

Minutes of a meeting of the **POLICY DEVELOPMENT PANEL** held in the Function Room, South Holland Centre, Market Place, Spalding, Lincolnshire, PE11 1SS, on Tuesday, 21 September 2021 at 6.30 pm.

PRESENT

A R Woolf (Chairman)
G P Scalese (Vice-Chairman)

A C Beal
F Biggadike
R A Gibson

P A Redgate
J L Reynolds
G T D Rudkin

S-A Slade
S C Walsh
A M Newton

In Attendance: The Assistant Director - Communities and Operations, the Assistant Director Property and Delivery, the Assistant Director Housing, the Head of Delivery, the Head of Environmental and Operational Services, the Environmental Services Business Support Manager, the Building Control Manager, the Democratic Services Team Leader and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors J R Astill, J Avery, M D Booth, M Hasan and J L King

1. APOLOGIES FOR ABSENCE

Notification had been received that Councillor Newton was replacing Councillor King for this meeting only.

2. POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the Policy Development Panel meeting held on 2 March 2021.

AGREED:

That the minutes be signed as a correct record.

3. JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the Joint Performance Monitoring Panel and Policy Development Panel meeting held on 29 June 2021.

AGREED:

That the minutes be signed as a correct record.

Action By

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4. JOINT PERFORMANCE MONITORING PANEL AND POLICY DEVELOPMENT PANEL

Consideration was given to the minutes of the Joint Performance Monitoring Panel and Policy Development Panel meeting held on 22 July 2021.

AGREED:

That the minutes be signed as a correct record.

5. QUESTIONS ASKED UNDER STANDING ORDER 6

There were none.

6. TRACKING OF RECOMMENDATIONS

There were none.

7. DECLARATION OF INTERESTS.

There were none.

8. ITEMS REFERRED FROM THE PERFORMANCE MONITORING PANEL

There were none.

9. KEY DECISION PLAN

Consideration was given to the Key Decision Plan dated 13 September 2021, and the following points arose:

- Regarding the Acquisition of Properties items on the Key Decision Planner, members commented that when the planner had been considered at Performance Monitoring Panel earlier in the month, there had been six of these items on the planner. This version had five items listed with property 'B' no longer appearing. Members questioned why this was no longer included.
 - Officers advised that a decision regarding property 'B' had been made between the publication dates of the two planners. This decision was now effective and had therefore been removed from the most recent Key Decision Plan.
- Under 'purpose of decision', property 'A' referred to acquisition of a second-hand property, whilst the others just referred to

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acquisition of property. Members sought clarification as to whether property 'A' was the only second-hand property.

- Officers clarified that the proposal for the Rough Sleepers Accommodation Programme was that the authority would purchase second-hand properties, and the probability was that this would be the case. However, officers had not yet identified all of the properties and therefore they could potentially be either new or second-hand.
- The five remaining items on the Key Decision Planner had decision dates of 30 September 2021. The Planner that had been considered at Performance Monitoring Panel had a date of 31 August 2021 against them. Members queried as to whether these were the same properties or additional properties.
 - Officers advised that the five remaining items on the Planner referred to the same decisions as the Planner considered by PMP.
- As the properties had not been identified yet, members questioned whether a decision could realistically be made before the end of September 2021 and whether this allowed time for consultation with members.
 - Officers advised that around 30 properties had been viewed so far and ward member consultation was taking place. This information was being collated for presentation to the Housing Delivery Steering Group and the relevant Portfolio Holder for Assets and Planning would make a decision in due course. It was possible that a decision could be published by 30 September 2021, however, it was also possible that this could overrun.

AGREED:

That the Key Decision Plan be noted.

10. POLICY REGISTER

The Panel gave consideration to the Policy Register.

The Chairman acknowledged that due to the pandemic the Policy Register had been delayed and looked forward to receiving an updated version at the November meeting.

AGREED:

That the Policy Register be noted.

11. STREET NAMING AND NUMBERING POLICY

Consideration was given to the report of the Portfolio Holder for Assets and Planning and the Assistant Director Communities and Operations to consider the revised Street Naming and Numbering Policy.

The Committee received the update to the Street Naming and Numbering Policy which stated that earlier engagement would be sought with parishes and ward members regarding the naming of development sites in their areas and that suggestions would be relayed to developers before naming decisions had taken place.

The following key points were raised:

- Members stated that decisions regarding the naming of developments still remained with the developer and could not be enforced by the council.
 - Officers advised that whilst it was acknowledged that the council could not legally enforce naming and numbering decisions upon developers, it was hoped that early engagement in the process would be influential.
- Members stated that the collation of a list of names linked to local history would be welcomed by developers who needed to make naming decisions early.
 - Officers replied that the aim of the policy was to be helpful to developers at an early stage but also to provide clarity for the emergency services.
- Members commented that as the list of names would be available to multiple developers simultaneously, a process needed to be in place at an early stage to manage expectations and avoid duplications.
 - Officers confirmed that checks would be made early in the process when applications were submitted to avoid duplications. Officers were well equipped to manage challenging conversations with developers should this arise.

AGREED:

That the Policy Development Panel noted the amendment of the Street naming and Numbering Policy and recommended its adoption.

12. HRA HOUSING DELIVERY FRAMEWORK

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Consideration was given to the report of the Executive Director – Strategy & Resource, which introduced an HRA Housing Delivery Framework to inform future investment decisions for the HRA Capital Programme relating to housing development.

The officer for Head of Delivery – Strategic Housing introduced the new framework and shared a presentation with members to explain the key points, which detailed:

- the purpose of the policy which provided a clear framework and filled a policy vacuum;
- an overview of the benefits of the framework which served to create certainty around which projects should be considered for delivery;
- an overview of the delivery models which would be within scope;
- the guiding principles to assist SHDC when considering which proposals to move forward;
- budgetary implications; and confirmation that ward consultations would take place prior to each decision

Consideration was given by Members, and the following comments were made:

- The new policy was welcomed;
- Members asked whether the skill set to deliver the strategy existed within the council.
 - Officers were confident that the skill set existed within the fully staffed team and relevant experience was held in all required areas.
- Clarity was requested as to where the consideration of infrastructure and amenities sat within the framework when selecting properties for residents.
 - Officers clarified that this area would be considered under the framework's guiding principles relating to location and would include consultations with ward members; evidence bases of housing allocations to inform where people wanted to live, considering amenities such as schools; and housing management regarding sustainability. It was agreed that consideration of amenities and infrastructure needed to be strengthened within the next iteration of the framework.
- Where groups of properties were purchased, the issue of ground maintenance needed to be considered.
 - Officers advised that ground maintenance varied on a site-by-site basis depending on whether the council owned part or all of the site or whether it was a Section 106 site. It was agreed that a statement regarding ground maintenance would be added.

CH

AGREED:

That comments regarding the HRA Housing Delivery Framework be noted, and approval given to be taken forward to Cabinet on 26 October 2021

13. SHDC MOBILE HOMES AND CARAVAN SITE LICENSING AND FEE POLICY

Consideration was given to the report of the Assistant Director – Housing, which proposed Mobile Homes and Caravan site licencing and the proposed introduction of a fee-charging structure for eligible administration connected with the policy.

Officers gave some context and an overview of the policy, which included:

- clarification that no prevailing policies existed for caravans and mobile homes and that this was the introduction of a new policy.
- that The Caravan Sites and Control of Development Act 1960 was the primary legislation which related to the issue of site licences, which for the purpose of the new policy, dealt with sites where planning permission had already been approved; the legislation had been amended by the Mobile Homes Act 2013 to increase standards across mobile homes, park sites and caravan sites; recent legislation enabled fees to be charged for 'relevant protected sites', and allowed councils to introduce a charging mechanism for the administration of the 'Fit and Proper Person' register, which Local Authorities were required to maintain for mobile homes' site managers.
- 640 licenced caravans existed in the district, located across 50 licenced sites. 'Relevant protected sites' related to residential parks, mobile home parks, and gypsy and traveller sites. It was anticipated that 10 sites in the district would receive this classification. A licence was required for all other sites as stated in the 1960 act. Exceptions were listed in 4.3 of the policy.
- A summary of fees was included in the policy and detailed in the appendix.

Councillors considered the new policy and made the following comments:

- Confirmation was requested as to whether the fixed fees charged to site owners solely reflected the recovery of actual costs or whether any income could be generated.

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- The officer confirmed that under the Department for Communities and Local Government guidance, fees charged were restricted to the recovery of costs regarding staff time for administering the issue of licences. Fees were benchmarked with other Lincolnshire authorities, but a suggested review period could be incorporated to enable amendments where these adhered to guidelines. Related work was already being actioned by officers without charge so the introduction of this policy would lead to extra income generation.
- Members requested the inclusion of a caveat to enable the charging of extra fees in order to cover increased costs should an individual application become protracted.
 - The officer confirmed that Members' comments regarding charges were acknowledged and would feed into the review of the next stage of the policy.
- Members asked whether consultation had taken place with existing site owners regarding the policy.
 - Officers advised that whilst consultation had not taken place, site owners had been advised of the legislation changes in writing and had been made aware of the new information required by SHDC to achieve the necessary 'Fit and Proper Person' status. Most sites in the district were well established and officers had a good relationship with owners.
- Members asked whether Gypsy and Traveller sites were included in the policy.
 - The officer confirmed that Gypsy and Traveller sites were classed as 'relevant protected sites' and would be subject to site licences if planning permission was held.
- Members queried the fundamental difference between an 'Amendment to a Licence' and a 'Transfer of a Licence', charged at £142.93 and £83.94 respectively.
 - The officer advised that he would investigate this point and respond outside of the meeting.
- Members asked if there was a schedule which specified 'imminent risk of serious harm' as stated in point 3.5 of the policy.
 - Officers confirmed that the definition relating to caravans and mobile homes was uncertain due to the associated legislation falling within the Environment Act. Officers applied the Housing Health and Safety rating system as a benchmark when assessing hazards in caravans and mobile homes.

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- Members replied that should action be taken because of 'imminent risk of serious harm', that a clear definition of this would be helpful to mitigate dispute and therefore aid recovery of costs.
 - In pursuit of their duties, authorised officers relied on the protection of prevailing legislation when making decisions regarding action. Issues were discussed with the landowner/responsible person before action was taken. It was recognised that this was unclear and therefore agreement was made to include a bulleted list of examples regarding 'imminent risk of serious harm'.

JK, CG, AT

AGREED:

- a) That feedback from the SHDC Mobile Homes and Caravan Site Licensing and Fee Policy be noted and approval given to be taken forward to Cabinet on 26 October 2021.
- b) That the policy be reviewed one year after adoption.

14. MARKET CONSULTATION OUTCOME

The Head of Environmental and Operational Services and the Environmental Services Business Support Manager provided the panel with a presentation concerning the Market Consultation Outcome.

The update included consultation period feedback from stakeholders, market traders and other interested parties regarding: a new Markets Regulations handbook; a proposed new fee structure; the current and future position of the markets.

The six-week consultation period ended on 30 July 2021 and utilised a broad range of methods to obtain the widest possible response, including: in person consultation at market stalls which members also attended; consultation at community centres; postal and email surveys; information circulated to the press and social media channels.

207 responses were received of which 192 were survey responses and 15 were substantial written responses.

Alongside the presentation, officers gave an overview of the survey responses, which included the following key points:

- 86% of responders were residents of the district, 6% were traders;
- 74% of those surveyed visited once per week;

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- Spalding markets were the most attended with 120 visits; 33 for Crowland; 45 for Holbeach; and 68 for Long Sutton;
- The main reason given for visits to the market was the outdoor shopping experience but during their visit to town centres people also patronised other shops and socialised;
- Saturday markets were the most popular;
- Spalding market benefited from incidental footfall;
- Visitors stated they liked to support the range of local traders but wanted an increased number and variety of stalls;
- Other suggestions included pop-up stalls for prospective new traders; seating areas; and contactless payments;
- Regarding the handbook update: the survey proposed the display of Food Standards Hygiene ratings for prepared food stalls: 73% of responders were in favour of this proposal;
- A further handbook proposal asked whether traders should provide and set-up their own fit for purpose stall. The highest percentage had no response or opinion and a further 10% unsure. A quarter agreed and 16% disagreed. Concern was raised over what and who determined 'fit for purpose' and the impact this proposal would have on new businesses and disabled traders. These important points had been considered with mitigations in place which included opportunities for the provision of pop-up stalls and how public sector duties were met;
- The survey requested feedback regarding the reduction of core market trading hours (from 9am to 3.30pm, to 9am to 2pm) which had been supported by traders. Feedback suggested that people disagreed with this proposal: 17% were in agreement with the reduction; 34% disagreed; 29% had no opinion; 13% felt it was the traders' decision. Concerns were raised by working people who could not visit during restricted opening hours and those who scheduled visits which coincided with the collection of children from school;
- Almost half of responders either agreed or strongly agreed that the council should engage with traders through their appointed representatives. The consultation results were to be discussed with the established traders' engagement group for feedback and consideration of options prior to the report to Cabinet in October.

Recommendations to Cabinet would include:

- Adoption of the Handbook;
- Introduction of the new fee structure from 1 November 2021;

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- Consideration of stall provision and duties under the Equality Act;
- Potential introduction of pop-up stalls; and
- Book and Pay markets.

Members considered the presentation and made the following comments:

- Members thanked the officers for their work on the consultation and stated their commitment to the markets;
- Members who attended the market consultations were also thanked for their involvement in the process;
- Members questioned the plans for further development, specifically relating to engagement and growth of the markets beyond the current recommendations due to be presented to Cabinet.
 - Officers replied that the consultation was the first development step and that there would be further growth options within the upcoming Cabinet report, including: proposed investment to drive the markets forward; do nothing and maintain the status quo. Benchmarking opportunities with other markets were considered key for future growth, as was the continuation of the relationship with the National Association for British Markets Authorities (NABMA) which had SHDC member involvement.
- Members asked whether demographic data could be retrieved from the survey results, specifically relating to which age groups had and had not engaged, to inform future activity.
 - Officers confirmed that age data was captured and a very specific age group of 50+ had responded.
 - Officers also stated that the markets consultation would contribute to the wider work carried out by the two Town Centre steering groups which served to strengthen the overall health of main towns in the district, including a focus on markets.
- Members asked what work was being undertaken to attract under 50s to markets?
 - Officers advised that the market visitor data analysis was new but results would feed into future activity plans to engage a wider demographic, including relating to the variety of stalls. A package of further initiatives was being considered, including:
 - working with Young Market Traders Representatives;
 - a continuation of Spalding Steering Group discussions and planning with Boston College representatives who had expressed

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- a strong interest for students to access pop-up stalls as an introduction to potential market trade careers;
 - a sharing of expert industry knowledge from a Small Business Federation representative who also sat on the Spalding Retail and Independent Offer Steering Group. This contact had been involved with a thriving young student market and SHDC was looking to set up an activity plan around this model.
- Members stated that their upcoming visit to the NABMA conference with the Town Centre Improvement Plan Coordinator would include knowledge sharing and discussions with experts in youth and specialist markets to help shape ideas for SHDC. It was stated that presentable and attractive stalls were important as they encouraged greater footfall and spend which in turn attracted more shops and traders.
- Members asked what was being done to widen the variety of stalls as requested by survey responders.
 - Officers confirmed that they continually worked on trying to attract a variety of traders to the markets. For this work to progress further it was recognised that a consultation was required to understand the motivations of visitors and analyse footfall data. Now complete, the consultation feedback would inform future action to attract a variety of traders and increase footfall. The work with the steering groups in relation to markets was also key.
- Members stated that pop-up stalls were discussed last year and asked what had happened during this period and why this had been delayed.
 - Officers advised that pop-up stalls were purchased and trialled, but implementation was strategically delayed for the consultation and essential regulatory work for the new Markets Handbook to take place. The consultation feedback captured strong local support for pop-up stalls and officers now hoped to move forward with this initiative with the aim of attracting new traders and micro-businesses without investment risk to them.
- Regarding equalities and store provision, councillors questioned whether assistance would be in place for traders who were not physically able to set-up their stalls. Councillors stated that any remedy would be subject to additional cost.
 - Officers advised that The Equalities Act 2010 ensured that local authority public services were

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delivered to the population as a whole to ensure that no-one would be disadvantaged in respect of disability, age or gender. The market consultation included an associated Equality Impact Assessment to identify potential breaches of this duty. A few risks were identified and work relating to provision had commenced to ensure mitigations were in place for those who identified a need.

- Members who attended markets during the consultation relayed observations and verbal responses from customers and traders: Regarding Food Hygiene Standards, councillors questioned whether this would add a barrier to new start-ups. It was understood that traders must comply with hygiene legislation, however this needed to be approached with a sympathetic view; new traders needed to be incentivised; traders and customers criticised the layouts of the markets specifically relating to the inconsistency of where stalls were pitched, including issues with traffic and parked vehicles; some of the issues had affected the return and retention of stall holders; the placement of markets in close proximity to car parks was beneficial; the signposting of markets could be improved.
- Members commented that the sharing of best practice from Long Sutton Market would be beneficial as most responders had visited the town specifically for outdoor market shopping;
- Survey responder bias needed to be considered when conclusions were drawn from the consultation feedback analysis. Opinions of non-visitors were also important to inform what would persuade them to visit in the future;
- Members questioned the current incentives for traders: pop-up stalls were likely to result in an increased number and wider variety of stall holders; it was felt that the provision of free stalls had been counterproductive as traders were not committed to attend; suggested incentives included the provision of pre-booked and pre-paid stalls.
- Improvements to the promotion of markets was needed including a public relations strategy across both digital and traditional formats.
 - Officers advised that a small element of marketing had been built into the new fee structure included in the consultation. Officers had recently worked closely with the Communications Team to obtain interviews with traders for social media but more work needed to be done.
- Members reminded the Panel that previous changes had occurred to the markets due to the £77,000 per year cost, and that any future changes needed to be realistic;

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- Members asked what communications had occurred with traders who had not returned since the Covid reopening; and if none, for this to happen.
 - Officers advised that resources had been focussed on the current traders however they would investigate whether contact details were held for previous traders so this could be moved forward.
- Members acknowledged that with competition from global online stores, markets needed to become relevant in the modern world with the offer of speciality products not readily available to the mass market online. Encouragement was needed, whether through free stalls or other incentives to avoid traditional market stalls falling away.
 - Officers agreed that whilst markets could not compete with online sellers, the benefits of the physical selection of goods and the social element attached to visiting markets could not be experienced online. A balance was therefore required. Incentives were important but they needed to be the right ones. Whilst free markets had improved traders' attendance at some markets, it had not increased footfall. A better understanding of visitors' wishes through the consultation results would help to drive this forward.
- Members commented that young people did not consider that markets were relevant to them. To attract young people, stalls needed the offer of speciality consumables, such as cheeses, meats and breads and not items that were readily available online.
- Members asked whether a Christmas Craft Market would be offered as this would attract new traders who may then book regular weekly markets.
 - Officers confirmed that a Christmas market was planned however attracting a variety of stallholders for Christmas markets was challenging as specialist crafters book months in advance at larger markets with higher footfalls.

AGREED:

That comments relating to the Market Consultation Outcome be noted, and approval given to be taken forward to Cabinet on 26 October 2021

15. POLICY DEVELOPMENT PANEL WORK PROGRAMME

The Panel considered a report by the Executive Manager

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Governance, which set out the work programme of the Panel. The work programme consisted of two sections, the first setting out the dates of future panel meetings along with proposed items for consideration, and the second setting out Task Groups that had been identified by the Panel.

Members considered the report, and the following issues were raised:

Future consideration of policies

Following discussion of the Policy Register earlier in the meeting the following items were requested to come forward to the November meeting. Reports and policies were required for:

- The Corporate Enforcement Policy;
- The FOI Policy;
- The Data Protection Policy;
- The ICT Incident and Management Policy; and
- The Employee Access Policy;

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Verbal updates were required for:

- The Industrial Units Letting Policy; and
- The Asset Management Strategy Policy

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MW

Untidy Sites

Members and officers provided a brief update on the work that had been undertaken between officers, and Councillors Booth and Redgate on this issue. It was confirmed that a Policy document handbook was planned, to outline a consistent approach in dealing with these sites, and that this would be considered at the November meeting.

RH, AT

Task Groups update:

- Planning Design and Community Infrastructure Task Groups: The Chairman confirmed that he had discussed progress of this Task Group with the Head of Planning however, there was nothing further to report as the White Paper on Planning Reform was still proceeding through Parliament.
- Membership of a new Joint South Holland Centre Task Group was discussed. At the meeting of PMP on 8 September 2021, the number of councillors who had put their names forward to sit on the Task Group had reduced from 9 to 7 and it had been agreed that 5 members would be sufficient. In addition, Councillor Newton would attend as a co-optee. It had been agreed at the meeting that the Chairmen of both scrutiny panels would find a way forward to select the 5 members – Councillor Woolf advised that the membership would consist of the two Chairmen (both himself and Councillor Alcock), a member from each Panel that sat on only the one Panel (this

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was confirmed as Councillor Wilkinson on PMP and Councillor Biggadike on PDP), and the fifth member who sat on both Panels. Both Councillors Walsh and Redgate sat on both Panels, and following a vote, Councillor Redgate became the final member of the Task Group. The membership of the South Holland Centre Task Group was therefore confirmed as Councillors Alcock, Woolf, Biggadike, Wilkinson and Redgate.

AGREED:

That the Work Programme be noted

16. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.

There were none.

(The meeting ended at 8.27 pm)

(End of minutes)