

Minutes of a meeting of the **CABINET** held in line with The Local Authorities & Police & Crime Panels (Coronavirus) (Flexibility of Local Authority & Police & Crime Panel Meetings) (England & Wales) Regulations 2020, on Tuesday, 27 October 2020 at 10.00 am.

PRESENT

G A Porter (Leader)

P E Coupland (Deputy
Leader)
A Casson
H Drury

R Gambba-Jones
R Grocock
C J Lawton

E J Sneath

Cabinet Support Members: Councillor A C Beal and Councillor J L Reynolds.

The Executive Director Commercialisation, the Director (Acting), the Executive Manager Delivery, the Executive Manager Governance, the Strategic Finance and Compliance Manager, the Environmental Services Manager, the Housing Landlord Services Manager, the Housing Options Manager, the Communications Manager, the Democratic Services Manager and the Democratic Services Officer.

Apologies for absence were received from or on behalf of Councillors C N Worth, G J Taylor, J R Astill, N H Pepper, B Alcock and A R Woolf.

In Attendance: Councillor A M Newton (Independent Group Leader) and Councillor T A Carter (Chairman, Governance and Audit Committee).

33. MINUTES

The minutes of the meeting held on 15 September 2020 were agreed, and would be signed by the Leader as a correct record as soon as reasonably practical after the meeting.

34. DECLARATIONS OF INTEREST.

There were none.

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

There were none.

Action
By

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

There were none.

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

There were none.

38. 2020/21 FINANCIAL REPORT QUARTER 2

Consideration was given to the report of the Portfolio Holder for Finance, Strategies and Partnerships and the Executive Director Commercialisation (S151) which provided information on the Quarter 2 (to 30 September 2020) financial position of the Council.

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.

RECOMMENDED TO COUNCIL:

- 3) That the General Fund Capital programme be approved as set out in table 5 and 6 of Appendix A.

CM

(Other options considered:

- *Do nothing*

Reasons for decision:

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

39. MARKET TRADER FEES

Consideration was given to the report of the Portfolio Holder for Environmental Services which proposed a new fee structure for Spalding market traders.

The Portfolio Holder provided a background to the issues under consideration, with regard to the Council's plans to find savings prior to the Coronavirus outbreak, and the resulting impact of this.

He also mentioned that the Town Centre Improvement Group was working to revitalise Spalding Town Centre, and the market was seen as a vital part of its plans.

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The Portfolio Holder stated that rather than setting fees for when more 'normal times' resumed, that the charging of fees be deferred, and he made the following proposals and comments:

- That the Council should continue to defer the charging of fees on all South Holland markets until the end of March 2021. This would:
 - Relieve traders of the burden of fees over the Christmas and New Year periods; and
 - Give the Town Centre Improvement Group for Spalding (and Holbeach if it chose to) the opportunity to look at how the fee system was structured, and how it could better reflect the demands of the respective locations, potential footfall and the type of goods being offered.

The Cabinet considered the revised options presented by the Portfolio Holder, and the following comments were made:

- The Council needed to monitor the situation, collect data and consult with stall holders to arrive at a sensible, fair and agreeable way of charging for, and managing market stalls.
- The Council should encourage stall holders and the public to support markets and town centres over the coming months.

DECISION:

That, contrary to the options detailed within the report, the following be agreed:

- a) That the free period on all markets be extended until the end of March 2021; and
- b) That the respective Town Centre Improvement Groups be invited to review how market fees were best structured to support and encourage a vibrant market, and potentially to work together with the Council to review the fee structure as part of the overall budget setting process.

(Other options considered:

- ***Option One – reconsider the market fees for Spalding in line with the benchmarking exercise that had been undertaken.*** This option would allow SHDC to make the fees the most competitive to current market conditions, for example to reduce the fees on Saturdays whilst the Market Towns programme worked to make Saturdays more attractive to traders and competitive with other markets.

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Market	Casual	Regular
<i>Spalding Tuesday</i>	<i>£1.40 per foot</i>	<i>£1.20 per foot</i>
<i>Spalding Saturday</i>	<i>£1.30 per foot</i>	<i>£0.90 per foot</i>
<i>*Long Sutton / Crowland/Holbeach</i>	<i>£0.61 per foot</i>	<i>£0.51 per foot</i>

- **Option Two – reconsider the market fees for Spalding in line with the charges at the other South Holland markets.** *This option would allow SHDC to make the fees the same across all markets in South Holland and would not charge differently for Tuesdays or Saturdays. This was the preferred option of the market traders.*

Market	Casual	Regular
<i>Spalding Tuesday & Saturday</i>	<i>£0.61 per foot</i>	<i>£0.51 per foot</i>
<i>*Long Sutton / Crowland/Holbeach</i>	<i>£0.61 per foot</i>	<i>£0.51 per foot</i>

- **Option Three – do nothing and leave fees at the rate agreed at the original Cabinet meeting on 16th June 2020** *Reasons for decision:*
 - *To relieve traders of the burden of fees over the Christmas and New Year periods; and*
 - *To allow the respective Town Centre Improvement Groups the opportunity to review how market fees were best structured to support and encourage a vibrant market, and potentially to work together with the Council to review the fee structure as part of the overall budget setting process.*

40. **EMPTY HOMES STRATEGY**

Consideration was given to the report of the Portfolio Holder for HRA & Private Sector Housing which considered a revised strategy, targeting long term empty properties and increasing the supply of homes brought back into use.

DECISION:

That the Empty Homes Strategy be approved.

PS

(Other options considered:

- *Do nothing*

Reasons for decision:

- *The Council sought to adopt a responsive approach to tackling long term empty homes. Bringing homes back into use was vitally important to increase the supply of accommodation available within the district. Whilst it was acknowledged that*

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regionally there had been an increase in the number of empty homes, overall the number of empty homes in South Holland remained comparably low. It was therefore considered that the aims and measures within the revised strategy were proportionate and sustainable.)

41. HOUSING ASSISTANCE POLICY

Consideration was given to the report of the Portfolio Holder for HRA & Private Sector Housing which updated policies and enabled South Holland District Council to assist a range of vulnerable and/or disadvantaged households.

DECISION:

1. That the Housing Assistance Policy be approved and that authority be delegated to the Housing Landlord Services Manager, in consultation with the Portfolio Holder for HRA and Private Sector Housing, to amend the policy to reflect changes in legislation and national policy/strategy.
2. That delegated authority be given to officers to determine and issue homeless grant assistance under the approved policy as follows:

Housing Options Team Leader (limit: £3000)

Housing Options Officers & Private Sector Officers (limit: £2000)

(Other options considered:

- *Approve selected parts of the policy as determined.*
- *Do nothing and continue with delivering Mandatory Disabled Facilities Grants only.*

Reasons for decision:

- *The focus of the Housing Assistance policy was one of prevention and was to enable independent living, by supporting those whose independence may be at risk to access housing, (including their current home), which met their needs.*

Types of Assistance:

- ***Mandatory – Disabled Facilities Grants (DFG's)***
The Council must assist those who qualified for a DFG as laid down in legislation. The adaptations funded would be considered as being the most appropriate, reasonable and cost-effective way of meeting the assessed needs of the disabled person up to the maximum grant of £30,000. Where the applicant/disabled person wished to carry out works to the property which were over and above those assessed by the Occupational Therapist (OT) as necessary,

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JB, PS

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and the alternative works were defined by the Council as reasonable and practicable and would meet the assessed needs of the disabled person, the Council may offer financial assistance up to the value of assessed need.

*These grants were **mandatory** and thus would be prioritised over any discretionary grants.*

- **Discretionary** – Discretionary Housing Grants (DHG's)
This provided greater flexibility to the Council to provide assistance schemes which helped people meet their needs. This included wider health determinants other than disability, which could be made worse by housing conditions, for example, we may consider the health impacts of housing conditions on vulnerable owner-occupiers and consider schemes to undertake minor repairs to make homes safe and healthy or other preventative schemes which stopped or delayed conditions becoming worse.
The provision of assistance other than Mandatory Disabled Facilities Grants was subject to the availability of funding. As well as help and assistance to homeowners; assistance was also available to homeless persons and current South Holland District Council tenants.
- *Appendices 1 and 2 provided the range of mandatory and discretionary assistance that may be available and this would be updated as new schemes were agreed or existing schemes were removed.)*

42. NEW LETTINGS POLICY FOR SHDC'S INDUSTRIAL UNITS

Consideration was given to the report of the Portfolio Holder for Assets & Planning which sought agreement from the Cabinet for a new Lettings Policy to replace the 2005 Lettings Policy for SHDC's industrial units.

There was some discussion around the issue of tenants occupying smaller units for long periods of time. These would have been let predominantly for start-up businesses so long term occupation was not the intention. It was explained that the new policy would address this issue by not providing tenants with an automatic right to renew their tenancy. However, members commented that if tenants were not to remain in smaller start up units for long periods of time, to enable units to be available for new entrants, there would need to be a supply of alternative units for that business to move to.

In response to a question about whether under the proposed replacement Lettings Policy subletting would be permitted, officers confirmed that a sublet of whole or part would not be permitted. Tenants would have the ability to assign their lease or

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discuss with the Council, as landlord, handing back their unit for re-letting if they no longer required occupation. The new policy was intended to provide flexibility to officers to manage the estate effectively and work with tenants. This could include some units being let to more than one business in order to accommodate a number of start-ups working closely together in a single unit.

DECISION:

JB, RH

- 1) That the draft new Lettings Policy for SHDC's industrial units, details of which were set out in the report, be approved; and
- 2) That the updating of the officer delegation detailed at section 3 in the report, for the letting of industrial units, be approved, with a simplified version, to read:

“To grant industrial unit tenancies which meet the lettings criteria and determine the terms of the lease within the framework of the approved policy.”

(Other options considered:

- *Option 2: To **do nothing** – The current policy was out dated, did not reflect current market terms and did not meet the strategic aims of the Council. It was recommended that the policy was renewed in order to effectively let and manage the council's industrial units.*
- *Option 3: To seek a **rewrite of the draft Policy** referred to in the report and the report be presented again to Performance Monitoring Panel and Policy Development Panel – the new policy reflected modern commercial practices and had been drafted on this basis. A rewrite and reference back to the Panels would mean a delay in it being implemented and serve no purpose.*

Reasons for decision:

- *The policy was simple and relatively high level. Officer delegations to be updated to allow officers more flexibility for negotiating terms on behalf of the Council, on commercial terms that reflected current market practice.*
- *Due to the simplicity of the policy, it was resilient to future changes, therefore reduced the requirement for constant review.*
- *The new precedent lease format which would be familiar to those who had leased property in the private sector.)*

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

There were none.

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(The meeting ended at 10.43 am)

(End of minutes)

These minutes are published on **Friday 30 October 2020**. In accordance with the Council's Constitution the DECISIONS detailed above will, unless otherwise stated, come into force and may then be implemented on **Monday 9 November 2020** (i.e. after the expiry of 5 working days from the date of publication of these minutes), unless during that period a notice which is signed by either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members, and complies with the requirements of the Council's Constitution is served on the Executive Manager Governance requesting that the decision be called-in and the Executive Manager Governance approves the request for call-in. Where a decision is called-in it will firstly be considered by the Performance Monitoring Panel on a date to be fixed.

Any FINAL DECISIONS and any URGENT DECISIONS take effect immediately.

Any RECOMMENDATIONS TO COUNCIL detailed above will be submitted for consideration to the meeting of the full Council on **Wednesday 25 November 2020**.