

Minutes

Cabinet

Tuesday, 5 November 2024



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Date of publication: 20 November 2024

**Call in will expire on 27 November, and
decisions can be implemented on 28
November.**

The Leader: Councillor Ashley Baxter (Chairman)

The Deputy Leader: Councillor Paul Stokes (Vice Chairman)

Cabinet Members present

Councillor Richard Cleaver, Cabinet Member for Property and Public Engagement

Councillor Phil Dilks, Cabinet Member for Planning

Councillor Philip Knowles, Cabinet Member for Corporate Governance and Licensing

Councillor Virginia Moran, Cabinet Member for Housing

Councillor Rhea Rayside, Cabinet Member for People and Communities

Non-Cabinet Members present

Councillor Phil Gadd

Councillor Tim Harrison

Councillor Anna Kelly

Councillor Charmaine Morgan

Officers

Karen Bradford, Chief Executive

Richard Wyles, Deputy Chief Executive and Section 151 Officer

Karen Whitfield, Assistant Director – Leisure, Culture and Place

Emma Whittaker, Assistant Director of Planning

Chris Prime, Communications Manager

Ayeisha Kirkham, Head of Public Protection

Gyles Teasdale, Head of Property and ICT

James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)

Patrick Astill, Communications Officer

Andrew Beaver, Community Safety Manager

Peter Harrison, Environmental Protection Officer

56. Public Open Forum

There were no questions from members of the public.

57. Apologies for absence

An apology for absence was received from Councillor Rhys Baker.

58. Disclosure of Interests

Councillor Rhea Rayside wished it recording that she was Vice-Chairman of the Planning Committee at Stamford Town Council.

Councillor Phil Dilks wished it recording that he was Chairman of Age Concern Deepings.

59. Minutes of the previous meeting

The minutes of the meeting held on 8 October 2024 were agreed as being an accurate record.

60. Extension of Cattle Market Car Park, Stamford

Purpose of the report

To seek a delegation to appoint a contractor to undertake the proposed extension works to the Cattle Market Car Park, Stamford.

Decision

That Cabinet approves a delegation to the Deputy Chief Executive and Section 151 Officer, in consultation with the Cabinet Member for Property and Public Engagement, to appoint a contractor to undertake the extension works at the Cattle Market Car Park in Stamford.

Alternative options considered and rejected

No other sites of a similar size had been identified. An option not to extend the car park was rejected because it would leave Stamford with a continued shortage of long stay car parking.

Reasons for the decision

The Cattle Market Car Park was the primary long stay car park located on the south side of Stamford. The site currently offered 275 spaces with a further 15 disabled spaces.

A study had shown support for additional parking in Stamford. The proposed extension of the Cattle Market Car Park would provide an extra 146 spaces, of which 11 would be accessible. The extension of the site would require planning permission

for which an application would be considered by South Kesteven's Planning Committee on 7 November 2024.

Appointing a contractor to undertake the works would enable the Council to provide additional long stay car parking for Stamford. The tender was scheduled to be published at the start of November with the intention that work would begin in the New Year. The tender process was being undertaken in conjunction with Welland Procurement to ensure the process is compliant with the Council's Contract & Procurement rules. The capital budget of £550,000 was already in place.

Note: Councillor Charmaine Morgan left the Council Chamber for the remainder of the item as she had indicated that she was the Chairman of the Planning Committee.

The following points were highlighted during debate:

- Free parking was planned for Grantham and Stamford on Mondays, Tuesdays and Wednesdays in December in the lead up to Christmas. Parking fees had recently been rearranged to encourage parking in the District's main four towns.
- The proposed plans for the extension of the Cattle Market Car Park included electric vehicle charging points and disabled spaces.
- At a recent tourism event in Stamford attended by District Councillors local businesses indicated that accommodation and parking were two major issues, therefore it was important to bring extra parking provision forward.

61. South Kesteven Shopfront Design Guide

Note: Councillor Charmaine Morgan returned to the Council Chamber.

Purpose of the report

To seek approval from Cabinet for the updated South Kesteven Shopfront Design Guide 2024 to be used as a technical document alongside the existing supplementary planning policies relating to shopfront design as a material consideration in planning decisions.

To endorse the publication and signposting for members of the public to this document for queries relating to shopfront design, and to support the delivery of the UK Shared Prosperity Fund (UKSPF) Shopfront Maintenance Grant.

Decision

That Cabinet:

- **Approves the adoption of the draft South Kesteven Shopfront Design Guide 2024 as a technical document with material consideration for planning decisions.**

- **Endorses the use of the South Kesteven Shopfront Design Guide 2024 as a guidance document to support the delivery of the UKSPF funded Shopfront Maintenance Grant.**
- **Reviews the South Kesteven Shopfront Design Guide 2024 in 18 months' time.**
- **Delegates the final wording of the special considerations within the Guide related to illuminated signage for Bourne, Grantham, Market Deeping and Stamford, as well as the correction of any typographical or spelling errors to the Assistant Director (Planning and Growth), in consultation with the Cabinet Member for Planning.**

Alternative options considered and rejected

The 'do nothing' option had been considered because existing guidance, although outdated, provided the necessary basis for planning decisions. However, the most recent guidance was published 19 years ago, and the oldest over 30 years ago; therefore, the documents did not reflect current best practice or legislation in all cases. In addition, much of the guidance was not publicly available in an easily accessible format.

This option was discounted in favour of the production of an updated guide which met the requirements of current and future users, and which expanded the guidance to include Market Deeping.

Reasons for the decision

This was the first update and revision of the shopfront guide in almost 20 years. The Corporate Plan highlighted the importance of maintaining the historic and built environment of the District. The town centres of Bourne, Grantham, Market Deeping and Stamford all had designated Conservation Areas; clear and accessible shopfront design was important to maintaining the quality of the historic environment within the District's town centres. This would increase their attractiveness to visitors, residents and businesses.

The Council's current design guidance, while technically accurate, required update to account for changes in legislation, technology, and also to expand the scope to cover all four market towns.

Many retail properties in the District were listed buildings with a higher level of legal protection. Unauthorised works to these buildings was an offence which could result in prosecution. Many shop owners seemed unaware of the relevant guidelines and legislation.

The Council currently had design guides for Bourne, Grantham and Stamford which were accepted as supplementary planning documents. Market Deeping did not currently have a design guide.

The updated design guide included special considerations for each town. The guide recognised officers' experiences of regeneration programmes and provided information based on questions posed by shop owners.

Condensing the guide into a single document would be clearer and more straightforward and would inform decision-makers. If any shop owner was in any doubt at all about the correct approach to renovating a building, they should contact the Council for guidance.

A letter had been received from Stamford Civic Society welcoming the Council's approach to shopfront design. The document was designed in a more accessible format. It included enhanced information on key elements of shopfront design including: materials, colour, signage, advertising, the use of window vinyls and accessibility. The updated guide would also support officers within the planning team in decision-making relating to shopfront design applications and would facilitate discussions where disagreements arose.

Conservation Officers and the Economic Development team working under Claire Saunders were thanked for their hard work on the design guides.

The following points were highlighted during debate:

- Market Deeping had not previously had for Conservation Area guide in place. There were various shops within this area that were inappropriately decorated.
- The issue of 'advertisement consent' was slightly different to the issue of shopfronts that may require planning permission. Internally illuminated advertisements did not require consent from the Council. These could not be prevented unless a Discontinuance Notice was served after the event. However, in these circumstances the Council would need to prove nuisance or harm to amenities.
- Consultation with Town Councils would be appropriate on these matters because they often tackled issues related to potential nuisance or harm.
- Planning officers were working with a legal team to investigate what actions could be taken in relation to makeshift signs and vinyls. While some vinyls might be deemed appropriate, others would not, for example a whole window covered in vinyl.
- Different types of enforcement could apply in situations where a shopfront design was disputed, such as building enforcement for listed buildings, or planning enforcement with regards to planning applications. The Council would communicate on these issues, particularly with Town Councils.
- Residents or shopkeepers were encouraged to seek clarification and ask questions via the Council's pre-application process.
- A large piece of work on shopfronts in Grantham was carried out through the Future High Streets Fund programme.
- When discussing a 'shop', the definition would be a retail unit. In planning terms, it would be those buildings that fell under the same planning usage class.

62. Market Deeping Cemetery Public Spaces Protection Order

Purpose of the report

The approval of a proposed Public Spaces Protection Order (PSPO) at the Spinney, Market Deeping Cemetery in South Kesteven with the requirement for people to always keep their dog on a fixed length lead whilst in the Spinney, Market Deeping Cemetery.

Decision

That Cabinet:

- 1. Notes the results of the public consultation undertaken with regard to this Public Spaces Protection Order.**
- 2. Approves the Public Spaces Protection Order for the Spinney, Market Deeping in the District of South Kesteven for up to a 3-year period, unless the Council extends or varies this Order.**
- 3. Confirms that the maximum length of lead referred to in the Order should be 1 metre.**

Alternative options considered and rejected

Cabinet could have agreed not to put the new Order in place; this would have restricted the ability to enforce against the matters covered by the proposed Order.

Cabinet could have determined that the legal test had not been met.

Reasons for the decision

The main purpose of this decision was to ensure that an effective mechanism was available to deal with issues detailed in the Order.

Due to an administrative oversight, the original Market Deeping PSPO had not been extended. A four-week public consultation on this Order was undertaken between 31 July and 28 August 2024. 33 responses were received. Of these, 25 supported the proposal to reinstate a PSPO requiring people to always keep their dog on a fixed length lead whilst in the Spinney, Market Deeping Cemetery. 21 people did not think the implementation of the PSPO would have a negative impact on them.

It was decided that the length of lead referred to in the Order was 1 metre as this would enable the owner to keep their dog(s) off the internment area.

The following points were highlighted during debate:

- The Spinney was part of the cemetery practically, but not legally. The Spinney contained a wooded area that had been carefully underplanted and was used

for the scattering of ashes. There was a natural walkthrough from the Spinney to open land.

- If a dog lead was over 1.8 metres in length then the dog could legally be classed as 'free-roaming'.
- Within the Order itself, it was a requirement to 'keep the dog on a lead of not more than 1 metre in length unless (a) he or she has reasonable excuse for failing to do so; or (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

63. Councillor Development Strategy

Purpose of the report

To request approval of the Councillor Development Strategy for South Kesteven District Council.

Decision

That Cabinet:

- 1. Approves the Councillor Development Strategy for South Kesteven District Council.**
- 2. Delegated authority to the Monitoring Officer in consultation with the Cabinet Member for Corporate Governance and Licensing to correct any minor typographical changes within the document.**

Alternative options considered and rejected

Not to have adopted a Councillor Development Strategy.

To adopt the draft Councillor Development Strategy as attached at Appendix A.

To have suggested any amendments to the draft Councillor Development Strategy.

Reasons for the decision

It was considered good practice for Councils to have a strategic approach in place to identify and facilitate the training and development of their elected members. As part of the Corporate Plan the Council was required to produce and deliver a Councillor Development Strategy.

The criteria of the East Midlands Councillor Development Charter specified an expectation that the Council had a Councillor Development Strategy in place. It would therefore be difficult to have demonstrated that the Council met the necessary criteria to have achieved accreditation of Charter status without having adopted a Strategy.

Much preparatory work had been completed and the Strategy had been discussed at the newly established Councillor Development Group. The Councillor Development Group was an essential part of the Strategy.

64. Age Friendly Communities

Purpose of the report

For the Council to work towards becoming an Age Friendly Community.

Decision

That Cabinet:

- 1. Agrees that South Kesteven District Council registers to become an Age Friendly Community and engages in the necessary work to fulfil the criteria.**
- 2. Requests that the Council's Rural and Communities Overview & Scrutiny Committee monitor the progress of this work to maximise the impact of this opportunity.**

Alternative options considered and rejected

The Council had the option to do nothing. However, this would not have supported the Council's corporate ambition to provide an environment which supported all residents to live active and healthy lives.

Reasons for the decision

Becoming an Age Friendly Community had the support of the Health and wellbeing Board (Lincolnshire County Council), and the Director for Public Health for Lincolnshire. This step also supported the Health and Wellbeing Strategy adopted by Full Council in March 2023.

Cabinet provided political commitment to support South Kesteven by becoming an Age Friendly Community and requesting that progress was overseen by the Rural and Communities Overview & Scrutiny Committee.

The following points were highlighted during debate:

- The next Age Friendly Conference was on 22 November in Lincoln.
- The age of the population was having an effect on the requirements for social housing. There had been an increase in the need for one-bedroomed accommodation and adapted properties. All new developments in the District now included an element of adapted housing.
- 1 in 4 of the population was aged over 65, and in 20 years' time this was likely to rise to 1 in 3, which presented challenges. Part of becoming an Age Friendly Community involved producing an action plan for how the Council would meet these challenges.

- St. James the Great Church in Aslackby had just won UK Church of the Year. One of the reasons for this success was the involvement of dementia sufferers.
- South Kesteven had a relatively high proportions of veterans. 83% were over the age of 50.

The Cabinet Member for Planning was to answer a query relating to the differences between social housing and almshouses.

65. Cabinet's Forward Plan

The Leader and Deputy Leader of the Council had attended the commencement of groundworks at the new Turnpike Close Depot in Grantham.

The Leader of the Council would also be attending the St. Martin's Park Stamford site on Friday 8 November along with interested parties. The project was moving forward in a tangible way.

Cabinet's Forward Plan was noted.

66. Open Questions from Councillors

Councillor Charmaine Morgan wished to understand the issues with narrow pavements and the plethora of bins causing a potential hazard to pedestrians.

The Leader of the Council advised Councillor Morgan that the Cabinet Members for Environment & Waste and Property & Public Engagement would consider a response.

The meeting closed at 3:18pm.