



REPORT TO:	South Holland District Council
DATE:	Wednesday, 11 May 2022
SUBJECT:	Report from Cabinet meeting on 26 April 2022
PURPOSE:	To consider recommendations of the Cabinet in respect of: <ul style="list-style-type: none">a) Graffiti and Street Art Management Policy – To consider the Graffiti and Street Art Management Policy 2022 to establish Street Art in South Holland to provide safe and welcoming public spaces for our local communities (Cabinet minute 51) (Cabinet agenda item 6a)b) 2021/22 Financial Report Quarter 3 – To provide information on the Quarter 3 (to 31 December 2021) financial position of the Council (Cabinet minute 52) (Cabinet agenda item 7)c) Welland Homes Housing Delivery Framework – To introduce a Housing Delivery Framework to inform future investment decisions for Welland Homes relating to housing developments (Cabinet minute 57) (Cabinet agenda item 12)
KEY DECISION:	No
PORTFOLIO HOLDERS:	Portfolio Holder for Communities & Facilities Portfolio Holder for Finance, Commercialisation & Partnerships Portfolio Holder for Assets & Planning
REPORT OF:	Cabinet
REPORT AUTHOR:	Christine Morgan, Forrest White
WARD(S) AFFECTED:	N/A
EXEMPT REPORT?	No

SUMMARY

This report provides Members of the Council with detail on issues considered by the Cabinet at its meeting on 26 April 2022, which require decisions by Full Council. Relevant extracts from the Cabinet minutes are detailed at Sections 2, 3 and 4 below, and the relevant Cabinet reports and appendices are attached as appendices to this report.

RECOMMENDATIONS

Graffiti and Street Art Management Policy

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

2021/22 Financial Report Quarter 3

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

Welland Homes Housing Delivery Framework

- 4) That the Welland Homes Housing Delivery Framework, at Appendix A to the Cabinet report, which informs and guides future Executive decisions for the Capital Programme for Welland Homes housing delivery, be approved.
- 5) 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.

REASONS FOR RECOMMENDATIONS

The reasons for recommendation are detailed within the individual reports attached and are summarised in the relevant Cabinet minute below.

OTHER OPTIONS CONSIDERED

Other Options considered are detailed within the individual reports attached and are summarised in the relevant Cabinet minute below.

1. BACKGROUND

- 1.1** Article 4 of the Council's Constitution provides that only the full Council may exercise the functions of approving, adopting or amending the policy framework and budget, adopting or changing the Constitution. Staffing matters are also a Council function. The Cabinet however has responsibility for advising the Council on such matters. At its meeting on 26 April 2022, the Cabinet made recommendations to Council in respect of the above items which may affect budget and policy framework, constitution or compromise staffing issues.
- 1.2** The remainder of this report details the recommendations of the Cabinet which must be read in conjunction with the individual reports to Cabinet, copies of which are attached as appendices.

2. GRAFFITI AND STREET ART MANAGEMENT POLICY (Report submitted to Cabinet- Agenda item 6a attached)

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.
 - 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 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.

(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.)*

3. 2021/22 FINANCIAL REPORT QUARTER 3

(Report submitted to Cabinet – Agenda Item 7)

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 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 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.**

(Other options considered:

- *Do nothing*

Reasons for Decision:

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

**4. WELLAND HOMES HOUSING DELIVERY FRAMEWORK
(Report submitted to Cabinet – Agenda Item 12)**

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;
- 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.

(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.)*

APPENDICES	
Appendices are listed below and attached to the back of the report: -	
APPENDIX A	Graffiti and Street Art Management Policy Covering Report
APPENDIX B	Graffiti and Street Art Management Policy (Appendix A to original Cabinet report)
APPENDIX C	Graffiti and Street Art Management Policy (Appendix B to original Cabinet report)
APPENDIX D	2021/22 Financial Report Quarter 3 Covering Report

APPENDIX E	2021/22 Financial Report Quarter 3 (Appendix A to original Cabinet report)
APPENDIX F	Welland Homes Housing Delivery Framework Report

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

Name of body	Date
<i>Cabinet</i>	<i>26 April 2022</i>

REPORT APPROVAL

Report author:	Christine Morgan, Forrest White cmorgan@sholland.gov.uk, FWhite@sholland.gov.uk
Signed off by:	The individual reports have previously been signed off by the relevant Director and Portfolio Holders
Approved for publication:	As above