

Minutes of a meeting of the **CABINET** held in the Council Chamber, Council Offices, Priory Road, Spalding, on Tuesday, 26 April 2022 at 10.00 am.

PRESENT

C N Worth (Deputy Leader)

P E Coupland (Deputy
Leader)
A Casson

R Gambba-Jones
R Grocock
C J Lawton

E J Sneath
G J Taylor

Executive Support Members: A C Beal.

The Joint Chief Executive, the Deputy Chief Executive (Corporate Development) and S151, the Deputy Chief Executive (Growth), the Deputy Chief Executive (Programme Delivery), the Assistant Director (Leisure and Culture), the Assistant Director (Finance), the Head of Delivery, the Climate Change and Environment Manager, the Democratic Services Manager and the Democratic Services Team Leader.

Apologies for absence were received from or on behalf of Councillors G A Porter, J R Astill, N H Pepper, J L Reynolds, A R Woolf and T A Carter.

In Attendance: Councillor A M Newton (Independent Group Leader), Councillor B Alcock (Chairman, Performance Monitoring Panel), and Councillor P A Redgate (Chairman of the Street Art Wall Task Group).

47. MINUTES

The minutes of the meeting held on 15 February 2022 were agreed and signed by the Deputy Leader.

48. DECLARATIONS OF INTEREST.

Councillors Coupland, Sneath and Alcock did not have a Disclosable Pecuniary Interest, but in the interests of transparency, declared that in relation to agenda item 12, that they were on the Board of Directors of Welland Homes Ltd.

49. QUESTIONS RAISED BY THE PUBLIC UNDER THE COUNCIL'S CONSTITUTION (STANDING ORDERS).

There were none.

Action By

CABINET - 26 April 2022

50. TO CONSIDER ANY MATTERS WHICH HAVE BEEN SUBJECT TO CALL-IN.

There were none.

51. TO CONSIDER MATTERS ARISING FROM THE POLICY DEVELOPMENT AND PERFORMANCE MONITORING PANELS

Graffiti and Street Art Management Policy 2022

Consideration was given to the report of the Deputy Chief Executive – Communities, which requested that the Cabinet consider the Graffiti and Street Art Management Policy 2022 to establish Street Art in South Holland to provide safe and welcoming public spaces for local communities. The Chairman of the Task Group presented the report.

The following points were raised:

- The Portfolio Holder – Communities and Facilities recognised the efforts of the artists who had initiated the original petition, presented their ideas at Council, and whose artwork was impressive. He also congratulated the Policy Development Panel for drawing together a draft Policy. He commented that the Policy would need to be monitored, and that only time would tell if it was successful. He supported the recommendations and stated that the Policy would support artists to produce their street art whilst tackling and enforcing the problem of graffiti.
- Members asked who would determine the difference between street art and graffiti, and what the cost implications would be.
 - The Chairman of the Task Group clarified that street art was defined as anything that could be classified as art in a public domain, for example spray can artwork, statues or sculptures.
 - Officers advised that Appendix B of the report showed concepts provided by the artists which would be used as a test for the type of street art to be provided by other artists. In addition, staff would look out for any graffiti within the area and highlight anything that was not appropriate. Consultation with artists, parishes etc was an important part of the process. Costs to the Council would relate to officer time for the removal of graffiti, but this was work that was already being undertaken where required.
- Members asked what the position was with regard to street art on listed buildings or in a conservation area.

CABINET - 26 April 2022

- Officers advised that this would be covered by Planning regulations and that it was unlikely that street art in these areas would be sanctioned. The guidance provided in the draft Policy aimed to support the way forward.
- The draft Policy stated that the Council had a power under section 43 of the Anti-Social Behaviour Act 2003, as amended by the Clean Neighbourhoods and environment Act 2005, to deal with graffiti offences and to enforce removal of graffiti from private property where required. Did the Council have a sufficient budget to deal with this? It was felt that to impose clearance costs against private owners was unfair.
 - Officers responded that there was always a risk of defacement to private properties and that one of the purposes of the Policy was to limit this, and to have a formal mechanism in place for the authority to work with the appropriate organisations or landowners. The problem of properties being defaced already existed and dealing with it fell under current budgets. The Policy would provide a better way forward for those that wished to undertake their street art.
- Members asked how the walls housing the street art would be maintained and inspected.
 - Officers responded that the artists would be responsible for their artwork. The Policy was currently being tested, with consideration being given to panels that could be painted over. Take up by artists of the scheme would be monitored and reviewed in six months' time. With regard to inspection, the Council would inspect any Council-owned sites, would remove any offensive content, and could paint over any faded artwork. It would be the responsibility of the artists to keep artwork fresh and to provide ideas for replacements within reasonable timescales.
- With regard to sites for artwork, members commented that other sites could be considered, and waste ground at Swan Street was suggested as a future area to trial the Policy.

DECISION:

- 1) That the Policy be approved and forwarded to Council for information;
- 2) That the Policy be delegated to the Portfolio Holder for

CABINET - 26 April 2022

Communities and Facilities for any final amendments and any future changes;

- 3) That the outcome of the Piloting phase which tested the draft policy be noted; and
- 4) That a review by the Street Art Wall Task Group after 6 months be approved, to enable the proposed policy to be successfully implemented.

RECOMMENDATION TO COUNCIL:

- 5) That the Graffiti and Street Art Management Policy be noted.

(Other options considered:

- *Do nothing – not considered. The Graffiti and Street Art Management Policy 2022 had been developed and tested by a Policy Development Panel Task Group and was based on best practice policies in operation across the country and internationally. Following a public petition which had culminated in a presentation to Council on 24 November 2021, members had supported the opportunity and agreed to refer the proposal to the Task Group, to develop the governance framework to support the opportunity for street art in South Holland.*

Reasons for decision:

- *The recommendations within the report responded to the public petition presented to the Council on 24 November 2021 and the overwhelming support indicated by the Members of the Council in response to the public petition.)*

52. 2021/22 FINANCIAL REPORT QUARTER 3

Consideration was given to the report of the Portfolio Holder for Finance, Commercialisation and Partnerships and the Deputy Chief Executive (Corporate Development) (S151 Officer), which provided information on the Quarter 3 (to 31 December 2021) financial position of the Council.

The Portfolio Holder for Finance, Commercialisation and Partnerships provided the following summary:

- The Q3 Forecast Outturn 2021/22 presented the forecast outturn position as at 31st December 2021 for this financial year and was based on the information known at the time.
- General Fund - The full year forecast outturn based on current projections and assumptions was an overspend of £191,000 in the General Fund, which included the balances of unachieved efficiency savings of £397,000. The forecast outturn position

CABINET - 26 April 2022

by Directorate was detailed at Appendix A – Table 1, together with an analysis of service variations. The 2021/22 budget included an efficiency savings target of £1.676 million, savings achieved so far were £1.279 million. Details of these savings were listed in Appendix A table 2a.

- Reserves (GF and HRA) - General Fund Specific Reserves were forecasting a decrease of £0.311 million from £13.493 million to £13.182 million - further details were set out in Appendix A - Table 3. In addition, the General Fund Reserve Balance remained at £2.078 million. The HRA General Reserve balance was forecasting an overall increase of £0.846 million from £27.384 million to £28.230 million. More details were provided at Appendix A – Table 3.
- HRA - The HRA was forecasting a surplus of £1.663 million, and further detail was provided at Appendix A - Table 4.
- Capital
 - General Fund - Revisions totalling £0.922 million were recommended for approval, as detailed in Appendix A Table 5, giving a revised 2021/22 programme of £8.390 million. The total budget carry forward due to slippage on the General Fund Capital Programme of £3.747 million was detailed on Appendix A – Table 8 was recommended for approval.
 - HRA - The total revised HRA Capital Programme for 2021/22 was £14.984 million as detailed in Appendix A Table 10. The total budget carry forward due to slippage on the HRA Capital Programme of £9.281 million as detailed on Appendix A – Table 12 was recommended for approval.
- Treasury Management - Appendix A - Section 2.5 provided details of the Council Treasury Investments. As at 31 December 2021, a total of £48.376 million investments were held by the Council. Appendix A Table 13 provided more information on the investments. The forecast income from investment interest had been calculated at £194,000, as per budget.
- Debt Collection - Section 2.6 showed the analysis of sundry debts the Council held as at 31st December 2021.
- Council Tax & Business Rates - Section 2.7
 - Council Tax - Collectable debit for 2021/22 was £54.4 million. As at December 2021, collection rate was 83.55% (83.80% at 31 December 2020)
 - Business Rates - Collectable debit for 2021/22 was £24.1million. As at December 2021, collection rate was 81.59% (77.99% as at 31 December 2020)

It was noted that the Revised Budget 2022/23 figure for Crease Drove Industrial Units (Appendix A, Table 8) should read £1.350

CABINET - 26 April 2022

million.

DECISION:

- 1) That the report and **Appendix A** be noted.
- 2) That the estimated position with regard to the approved contributions to and use of reserves be noted.
- 3) That the General Fund and Housing Revenue Account Capital programme be noted as set out in **table 5, 6, 9 and 10** of **Appendix A**.

RECOMMENDATION TO COUNCIL:

- 4) To approve the necessary budget carry forwards for the General Fund and Housing Revenue Account Capital programme as detailed in **table 8 and 12** of **Appendix A**.
- 5) To approve virements (internal transfers) up to the value of £1.676 m to reflect the efficiency savings which currently are still in service areas and due to be offset against the budget for efficiency savings.

(Other options considered:

- *Do nothing.*

Reasons for decision:

- *To provide timely information to Members on the overall financial position of the Council.)*

53. Q3 PERFORMANCE REPORT 21/22

Consideration was given to the report of the Assistant Director – Corporate, which provided an update on how the Council was performing for the period 1 October 2021 to 31 December 2021. A summary of the main points was provided by the Deputy Chief Executive (Corporate Development).

- Members asked what action was being undertaken to address the performance within Customer Services.
 - Officers advised that some of the issues had been around recruitment, and a lot of work was being undertaken with regard to induction and training of new starters within the Customer Service Centre. An improvement in performance was already being seen and work continued to maintain this positive trend. Officers would be providing an update to a meeting of the Performance Monitoring Panel, and further

CABINET - 26 April 2022

improvement in Quarter 4 was anticipated.

DECISION:

That the content of the report be noted.

(Other options considered:

- *Do nothing.*

Reasons for decision:

- *To ensure that Council performance is properly scrutinised.)*

54. OFFICER AND MEMBER ICT POLICIES

Consideration was given to the report of the Assistant Director – Corporate, which sought approval on the proposed ICT Policies for Officers and Members. The Deputy Chief Executive (Corporate Development) provided an overview to the report.

DECISION:

That the following ICT policies (appended to the report) be agreed:

- Employee and Member Access Policy;
- Removable Media Policy;
- Remote Working Policy;
- Third Party Access Policy;
- Systems Acquisition, Development and Deployment Policy

(Other options considered:

- *Do nothing. Not considered as the existing ICT Policy set requires review.*

Reasons for decision:

- *To ensure the Council's ICT Policies are up to date and reflect best practice.)*

55. CLIMATE CHANGE STRATEGY

Consideration was given to the report of the Leader and the Climate Change and Environment Manager which asked members to receive and approve the final version of the Climate Change Strategy. The Climate Change and Environment Manager provided an overview of the Strategy.

The following points were raised;

- Councillor Alcock commented that, as detailed in the table on pages 181-182 of the agenda pack) proportionately, SHDCs

CABINET - 26 April 2022

emissions seemed higher than Boston and East Lindsey's, and the headings across these tables were not uniform. It was also suggested that young people should be consulted with.

- The officer advised that a response would be provided in due course.
- It was disappointing to see that there had only been 14 respondents in South Holland. It was important to improve communication with local residents in order to receive feedback on what should be done locally, as local requirements were often different to those nationally.
 - Officers commented that Boston and East Lindsey had also been in a different position two years ago and work had been undertaken to address issues. This would be the next step at SHDC, but would take time – a review of how each service area worked would have to be undertaken so that the Council was working to the Strategy before it was progressed any further.
- It was noted that within the table detailing links to the 12 missions in the Levelling Up White Paper, there was no information under 'Education' however under Skills, it was stated that education was an overarching theme of the strategy. Members asked that this contradiction be addressed.
- Did the Authority have the capacity to deliver the action plan detailed within the document within the timescales?
 - Until the South and East Lincolnshire Climate Action Network was established, it would be difficult to gauge the level of support for the work within the strategy. Once the network was formed, prioritisation would be key to ensure there was capacity to take this forward.

DECISION:

That, following public consultation on the document in winter 2021/22, the final version of the Climate Change Strategy be approved.

(Other options considered:

- *None.*

Reasons for decision:

- *To progress work on the agreed Climate Change Strategy and enable the establishment of a South and East Lincolnshire Climate Action Network.)*

CABINET - 26 April 2022

56. GREEN HOMES GRANTS DELIVERY

Consideration was given to the report of the Climate Change and Environment Manager which sought member approval for the operational arrangements for the S&ELCP delivery of the Green Homes Grants for the sub-region. The Climate Change and Environment Manager provided an overview of the Strategy.

The following points were raised:

- Members asked whether monies would be spent in the district by employing local contractors to undertake works.
 - Officers advised that the current programme would run for only 12 months, dealing with in excess of 400 properties across the area and that the logistics of the scheme and short timescales made procurement a challenge. There were a large number of businesses required as part of the project - in some cases it had been possible to use local contractors however, in others, it had been necessary to continue using existing contractors (who were not based in Lincolnshire). Unfortunately, some funding would not be able to be retained within the district, but this could not be avoided as the timescale was very tight. Going forward, a Key Performance Indicator would be introduced to provide a focus on using more local resource and developing various trades and elements at a local level. In addition, the social values of the contract would address the training and up-skilling of local people to build a base for the future. Educational development would be undertaken in liaison with training providers and colleges, and apprenticeships would also be considered. The ambition was to deliver funding until 2025, and future phases of funding would have longer delivery windows.

DECISION:

That the operational arrangements set out in the report, and the following specific recommendations be approved:

- 1) That East Lindsey District Council act as the lead authority and accountable body delivering the Sustainable Warmth programme on behalf of South Holland District Council.
- 2) That the resourcing arrangements being put into place to facilitate the delivery of this programme of activity be noted.
- 3) That the entering into of an appropriate written agreement

CABINET - 26 April 2022

between East Lindsey District Council and South Holland District Council for delivery of the programme, subject to legal advice, with delegated authority given to the Assistant Director Regulatory in consultation with the Portfolio Holder to agree the terms of the agreement, be approved.

- 4) That the establishment of a Programme Board for Sustainable Warmth with appropriate Portfolio Holder representation from each of the three Partnership Councils and Assistant Director Regulatory to monitor quarterly progress, as outlined in paragraph 3.10, be approved.
- 5) That the Executive Board of ELDC be authorised to administer delivery of Green Homes Grants to South Holland residents.

(Other options considered:

- *Not to approve the operational arrangements;*
- *To implement alternative arrangements, such as implementing the scheme internally rather than with East Lindsey District Council as Lead Authority and Accountable Body.*

Reasons for decision:

- *To enable officers to effectively manage the new programme.)*

57. WELLAND HOMES HOUSING DELIVERY FRAMEWORK

Consideration was given to the report of the Portfolio Holder (Assets and Planning) and the Assistant Director (Strategic Growth and Development) which introduced a Housing Delivery Framework to inform future investment decisions for Welland Homes relating to housing developments.

Members noted that the proposals did not include any reference to informing ward members. Officers responded that every decision published by the Executive would be subject to call-in, and members would therefore have the opportunity to feed in via this mechanism if required.

Members responded that ward members should be informed on any housing schemes which met the criteria, prior to a public report being submitted to Cabinet for decision. A formal amendment to this end was proposed. The amendment was moved and seconded.

DECISION:

- 1) That the proposal to amend the Policy Framework to include the Welland Homes Housing Delivery Framework be supported and recommended to Council for approval;

CABINET - 26 April 2022

- 2) That ward members be informed on any housing schemes which met the criteria, prior to a public report being submitted to Cabinet for decision;

RECOMMENDATION TO COUNCIL:

- 3) That the Welland Homes Housing Delivery Framework, at Appendix A to the report, which informs and guides future Executive decisions for the Capital Programme for Welland Homes housing delivery, be approved; and
- 4) That the Welland Homes Housing Delivery Framework be included as a local choice policy in the Council's Policy Framework and that the Constitution, at Article 4.3, be amended accordingly.

(Other options considered:

- *Do nothing. In this event, there would be no certainty around the preferred approach to delivering new housing schemes. This could delay schemes being approved. The Executive would continue to approve business cases for individual schemes without a framework being in place to guide such decisions.*

Reasons for decision:

- *To identify the preferred nature of schemes for future investment;*
- *To provide a framework within which the Executive can approve the delivery of Welland Homes housing projects;*
- *To ensure that investment decisions are made which adhere to the framework;*
- *To clarify that schemes which are outside of the framework will only be pursued if they have been referred to, and approved by, Council.)*

58. ANY OTHER ITEMS WHICH THE LEADER DECIDES ARE URGENT.

There were none.

(The meeting ended at 11.20 am)

(End of minutes)

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on **11 May 2022**.