvis Stooke asked the Portfolio Holder for Corporate Governance and Licensing when the public consultation regarding the age of taxis at first licensing would commence.

The Portfolio Holder for Corporate Governance and Licensing confirmed that Licensing Committee had met on 16 February 2024 and had considered 27 different policy options related to the Hackney Carriage and Private Hire Licensing Policy, before deciding to go out to public consultation. The consultation was due to commence on 19 March 2024 for a 4 week period to 16 April 2024. This would include the topic of vehicle age.

Question 4 – Councillor Gareth Knight to the Leader of the Council

Councillor Knight asked the Leader of the Council why none of the Overview and Scrutiny Committees had conducted any Member-led reviews since May 2023.

In response, the Leader of the Council explained that he had requested Officers convene a meeting of all Committee Chairs to discuss potential improvements to practical arrangements of meetings and effectiveness of scrutiny across the Council. The Leader was explicit that the conduct and content of each Overview and Scrutiny committee should be governed by its members and not imposed by the Leader or his Cabinet.

Potential innovations to committees could include: outside speakers, further workshops (in lieu of 'deep-dive' reviews); more research into the current policy framework of the Council; alternative seating plans; more suggestions for committee workplans; and more cross-party collaboration.

103. Close of meeting

The meeting closed at 3:07pm.