

## **CABINET**

WEDNESDAY, 10TH JULY, 2019, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND, PR25 1DH

### **AGENDA**

#### **1 Apologies for Absence**

#### **2 Minutes of the Last Meeting**

Minutes of the last meeting held on Wednesday 19 June, 2019 attached to be signed as a correct record.

(Pages 3 - 20)

#### **3 Declarations of Interest**

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

#### **4 Cabinet Forward Plan**

Cabinet Forward Plan attached.

(Pages 21 - 28)

#### **ITEM(S) OF THE CABINET MEMBER FOR FINANCE, PROPERTY AND ASSETS (INTRODUCED BY COUNCILLOR MATTHEW TOMLINSON)**

#### **5 Enterprise Zone Business Rate Growth Agreement**

Report of the Deputy Section 151 Officer attached.

(Pages 29 - 32)

#### **6 Purchase of land at Croston Road**

Report of the Assistant Director of Property and Housing attached.

(Pages 33 - 38)

#### **ITEM(S) OF THE CABINET MEMBER FOR ENVIRONMENT (INTRODUCED BY COUNCILLOR SUSAN JONES)**

**7 Vehicle Procurement Programme**

(Pages 39 - 44)

Report of the Assistant Director of Neighbourhoods attached.

**ITEM(S) OF THE CABINET MEMBER FOR COMMUNITY  
ENGAGEMENT, SOCIAL JUSTICE AND WEALTH BUILDING**

**8 Council Tax Support Scheme Consultation**

Report of the Director of Customer and Digital to follow.

Gary Hall  
INTERIM CHIEF EXECUTIVE

Electronic agendas sent to Members of the Cabinet Councillors Paul Foster (Chair), Michael Titherington (Vice-Chair), Aniela Bylinski Gelder, Bill Evans, Susan Jones and Matthew Tomlinson

The minutes of this meeting will be available on the internet at [www.southribble.gov.uk](http://www.southribble.gov.uk)

**Forthcoming Meetings**

6.00 pm Wednesday, 11 September 2019 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

**MINUTES OF CABINET**

**MEETING DATE**                    **Wednesday, 19 June 2019**

**MEMBERS PRESENT:**    Councillors Paul Foster (Chair), Michael Titherington (Vice-Chair), A Bylinski Gelder, Bill Evans, Susan Jones and Matthew Tomlinson

**OFFICERS:**                    Gary Hall (Interim Chief Executive), Paul Hussey (Director of Customer and Digital), Jennifer Mullin (Director of Neighbourhoods and Development), Jonathan Noad (Director of Planning and Property), Neil Anderson (Assistant Director of Projects and Development), Peter McHugh (Assistant Director of Property and Housing), Andrew Richardson (Assistant Director of Neighbourhoods), Dave Whelan (Legal Services Manager/Interim Monitoring Officer) and Dianne Scambler (Democratic and Member Services Team Leader)

**OTHER MEMBERS AND OFFICERS:**    Councillor Jacky Alty (Member Champion (Social Justice and Equality)), Councillor Damian Bretherton, Councillor Colin Clark, Councillor Derek Forrest (Member Champion (Armed Forces)), Councillor David Howarth (Leader of the Liberal Democrats Group), Councillor Clifford Hughes MBE, Councillor Keith Martin, Councillor Peter Mullineaux, Councillor Alan Ogilvie, Councillor Margaret Smith (Leader of the Opposition and Leader of the Conservative Group), Councillor Phil Smith, Councillor Caleb Tomlinson, Councillor Matthew Trafford (Member Champion (Youth)) and Councillor Karen Walton

**PUBLIC:**                            10

**1     Apologies for Absence**

There were no apologies for absence.

**2     Minutes of meeting Wednesday, 20 March 2019 of Cabinet**

The Chair, explained that although the membership of the Committee has changed and that there were no Councillors present from the previous meeting, the minutes had been published for quite some time and no queries had been raised with Democratic Services.

The former Chair, Councillor Ogilvie, who was sat in the audience, commented that he had no objections to the minutes.

**Decision made (Unanimously):**

That the minutes of the Cabinet meeting held on 20 March be approved as a correct record for signing by the Leader of the Council.

### **3 Declarations of Interest**

The Cabinet all confirmed that they had completed new Register of Interests forms to update on any changes following the change of administration after the Local Elections 2019.

### **4 Cabinet Forward Plan**

The Leader of the Council explained that in future the Forward Plan would be a rolling 12 month plan to promote better transparency around decision making.

#### **Decision made (Unanimously):**

That the Cabinet Forward Plan for the four month period, 1 June to 30 September be noted.

### **5 Section 35 Urgent Decision - Appointment of Interim Chief Executive**

The Council's Monitoring Officer updated Members of an urgent decision that had been made to appoint an Interim Chief Executive to cover the absence of the permanent Chief Executive who is on special leave.

Members were advised that there could be no questions at this stage.

#### **Decision made (Unanimously):**

1. That the report be noted.

#### **Reason(s) for the decision:**

Due to the absence from office of the permanent Chief Executive it was necessary to take urgent action to appoint someone, on an urgent basis, to fulfil this role.

#### **Alternative Options Considered and Rejected:**

A Council must have a Head of Paid Service. There is no option in this regard. Once it was known that our Permanent Chief Executive would not be around, then the Council had to appoint an Interim Head of Paid Service.

### **6 Community Protection Notices as an Anti-Social Behaviour Enforcement Tool**

The Leader of the Council presented the report of the Director of Neighbourhoods and Development that updated on the use of Community Protection Notices (CPN's) as an environmental tool and sought delegated authority to be granted to the Director of Neighbourhoods and Development for their use.

In response to Member's questions it was explained that the Community Protection Notices could be used in a variety of ways that included use for statutory nuisance that did not exist under the Environmental Protection Act 1990, where behaviour is

persistent and having a negative effect on a locality. Along with anti-social behaviour issues, this could be overgrown gardens.

Use of the Community Protection Notices would be monitored as to their effectiveness over the next twelve months.

It was proposed by Councillor Paul Foster, seconded by Councillor Mick Titherington and

**Decision made (Unanimously):**

1. Cabinet approved delegated authority to the Director of Neighbourhoods and Development, to use powers available under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, in the form of Community Protection Notices to enforce against anti-social behaviour that is having a detrimental effect on the quality of life for those in a locality, and is unreasonable and is of a persistent or continuing nature.
2. Cabinet note the information contained within the report.

**Reason(s) for the decision:**

If approved, the recommendation will provide an additional tool for officers to enforce against a wider range of anti-social behaviours, perhaps where a statutory nuisance does not exist under the Environmental Protection Act 1990, yet where behaviour is having a negative effect on a locality. This may particularly apply to the problem of untidy domestic gardens and other examples of anti-social behaviour.

**Alternative Options Considered and Rejected:**

To not make use of the Community Protection Notices. This option is discounted, as the Community Protection Notice is a powerful tool. It is available to local authorities to tackle behaviours that cause distress and impacts on a locality that may be more difficult to tackle using other legislation. Not adopting the use of Community Protection Notices reduces the possibilities open to the Council for dealing with matters that have long term effects on the residents and where other full powers may not be as suitable or effective.

**7 Corporate Performance Report: Quarter 4 (31 March 2019)**

The Leader of the Council, Councillor Paul Foster, presented a report of the Chief Executive that provided an update for Quarter 4 against the programmes, projects and key performance indicators contained within the Council's Corporate plan for 2018/19.

Overall performance against the Corporate Plan for 2018/19 was rated as good and the Council continues to provide good quality services. A small proportion of projects were rated as off track, (either amber or red), however there were recognised reasons provided and in most cases where as a result of external conditions.

Members of the Council asked the Cabinet to look into other ways of monitoring performance, and improved ways of its presentation to make it more user friendly, querying the effectiveness of the traffic light system.

What constituted an affordable home was also debated and the Leader explained that in future the type of need would also be taken into account alongside affordability.

The Leader of the Opposition, Councillor Margaret Smith, commented that overall it was a good report and was pleased to see improvement in a lots of areas across the Council, in particularly, an increased use of sports facilities that would support the Council's Health and Wellbeing agenda. A view that was shared by the Leader.

It was proposed by Councillor Paul Foster, seconded by Councillor Mick Titherington and

**Decision made (Unanimously):**

1. Cabinet note that the performance summary outlined within the report reflects progress made under the previous administration and their agreed Corporate Plan deliverables for 2018/19.
2. Cabinet also note the report for information and advise that the current Corporate Plan will be reviewed in the coming months.

**Reason(s) for the decision:**

Quarterly performance reports are considered by the Council's Leadership Team, Scrutiny Committee and Cabinet to ensure that the Council is delivering against the Corporate Plan of the Council.

**Alternative Options Considered and Rejected:**

None.

**8 Annual 2018/19 Corporate Plan Performance Report**

The Leader of the Council, Councillor Paul Foster, presented a report of the Chief Executive that provided a summary of the Council's performance throughout 2018/19, against the agreed programmes, projects and measures within the Corporate Plan.

The Leader explained that the new Cabinet would be looking to refresh the Corporate Plan in line with their vision and ambitions for the Council and that existing performance measures would also be reviewed in line with the new Plan.

The report highlighted a number of successes that included a Digital Strategy Review, the implementation of the Living Wage Reform and development of a homelessness project to implement the new Homeless Reduction Act 2017.

However, although reported as an achievement to note, the delivery of 491 new homes in 2018/19 with 97 of these being affordable, the authority was still underperforming by 10% against what was considered a low target by the new Cabinet and the Leader reported that efforts would be made to improve on this.

In response to a member of the public about benchmarking against our neighbouring authorities, the Director of Planning and Property explained that South Ribble works

with Chorley and Preston Council to develop a joint strategic planning strategy for Central Lancashire.

Although there were three projects that were currently off-track, it was noted that the Council played more of an influencing and supportive role and did not have the authority to deliver these projects without decisions by key partners. These included, securing funding for the Ribble Crossing, the progressing of the Cuerden Strategic site and Shared Services arrangements with Chorley Council. Members from across the Council recognised the importance of keeping pressure on partners in their deliverability and inclusion in the Corporate Plan. Although the Leader reported that following a recent meeting with Chorley, Shared Services was now progressing at pace.

The Deputy Leader, Councillor Mick Titherington, praised the Councils Benefits Team for maintaining their high level of performance in processing new Housing Benefits claims, two days below the national average, despite the impact that Universal Credit had placed on their volume of work and complexity of new claims.

It was proposed by Councillor Paul Foster, seconded by Councillor Mick Titherington and

**Decision made (Unanimously):**

1. Cabinet note that the performance summary outlined within the report reflects progress made under the previous administration and their agreed Corporate Plan deliverables for 2018/19.
2. Cabinet also note the report for information and advise that the current Corporate Plan will be reviewed in the coming months.

**Reason(s) for the decision:**

Although the Corporate Plan was approved at Council on 28 February 2018, there has been a recent change of administration and the new Cabinet wishes to review the Plan in line with their aims and objectives.

**Alternative Options Considered and Rejected:**

None.

**9 Replacement of Civic Car**

The Leader of the Council, Councillor Paul Foster, presented a report of the Assistant Director of Neighbourhoods that sought approval to purchase a replacement civic car with a greener alternative vehicle.

Members welcomed this approach as it was seen to be setting a good example to residents with hybrids/electrical cars recognised as being better for the environment. Given that technology was rapidly progressing in this area, there was a view that it may be more beneficial in leasing a vehicle as opposed to buying one so that the Council could take advantage of the latest improvements and innovations over the coming years, and officers were requested to look at all options.

In response to a question from Councillor Colin Clark, the Leader confirmed that they would not be looking to outsource any part of the service.

It was proposed by Councillor Paul Foster, seconded by Councillor Matthew Tomlinson and

**Decision made (Unanimously):**

1. Cabinet approved an increase in the current Capital Budget provision from £30,000 to £37,000 and granted delegated authority to the Statutory Finance Officer to review all financial options.

**Reason(s) for decision:**

The Council currently utilises a Rover 75 as the civic car which was first registered in 2005 and is now in excess of 14 years old and as time as gone on its servicing and repairs has become more difficult.

The Council recently introduced a new Air Quality Plan to address the increasing concerns relating to air quality across the Borough and actions within the Plan require the replacement of the Civic Car with an electric or low emission vehicle.

**Alternative Option Considered and Rejected:**

To keep the existing Civic Car would be in contravention of the Council's Air Quality Plan.

**10 Green Links Capital Programme 2019/20**

The Deputy Leader and Cabinet Member (Health, Wellbeing and Leisure), Councillor Mick Titherington, presented a report of the Assistant Director of Projects and Development that proposed a set of capital projects to be delivered or started during 2019/20.

The capital projects put forward related to themes and programmes identified and adopted as part of the Council's Corporate Plan 2018/2023, notably under the umbrella of Health and Wellbeing and improving the Environment and all related to the findings and feedback gained through an extensive borough wide consultation and covered a number of areas that included:

- Green Links Schemes
- Environmental projects
- Parks projects including parks buildings
- Play Area projects
- Leisure projects

The report set out the scope of each project, the timescale on which it would be delivered and how it would be funded. A list of all projects was appended to the report.

The Leader commented that projects had slipped in the past and asked the Interim Chief Executive to review the Council's capacity to deliver as this was extremely important in managing expectations.

Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson stated that it was the Cabinet's ambition to plant one tree for every resident in the



Borough, that would result in the planting of over 110,000 trees. This was an ambitious programme and the Council would be working with the Ribble River Trust to achieve this.

In connection to this project, a concern was raised about the Tarn Wood project in Penwortham. This was an area that gets heavily flooded and trees needed to be removed as opposed to being planted. The Leader explained that additional trees would be planted in more suitable areas to offset any trees that needed removing.

It was proposed by Councillor Mick Titherington, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approved the proposed list of capital projects to be delivered during the financial year 2019/20 as set out in Appendix A of the report and as identified in the approved Capital programme.
2. Cabinet granted delegated authority to the Director of Neighbourhoods and Development in consultation with the relevant portfolio holder to spend the agreed budget on the approved Capital projects identified in this report.

**Reason(s) for decision:**

Council approved the current Corporate Plan for 2018/2023 in February 2019. The Plan identifies a series of key programmes under a number of headings including Health and Wellbeing. In addition the new Cabinet are keen to take forward projects that not only promote Health and Wellbeing but also improves the environment across the Borough.

The report will also requested financial delegated powers for officers in partnership with relevant portfolio holders to spend money highlighted in the Capital Programme so that an ambitious programme of projects can be delivered in line with the timetable identified.

**Alternative Options Considered and Rejected:**

The report defines the priorities for spending on capital projects in 2019/20. An alternative option of do nothing could be adopted but this would go against the ambitions of the new Administration of the Council or priorities as set out in the Corporate Plan.

**11 Consultation feedback regarding open public space at Balcarres Green and Bent Lane/ update on the Mckenzie Arms site.**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson, presented a report of the Assistant Director of Property and Housing that updated on the outcome of the planning for real exercise undertaken with residents from Bent Lane and Balcarres Green. The report also provided an update on the One Public Estate funding application to support the release of public sector land for housing development.

At the Cabinet meeting on 20 March 2019, it was recommended that a clear work programme be developed with residents of Bent Lane and Balcarres Green.

Approval was also given for a full options appraisal to be undertaken on the former McKenzie Arms for the delivery of an affordable/mixed use development to be undertaken on the site alongside a full business plan and investment opportunities.

Councillor Tomlinson reported that it had been part of the Labour Group's Election manifesto to stop development of housing on this land and that he was now delighted to be able to keep this promise and requested officers to look at ways of protecting this land against any future housing development proposals.

The Cabinet Member (Environment), Councillor Susan Jones expressed thanks on behalf of the residents of Bent Lane and Balcarres Green for the reversal of the original decision and welcomed their continued involvement on how plans should be progressed at the two sites. The Leader of the Council also commented that £50k had been allocated for enhancements at each site.

As there was a requirement for the One Public Estate funding to be committed by the end of January 2020, the Cabinet considered it prudent to carry out a full options appraisal of the McKenzie Arms site and bring back investment options that could be consulted upon by residents.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet noted the resident feedback from the Bent Lane and Balcarres Green consultation exercise and resolved not to develop the land at either location for housing development and that officers continue to work with residents to co-design local priorities for both sites based upon the feedback from the planning for real exercises.
2. Cabinet approved officers to proceed with a full options appraisal for the delivery of affordable/mixed use development at the McKenzie Arms site to develop a full business case and investment options for consideration by Cabinet at a future meeting.
3. Cabinet tasked officers to look at the most effective way to protect land at Bent Lane and Balcarres Green from future housing development.

**Reason(s) for the decision:**

An extensive programme of consultation has been undertaken with residents involving formal consultation events, planning for real exercises and the opportunity for residents to feedback their views through letter, phone and email.

Feedback in relation to the use of land at Balcarres Green and Bent Lane would appear to suggest investment in leisure or community use is far more acceptable/appropriate rather than developing houses on the sites.

There has been a high level of engagement and involvement from residents at the planning for real events and the green links consultation events and recommendations would appear to reflect residents views.

The Council has a small number of sites that have been approved for One Public Estate Funding to release the land for housing development. It is important that the

funding is committed by the end of January 2020 or the Council will lose the funding. A decision is therefore required regarding whether or not the Council wishes to proceed with the McKenzie Arms site.

**Alternative Options Considered and Rejected:**

The Council could choose to develop the land at Balcarres Green and Bent Lane for housing but this would be contrary to the expressed wishes of residents as stated in the planning for real exercise.

The Council could choose not to proceed with a full options appraisal and business case for the McKenzie Arms site however the consultation feedback suggests there is little opposition to using the site for development (only one objection was received as part of the consultation exercise). Feedback from the My Neighbourhood Chair and Vice Chair for Bamber Bridge has indicated that they would like to see something done with the site.

The site could potentially provide an access route into the Wesley Mill development. However, the developers have chosen an alternative access road into the scheme and given this, the requirement to purchase the school playing field land to give access from Station Road and the potential triggering of an overage agreement it is not considered that this option would provide for the optimum use of the site.

**12 South Ribble Council Budget Outturn Report 2018/19**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson presented a report of the Deputy Section 151 Officer that informed of the 2018/19 Budget Outturn position in relation to both Revenue and Capital expenditure.

It was noted that the Capital Programme was diminished against previous years and although there was an acceptance that some monies have not been able to be spent, there was a commitment from the Cabinet Member that in future, if money was allocated, this needed to be recognised and achieved.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet notes the report and appendices;
2. Cabinet notes the final outturn position of £0.093m underspend against a revised revenue budget of £14,135m and the key variances;
3. Cabinet notes the final outturn position on the capital budget of £0.476m underspend against an annual budget of £2.898m;
4. Cabinet notes the financing of the capital programme for 2018/19 and approves the carry forward of the £0.486m of capital re-phasing into 2018/19 as outlined in this report;
5. Cabinet notes the end of year position on reserves as a result of the outturn position and note the contributions to and withdrawals from these reserves as detailed within the report.

**Reason(s) for the decision:**

The council's end of year accounts have been finalised and are showing a further net budget saving of £0.093. The final outturn position means that no contribution from reserves is required and this surplus will be transferred to the council's general reserve.

**Alternative Options Considered and Rejected:**

None.

**13 Enhanced Telephony and Switchboard Services**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson, presented a report of the Director of Customer and Digital detailing the benefits of upgrading to Enhanced Telephony and Switchboard Services that would facilitate an improved customer service experience. The report also sought Cabinet approval to enter into a five year agreement with an existing supplier for its provision and updated on a desire to co-design digital and customer services with our residents and elected Members.

In response to a question from a member of the public, it was explained that the enhanced system will allow for social media blending and call back capabilities, along with the, potential to reduce call waiting times and abandoned call rates, improving resident satisfaction.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approves the proposal to enter into a 5 year agreement at a total contract value of £113,583 for the provision of improved and enhanced telephony and switchboard services.
2. Cabinet notes the enhanced features/functionality of an upgraded system, including social media blending, request a call back and call recording.

**Reason(s) for the decision:**

The Council's current switchboard telephony system is outdated and reliant upon technology which is due to be unsupported. In order for the Council to maintain a fully supported system by the vendor and ensure risk is managed effectively, the current system requires upgrading and merging with the existing contact centre system.

The current application and the system is running on Microsoft Server 2008 which will be unsupported by Microsoft in January 2020. This means that patches will no longer be released. This will invalidate the Council's Public Service Network (PSN) accreditation and therefore the Council would be unable to receive important data from, for example, the Police, DWP and Electoral Registrations.

This decision will also allow the Council to take advantage of enhancements in functionality which are not otherwise available. The new system will also be placed in the Council's virtual server farm and as part of the Council's Disaster Recovery

and Business Continuity Plan would make it easier to restore services and allow customers to continue to contact the Council.

In order to deliver the Council's ambitious Corporate Plan for 2018/2023, it is imperative that digital systems are updated and enhanced to improve processes for residents interacting with our services.

**Alternative Option Considered and Rejected:**

Currently the Council relies on a manually operated switchboard system and the risks associated with not upgrading are deemed high.

A second option considered and rejected was to maintain the two existing telephony systems and carry out only the required upgrades which would enable us to continue operating in a supported environment. The enhanced functionality offered by the OpenScape solution and ability to reallocate a full time member of staff to the customer contact centre means that this option was rejected.

**14 Worden Hall Update**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson presented a report of the Assistant Director for Property and Housing that updated on progress with securing a partner to work with the Council to develop plans to bring the Main Hall (Derby Wing) in Worden Park back to use.

The new Cabinet expressed their concerns at the speed in which the decision to enter into a contract with Leyland Masonic Properties Ltd was being taken, especially in light of the fact that at that time, the previous administration had yet to receive the consultant's report, authorised to be undertaken at a significant cost to the Council. The results of which, would inform the Council's Investment Strategy ahead of any investment opportunity.

Now that the Council were in receipt of the completed consultant's report, the Cabinet thought it prudent to take a step back for further consideration of all the options and to allow greater consultation with residents.

Despite some Members in the audience raising concerns that it was a risk to delay, particularly if no alternative viable option came forward, the Leader reiterated the importance of taking the time to ensure that any decision taken would be the right one for the community and informed that the Investment Strategy would be updated to include a Social Value requirement, adding that it was just as important to get the process right as it was the result.

There was also a strong view that the building needed to be retained a Community Asset and that any organisation that invested, needed to provide an offer that reflects the values of the Council, its residents and is accessible to all.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Mick Titherington, and

**Decision made (Unanimously):**

1. Cabinet decided to review the procurement strategy for investment into the Main Hall in Worden Park and that officers report back their recommendations to Cabinet in September 2019.

**Reason(s) for the decision:**

The previous administration had only received one credible bid following the advertisement of a disposal opportunity. Furthermore, as the finalised feasibility study report from Purcell and Amon had now been received that would inform the Investment Strategy for Worden Hall, it was considered prudent to take a step back at this stage to consider all the options available.

**Alternative Option Considered and Rejected:**

The Council could choose not to develop the Main Hall (Derby Wing). This is not recommended as the Hall has the potential, with investment, to become an attractive asset which is highly valued by the community.

**15 Shared Financial Service Staffing Review and Update and Proposals**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson, presented a report of the Interim Chief Executive that briefed members on a review of, and amendments to, the existing shared services for finance and assurance between Chorley Borough Council and South Ribble Borough Council.

Following meetings between senior officers from both authorities to discuss the issues facing the service, there was a short-term requirement to recruit to a post that will become vacant due to an imminent requirement, as well as creating a new post to support the closure of accounts at both councils.

The report also proposed the creation of a graduate trainee post within procurement to provide the required additional capacity as well as ensuring there is sufficient succession planning within the service.

The long-term ambition is to deliver efficiencies and improve performance, provide resources for growth and support the wider corporate objectives set by both authorities. Other actions within the report had already been factored into the Shared Financial and Assurance Services Service Plan 2019/20 that was appended to the report.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approves the creation of two new posts in Shared Financial Services so that the service can meet its statutory closure of accounts requirements in 2019/20 and provide additional capacity and succession planning for procurement services.
2. Cabinet notes the Shared Financial and Assurance Services Service Plan 2019/20 in Appendix 1 of the report that was approved at the Joint Committee on 3 June 2019.

3. Cabinet notes that a more detailed review is to be brought back to the Shared Services Joint Committee to report on progress and make further recommendations for approval at both Councils.

**Reason(s) for the decision:**

The Shared Financial Services team has a responsibility to create the draft and final statement of accounts for both Chorley Borough Council and South Ribble Borough Council. A request for retirement has been made, meaning that for 2019/20 there will be no permanent staffing in place to provide the expertise to deliver both Councils statement of accounts. This role is specialised and it is therefore imperative that the service looks to replace this post as soon as possible.

In addition, to provide the necessary staffing resources to close both sets of accounts it is proposed to create a new Senior Financial Accountant role.

The procurement service continues to work at full capacity and has been especially stretched in recent months due to a number of large-scale projects requiring procurement support. The report proposed creating a graduate trainee post within procurement to provide the required additional capacity as well as ensuring there is sufficient succession planning within the service.

**Alternative Options Considered and Rejected:**

Do nothing – the Council would be at great risk of not meeting its statutory obligations, external agency could be brought in to cover vacant positions, however this would be expensive and would not provide a permanent solution for the service.

**16 OLEV Round 2 ULEV Taxis Infrastructure Grant Award**

The Cabinet Member (Environment), Councillor Susan Jones, presented a report of the Director of Neighbourhoods and Development that informed of a successful grant offer and the installation of taxi electric vehicle recharging points within the borough, through the nominated lead authority, Lancaster City Council.

The installation of these recharging points was an action in the Air Quality Action Plan and was just the start of a campaign aimed at reducing vehicle emissions across the borough.

Councillor Susan Jones, acknowledged the work that had been done by the previous administration on this topic, in particular the previous Cabinet Member.

It was proposed by Councillor Susan Jones, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approves the acceptance of the grant through Lancaster City Council who will act a nominated lead authority.
2. Cabinet agree to procure and install four rapid charging units in the Borough via Lancaster City Council, to include in principle any contractual and procurement arrangements with the identified provider.

3. Cabinet approves to potentially use council assets as suitable locations for the installation of the four rapid charging units, subject to suitable and agreed contractual arrangements as required.

Reason(s) for the decision:

Poor Air quality has been identified as a significant public health issue across the country with over 50,000 premature deaths occurring each year, this includes 4.0% of all premature deaths within the borough of South Ribble, with five declared areas of poor air quality identified within the borough.

As such, Health and Wellbeing and significantly the improvement of air quality across the borough has been identified as a major priority within the Council's Corporate Plan.

A new Air Quality Action Plan (AQAP) was adopted in December 2018 which sets out a number of actions that will help to improve air quality and subsequently the health and wellbeing of the borough's population.

These actions include:

- Improve the electric vehicle infrastructure across the borough
- Work with taxi firms to encourage the uptake of low emission vehicles (electric)
- To work with both bus and taxi companies to apply for any grant bids available.
- Implement an 'Electrify Campaign' – encouraging businesses to only use electric taxis.

Thus the project will help towards the completion of these identified actions, further more these have been recognised as milestones within the identified corporate air quality project.

### **Alternative Options Considered and Rejected:**

This project is one of many, individual, separate and non-exclusive projects being considered at the time for the introduction of an electric vehicle charging infrastructure. The grant has been awarded for the provision of a charging infrastructure for taxis and as such compliance with the schemes condition is essential.

## **17 Vehicle Maintenance Transformation**

The Cabinet Member (Environment), Councillor Susan Jones, presented a report of the Assistant Director of Neighbourhoods that informed of an urgent decision that had been taken in April 2019 to enter into a contract agreement with FCC Environmental to maintain and service the vehicles utilised to fulfil their Waste Collection Contract with Chorley Borough Council.

It was explained that the additional usage of the facilities at the Depot will allow for a more efficient and effective use of facilities generating additional income for the Council going forward. In May 2019 the Vehicle Maintenance Workshop was accredited to undertake MOT testing for vehicles owned by the Council alongside



private individuals, this along with the servicing contracted detailed above allows the facility to operate on a more commercial basis.

It was proposed by Councillor Susan Jones, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet notes the decision to enter into a maintenance contract with FCC Environmental to service and maintain the vehicle utilised to fulfil the Waste Collection Contract with Chorley Borough Council.

**Reason(s) for the decision:**

In February 2019 FCC Environmental approached the Council to enquire if we would service and maintain the vehicle used to fulfil the Chorley contract on their behalf.

**Alternative Options Considered and Rejected:**

The option to maintain the current arrangements was considered, however it was felt that this would result in a missed opportunity to optimise use of the facilities and generate additional income for the Council.

**18 Strategic Review of My Neighbourhood arrangements and creation of Cross-party Member Working Group**

The Cabinet Member (Community Engagement, Social Justice and Wealth Building), Councillor Aniela Bylinski Gelder presented a report of the Assistant Director of Scrutiny and Democratic Services that outlined the Cabinet's desire to strengthen and enhance community involvement in the way the Council is run as part of creating a new Community Engagement, Social Justice and Wealth Building Cabinet portfolio.

The report also informed that a strategic review of community involvement would be undertaken that would include the My Neighbourhood arrangements, by a cross-party Member working group that would report back to Cabinet in January 2020.

The review would look at best practice from other authorities, such as Preston and Wigan, consult with all key partners, residents, members and parish councils to develop a plan with clear objectives.

The review was a key priority for the new administration and the Leader urged everyone to get involved.

Although the review was welcomed by many Councillors across the Council there was some concerns voiced about the recent changes to the boundaries of the My Neighbourhoods, with some Members in the audience, sharing a view that it would have been better to have waited until the review was complete.

The membership of the cross-party working group would be made up of nominations from the Group Leaders based on two Members from the Labour Group, two Members from the Conservative Group and one Member from the Liberal Democrat Group with appropriate officer support.

The Member Working Group would be chaired by the Cabinet Member (Community Engagement, Social Justice and Wealth Building).

It was proposed by Councillor Aniela Bylinski Gelder, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approves the undertaking of a strategic review of community involvement, including the My Neighbourhoods Forums.
2. Cabinet approves the establishment of a cross party working group to undertake the strategic review that will present its findings to Cabinet in January 2020.

**Reason(s) for the decision:**

To help ensure that the Council achieves its vision of being a council that is recognised as being innovative, forward thinking and financially self-sufficient, whilst putting people at the heart of everything we do it is important that our community is involved in the way the Council is run.

**Alternative Options Considered and Rejected:**

An alternative option that has been considered is not to carry out a review. However, this has been rejected as it would not achieve the desire of the Cabinet or enhance our community involvement activities.

**19 Exclusion of Press and Public**

The Leader of the Council commented that it was the intention of the new administration to be as transparent and open with their decision making as was possible, and that it was their aim to have no confidential reports on future agendas.

**Decision made: (Unanimously):**

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, 'Information relating to the financial or business affairs of any particular person (including the authority holding that information) 'and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

**20 Insurance Policies Renewal (Extension of Existing Long Term Agreements)**

The Cabinet Member (Finance, Property and Assets), Councillor Matthew Tomlinson presented a confidential report of the temporary Head of Shared Assurance Services that informed of the extension of the Council's Long Term Agreements with its existing insurers for a further two years.

It was proposed by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster, and

**Decision made (Unanimously):**

1. Cabinet approves the recommendations in the report.

## Reason(s) for the decision:

It is essential that the Council has a comprehensive portfolio of insurance covers in place to manage risks that it faces from delivery of its operational activities and services to the local community. It is also imperative that effective insurance cover is maintained continuously and that revised arrangements are in place with effect from 1 January 2020.

The terms on offer represent sound value for money as they provide a reduction in the cost of the overall insurance premiums for the next two years, while maintaining existing levels of cover and the effective working relationships developed between the Council, the Broker and Insurers. In addition it will ensure continuity of the existing service and provide an opportunity to assess the performance and suitability of the other market options in a more considered way.

This is the course of action recommended by AON following their assessment of the current state of the general insurance market and consideration of the options for Insurance renewal.

In view of the resource implications and time constraints involved in undertaking a full tender procurement exercise at the present time, and following consideration of the alternative mechanisms available, it is considered to be the most appropriate course of action.

## Alternative Options Considered and Rejected:

The undertaking of a full OJEU procurement exercise by means of an in house open tender would be demanding to complete within the timescale required.

Use of the Crown Commercial Insurance Services II Framework Agreement (RM 3731) – The existing Framework and arrangements have been subject to significant change and recent changes untested in the market.

The use of the Local Government Association Insurance Mutual has only recently been established and is untested in the market.

Chair

Date

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## South Ribble Council – Cabinet Forward Plan

**For the Four Month Period: 1 June 2019 - 30 September 2019**

This document gives 28 days' notice of 'key' and other major decisions which the Cabinet expect to take during the next four month period. It also gives notice of the decisions that are likely to be taken in private. The document is updated as required and is available to the public on the Council's website at [www.southribble.gov.uk](http://www.southribble.gov.uk).

A 'Key' Decision is defined as any decision in relation to a Cabinet function which is likely:

- (a) To result in the Council incurring expenditure which is, or the making of savings which are significant. The financial threshold above which expenditure/savings become significant is set at £100,000. The financial threshold is applicable to both revenue and capital budgets; or
- (b) To be significant in terms of its effect on the communities living in an area comprising two or more Council wards.

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As a matter of local choice, the Forward Plan also includes the details of any significant issues to be initially considered by the Cabinet and submitted to the Full Council for approval.

Under the Access to Information Procedure Rules set out in the Council's Constitution, a 'Key' Decision may not be taken, unless 28 days' notice have been given in this document.

The law and the Council's Constitution provide for urgent key decisions to be made, even though they have not been included in this document in accordance with General Exception and Special Urgency provisions, set out in Access to Information Procedure Rules.

The Cabinet is made up of the Leader, Deputy Leader and five other Cabinet Members with the following portfolios:

Leader of the Council	Councillor Paul Foster
Deputy Leader and Cabinet Member (Health, Wellbeing and Leisure)	Councillor Mick Titherington
Cabinet Member (Finance, Property and Assets)	Councillor Matthew Tomlinson
Cabinet Member (Environment)	Councillor Susan Jones
Cabinet Member (Planning, Regeneration and City Deal)	Councillor Bill Evans
Cabinet Member (Community Engagement, Social Justice and Wealth Building)	Councillor Aniela Bylinski Gelder

Whilst the majority of the Cabinet decisions listed in this Forward Plan will be open to the public to attend, there may be some decisions to be considered that contain confidential, commercially or personal information. The Forward Plan is a formal notice under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that some of the decisions listed in the Forward Plan will be held in private because the

report will contain exempt information under Schedule 12A of the Local Government Act 1972, as set out below and that the public interest in withholding the information outweighs the public interest in disclosing it.:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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Copies of the Council's Constitution and agenda and minutes for all meetings of the Council may be accessed on the Council's website: [www.southribble.gov.uk](http://www.southribble.gov.uk). If there are any queries, including objections to items being considered in private, please contact the Council on 01772 625309 or email [dscambler@southribble.gov.uk](mailto:dscambler@southribble.gov.uk).

**Gary Hall**  
**Interim Chief Executive**

**Last updated: 02 July 2019**

Details of the Decision to be taken	Decision to be taken by	Relevant Portfolio Holder	Reason the decision is key	Earliest Date decision can be taken	Will the public be excluded?	Are there any background papers?	Documents to be considered by Decision taker
Future meetings of the Cabinet where there is an intention to hold part of the meeting in private: 10 July, 11 September, 16 October, 13 November 2019, 22 January, 12 February and 18 March 2020							
July							
Cabinet Member (Finance, Property and Assets)							
Enterprise Zone Business Rate Growth Agreement	Cabinet	Cabinet Member (Finance, Property and Assets)	Expenditure / Savings higher than £100,000	10 Jul 2019	No	General Exception Notice	Report of the Deputy Section 151 Officer
Purchase of land at Croston Road	Cabinet	Cabinet Member (Finance, Property and Assets)		10 Jul 2019	No	<a href="https://southribbleintranet.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MIId=1445&amp;Ver=4">https://southribbleintranet.moderngov.co.uk/ieListDocuments.aspx?CId=139&amp;MIId=1445&amp;Ver=4</a>	Report of the Director of Planning and Property

Details of the Decision to be taken	Decision to be taken by	Relevant Portfolio Holder	Reason the decision is key	Earliest Date decision can be taken	Will the public be excluded?	Are there any background papers?	Documents to be considered by Decision taker
Cabinet Member (Community Engagement, Social Justice and Wealth Building)							
Council Tax Support Scheme 2020/21- Consultation Proposals	Cabinet	Deputy Leader and Cabinet Member (Health, Wellbeing and Leisure)	Significant effect in 2 or more Council wards.	10 Jul 2019		<a href="https://southribble.moderngov.co.uk/documents/s7515/CTS%20Remodelling%20and%20Hardship%20cabinet%20report%20Final%20Draft.pdf">https://southribble.moderngov.co.uk/documents/s7515/CTS%20Remodelling%20and%20Hardship%20cabinet%20report%20Final%20Draft.pdf</a>	Report of the Director of Customer and Digital
Cabinet Member (Environment)							
Vehicle Procurement Programme	Cabinet	Cabinet Member (Environment)	Expenditure / Savings higher than £100,000	10 Jul 2019	No	None	Report of the Assistant Director of Neighbourhoods



Details of the Decision to be taken	Decision to be taken by	Relevant Portfolio Holder	Reason the decision is key	Earliest Date decision can be taken	Will the public be excluded?	Are there any background papers?	Documents to be considered by Decision taker
Future Meeting							
Worden Hall Update	Cabinet	Cabinet Member (Finance, Property and Assets)		11 Sep 2019	No	<a href="https://southribbleintranet.mode.rngov.co.uk/documents/s9189/Worden%20Hall%20cabinet%20Report%2019th%20June%202019%20PMc%20comments%20V2.pdf">https://southribbleintranet.mode.rngov.co.uk/documents/s9189/Worden%20Hall%20cabinet%20Report%2019th%20June%202019%20PMc%20comments%20V2.pdf</a>	Report of the Assistant Director of Property and Housing
Single Use Plastics	Cabinet	Cabinet Member (Environment)	Significant effect in 2 or more Council wards.	11 Sep 2019	No	None	Report of the Director of Neighbourhoods and Development
Central Lancashire Local Plan - Issues and Options	Cabinet	Cabinet Member (Planning, Regeneration and City Deal)	Significant effect in 2 or more Council wards.	11 Sep 2019	No	<a href="https://centrallocalplan.lancashire.gov.uk/">https://centrallocalplan.lancashire.gov.uk/</a>	Report of the Director of Planning and Property
City Deal - Update, Mid Term Review and Future	Cabinet	Cabinet Member (Planning, Regeneration and City Deal)	Significant effect in 2 or more Council wards.	11 Sep 2019	No	<a href="https://lancashirelep.co.uk/key-initiatives/city-deal/">https://lancashirelep.co.uk/key-initiatives/city-deal/</a>	Report of the Director of Planning and Property

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Relevant Portfolio Holder</b>	<b>Reason the decision is key</b>	<b>Earliest Date decision can be taken</b>	<b>Will the public be excluded?</b>	<b>Are there any background papers?</b>	<b>Documents to be considered by Decision taker</b>
Draft Refreshed Corporate Council Plan 2019-2024	Cabinet	Leader of the Council	Significant effect in 2 or more Council wards.	11 Sep 2019	No	<a href="https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf">https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf</a>	Report of the Chief Executive
Corporate Plan Performance Report - Quarter 1	Cabinet	Leader of the Council	Significant effect in 2 or more Council wards.	11 Sep 2019	No	<a href="https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf">https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf</a>	Report of the Chief Executive
Budget Monitoring Report - Quarter 1	Cabinet	Cabinet Member (Finance, Property and Assets)	Significant effect in 2 or more Council wards.	11 Sep 2019		<a href="https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf">https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf</a>	Report of the Section 151 Officer

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Relevant Portfolio Holder</b>	<b>Reason the decision is key</b>	<b>Earliest Date decision can be taken</b>	<b>Will the public be excluded?</b>	<b>Are there any background papers?</b>	<b>Documents to be considered by Decision taker</b>
Corporate Plan Performance Report - Quarter 2	Cabinet	Leader of the Council	Significant effect in 2 or more Council wards.	13 Nov 2019		<a href="https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf">https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf</a>	Report of the Chief Executive
Budget Monitoring Report - Quarter 2	Cabinet	Cabinet Member (Finance, Property and Assets)	Significant effect in 2 or more Council wards.	13 Nov 2019	No	<a href="https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf">https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf</a>	Report of the Section 151 Officer
Corporate Plan Performance Report - Quarter 3	Cabinet	Leader of the Council	Significant effect in 2 or more Council wards.	12 Feb 2020	No	<a href="https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf">https://southribble.moderngov.co.uk/documents/s9183/Annual%202018-19%20Corporate%20Plan%20Performance%20Report.pdf</a>	Report of the Chief Executive

<b>Details of the Decision to be taken</b>	<b>Decision to be taken by</b>	<b>Relevant Portfolio Holder</b>	<b>Reason the decision is key</b>	<b>Earliest Date decision can be taken</b>	<b>Will the public be excluded?</b>	<b>Are there any background papers?</b>	<b>Documents to be considered by Decision taker</b>
Budget Monitoring Report - Quarter 3	Cabinet	Cabinet Member (Finance, Property and Assets)	Significant effect in 2 or more Council wards.	12 Feb 2020	No	<a href="https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf">https://southribble.moderngov.co.uk/documents/s9160/Final%20Budget%20Output%20Turn%20Report%202018-19%20for%20Cabinet%20190619.pdf</a>	Report of the Section 151 Officer

REPORT TO	ON
CABINET	10 July 2019



TITLE	PORTFOLIO	REPORT OF
Enterprise Zone Business Rate Growth Agreement	Finance, Property and Assets	Deputy Section 151 Officer

Is this report a <b>KEY DECISION</b> (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the <b>Statutory Cabinet Forward Plan</b> ?	No
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

## PURPOSE OF THE REPORT

1. To request approval to enter into an agreement with Lancashire County Council in relation to the payment over of business rates growth from the Enterprise Zone.

## PORTFOLIO RECOMMENDATIONS

2. Cabinet approve the proposed legal agreement between South Ribble Borough Council and Lancashire County Council (as accountable body for Lancashire Enterprise Partnership Ltd) which will formalise the payment of growth in business rates in relation to Samlesbury Aerospace Enterprise Zone to the Lancashire Enterprise Partnership.

## REASONS FOR THE DECISION

3. This is a key decision as the business rates income to be paid over is greater than £100,000 and therefore requires Cabinet approval. There are no budget implications as this income is earmarked for this purpose.

## CORPORATE PRIORITIES

4. The report relates to the following corporate priorities:

Excellence and Financial Sustainability	✓
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

## BACKGROUND TO THE REPORT

**5a.** The Secretary of State has the power to declare an area to be an Enterprise Zone. Enterprise Zones are sites designated for business development which may offer incentives such as business rates discounts for new businesses location on the sites.

**5b.** Samlesbury Aerospace Enterprise Zone consists of Lancashire Advanced Engineering and Manufacturing and the site spans both South Ribble and Ribble Valley Borough Councils and is classed as a Designated Area for business rates purposes. Designated Areas were classified as such by the Non-Domestic Rating (Designated Areas) Regulations 2013 so as to enable the local retention of any growth in business rates within the Enterprise Zone (EZ) pursuant to Schedule 7B of the Local Government Finance Act 1988.

**5c.** A local enterprise partnership is a voluntary partnership between local businesses to help determine local economic priorities and lead economic growth within the local area. This includes arrangements for the establishment and operation of Enterprise Zones. A local authority may act as an accountable body on behalf of a local enterprise zone. Lancashire County Council (LCC) is the accountable body for the Lancashire Enterprise Zone (the 'LEP').

**5d.** In 2014 the LEP agreed that the first call on any Business Rates growth generated on the Lancashire EZ at Samlesbury be used to repay the borrowing incurred by the County Council to deliver Phase 1 infrastructure on the site.

**5e.** The purpose of the Enterprise Zone Business Rate Growth agreement is to agree formally the terms on which business rates in relation to EZs are paid and managed by LEP.

**5f.** Prior to 2018/19, there were no properties in the Enterprise Zone on the Valuation Office list for South Ribble. The BAE Academy was originally going to be included within the main BAE assessment (in Ribble Valley) but the Valuation Office rated it separately and consequently it was added to the rating list for South Ribble during 2018/19. As the facility has been in operation since 2016, the effective date for rating purposes was December 2016.

## PROPOSALS

**6a.** The proposal is to sign the Enterprise Zone Business Rate agreement between South Ribble Borough Council and Lancashire County Council to formalise the arrangement for the payment over of the Business rates which relates to growth in the Enterprise Zone.

**6b.** At the end of the financial year 2018/19, the amount of retained business rate income in relation to the Designated Area was £418,171. This amount includes back dated rates receivable for 2016/17 and 2017/18. The Council's business rate baseline excludes any business rates income for this site and therefore the full amount is payable to LCC, as the accountable body for the LEP.

**6c.** From 2019/20 onwards, South Ribble will continue to collect relevant business rates growth and make payment to the LEP during the year based on the forecast for the year. There will be an annual reconciliation at the end of each financial year and a reconciliation payment will be paid to/recovered from the LEP.

## **FINANCIAL IMPLICATIONS**

7. There are no financial implications as this income is outside the central share and pooling arrangements for retained business rates income. It is recorded separately on the annual returns to government: NNDR1 (forecast business rates) and NNDR 3 (actual outturn business rates). The figure of £418,171 is reported on the council's NNDR 3 return to MHCLG for 2018/19. The forecast amount of net rates income for 2019/20 in respect of the designated area is £174,478, after adjusting for reliefs and potential losses.

## **LEGAL IMPLICATIONS**

8. A formal legal agreement will be entered into to set out the terms and conditions relating to the payment of the business rates. Due to the quantum of money involved this needs to be a Cabinet decision.

## **HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS**

There are none.

## **ICT/TECHNOLOGY IMPLICATIONS**

There are none.

## **PROPERTY AND ASSET MANAGEMENT IMPLICATIONS**

There are none.

## **EQUALITY AND DIVERSITY IMPACT**

There are no implications.

## **COMMENTS OF THE STATUTORY FINANCE OFFICER**

9. This agreement formalises the processes previously agreed in principle between the LEP and the districts with regard to the payment over of business rates income collected from new developments in the Enterprise Zone. As stated in the report, there are no financial implications as the budget and MTFs forecasts were based on the assumption that any net business rate income from the EZ would be paid over to the LEP.

## **COMMENTS OF THE MONITORING OFFICER**

10. Please see Legal implications above. This issue has been around for some time. We need to resolve it formally – hence the reason for the report.

## **BACKGROUND DOCUMENTS / APPENDICES**

There are no background documents/appendices to this report.

Jane Blundell  
Principal Management Accountant / Deputy S151 Officer

Report Author:	Telephone:	Date:
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Jane Blundell	01772 625245	18/06/19
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REPORT TO	ON
CABINET	10 JULY 2019



TITLE	PORTFOLIO	REPORT OF
Purchase of Land Off Croston Road – Between Moss Lane and Rear of 394 Croston Road	Finance, Property and Assets	Assistant Director Property & Housing

Is this report a <b>KEY DECISION</b> (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	No
Is this report on the <b>Statutory Cabinet Forward Plan</b> ?	Yes
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

## PURPOSE OF THE REPORT

1. The purpose of the report is for Cabinet to consider the acquisition of an area of land being offered to the Council by Homes England as part of a Section 106 agreement for Site W in the Local Plan. Homes England have offered the Council the site at Community Leisure value for £77,095.

## PORTFOLIO RECOMMENDATIONS

2. That Cabinet approve the land at Croston Road North (Site W) to be acquired at Community Leisure use value for £77,095 plus VAT.
3. That Cabinet provide delegated authority to the Director of Planning and Property in consultation with the Portfolio Holder for Assets to conclude the deal for the site prior to the deadline of 1<sup>st</sup> September 2019.

## REASONS FOR THE DECISION

4. The recommendations above provide Cabinet with an opportunity to acquire land for community leisure use and safeguard its use for that purpose over the longer term.

## CORPORATE PRIORITIES

5. The report relates to the following corporate priorities:

Excellence and Financial Sustainability	✓
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Health and Wellbeing	✓
Place	✓

Projects relating to People in the Corporate Plan:

People	
--------	--

## BACKGROUND TO THE REPORT

6. With regard to the land within the site to be set aside for a potential future community/leisure facility the Section 106 Agreement requires the following:
- i) The owner (Homes England) use reasonable endeavours to agree the precise area of land to be designated for leisure/community use with the Council before the 25<sup>th</sup> February 2019.
  - ii) The owner shall make an offer in writing to the Council to enter into agreement to transfer the freehold interest in the leisure/community land to the Council by the 11<sup>th</sup> March 2019; and
  - iii) The leisure/community land to be transferred from the landowner at leisure/community use value and for that offer to be open for a period of 6 months for the Council to accept.
7. It was initially considered by officers that the land in question was no longer required for leisure/community use. Hence our external advisers (Sanderson Weatherall) negotiated a deal with Homes England whereby we would accept a sum of money (£295,000) rather than acquire the land. If we had gone down this route a variation of the Section 106 agreement would have been required. Accordingly a report was taken to Planning Committee. The Planning Committee decided that at their meeting on Wednesday 26<sup>th</sup> June 2019 not to vary the S106 agreement. Their preference was that the land should be acquired, rather than a sum of money received. The decision rests with Cabinet whether to acquire the land.

## PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

8. The proposals are set out within the body of the report. There are no procurement implications associated with the report.

## CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

9. None – there is no statutory requirement to undertake consultations on deed of variations to Section 106 Agreements.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. The council could have received a payment of £295,000 had it chosen not to acquire the land. It was clear that there was not support for this position and that the acquisition of land for Community Leisure Use is in line with the Council's commitment to environmental protection and improving air quality.

## **FINANCIAL IMPLICATIONS**

11. Homes England have offered the Council the site at Community Leisure value for £77,095. As part of the process of due diligence the Council shall arrange for an independent assessment of the valuation to ensure that the offer from Homes England is fair and reasonable.

## **LEGAL IMPLICATIONS**

12. If Cabinet decides it wants to purchase the land Legal Services will carry out all necessary legal procedures to acquire the land. The use of the land moving forward will be limited to community and leisure use.

## **AIR QUALITY IMPLICATIONS**

13. The recommendations outlined within this report will have a positive impact upon resident's air quality.

## **HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS**

14. Not applicable.

## **ICT/TECHNOLOGY IMPLICATIONS**

15. Not applicable.

## **PROPERTY AND ASSET MANAGEMENT IMPLICATIONS**

16. The Assistant Director for Property and Housing shall work closely with the Assistant Director of Projects and Development to ensure that any tree planting and other environmental works to the site will result in minimal ongoing revenue or servicing costs.

## **RISK MANAGEMENT**

17. An independent assessment of the valuation shall be undertaken to ensure that the Council does not pay more than necessary to acquire the site.

## **EQUALITY AND DIVERSITY IMPACT**

18. Not applicable.

## **RELEVANT DIRECTORS RECOMMENDATIONS**

19. That Cabinet approve the land at Croston Road North (Site W) to be acquired at Community Leisure use value for £77,095 plus VAT.
20. That Cabinet provide delegated authority to the Director of Planning and Property in consultation with the Portfolio Holder for Assets to conclude the deal for the site prior to the deadline of 1<sup>st</sup> September 2019.

## **COMMENTS OF THE STATUTORY FINANCE OFFICER**

21. The Council's approved capital and investment strategy supports the key objectives of the Health, Leisure and Wellbeing agenda including improving the leisure offer and green links across the borough. If approved, the acquisition of this land for Community Leisure use will be financed from Capital Reserves.

**COMMENTS OF THE MONITORING OFFICER**

22. Please see Legal Implications section.

**BACKGROUND DOCUMENTS**

23. 2019/20 Budget and Medium-Term Financial Strategy 2019/20 to 2022/23 – Cabinet 13 February 2019.

**APPENDICES**

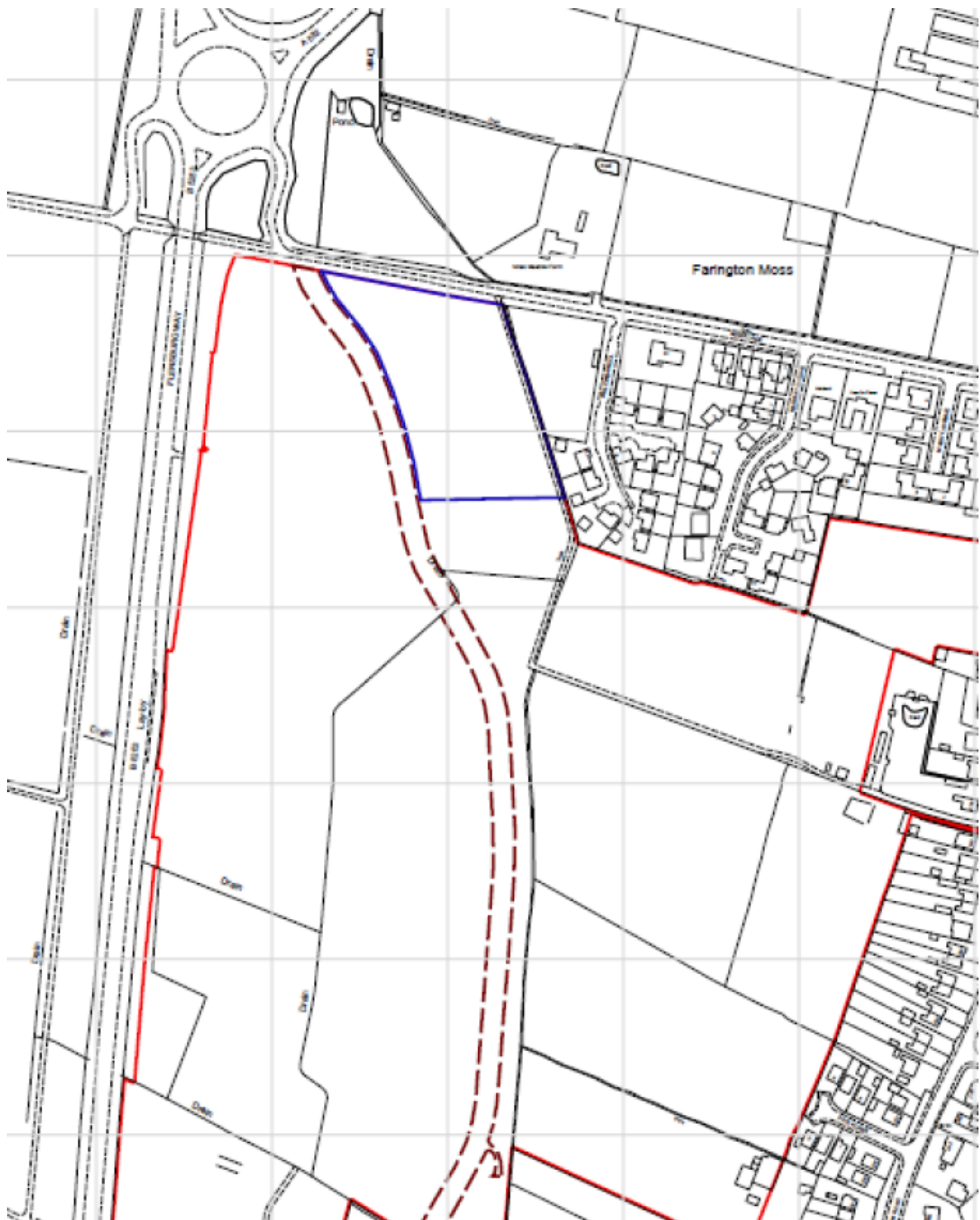
24. Appendix 1 – Site Plan taken from Design and Access Statement.

Peter McHugh  
Assistant Director Property & Housing

Report Author:	Telephone:	Date:
<i>Peter McHugh</i>	01772 625228	2 July 2019

**Appendix 1**

NB. Location of site offered outlined in 'blue'.



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REPORT TO	ON
CABINET	10 July 2019



TITLE	PORTFOLIO	REPORT OF
Vehicle Procurement Programme	Environment	Assistant Director of Neighbourhoods

Is this report a <b>KEY DECISION</b> (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	<b>Yes</b>
Is this report on the <b>Statutory Cabinet Forward Plan</b> ?	<b>Yes</b>
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	<b>No</b>
Is this report confidential?	<b>No</b>

## PURPOSE OF THE REPORT

1. The purpose of the report is to gain Cabinet approval to spend the allocated capital budget of up to £1,450,000 and for Cabinet to agree the procurement evaluation criteria.

## PORTFOLIO RECOMMENDATIONS

2. That Cabinet agree;
  - To approve the capital spend budget of up to £1,450,000.
  - The procurement evaluation criteria.

## REASONS FOR THE DECISION

3. To enable the continued delivery of services to residents of the borough the provision of effective and suitable vehicles.

## CORPORATE PRIORITIES

4. The report relates to the following corporate priorities:

Excellence and Financial Sustainability	X
Health and Wellbeing	X
Place	

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Projects relating to People in the Corporate Plan:

People	
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## BACKGROUND TO THE REPORT

5. The Council's approved vehicle and plant replacement programme for 2019 / 20 includes for the replacement of fifteen vehicles and plant this consists of the following;

Six refuse collection vehicles.

Three medium wheel base panel vans for pest control and sports development operations.

Three tipper bodied vehicles for grounds maintenance and street cleansing operations.

Two mini sweepers for street cleansing activities.

One tractor for grounds maintenance activities.

The Council has expressed a commitment going forward to develop the greenest possible fleet thus reducing the amount of pollutants produced by the vehicles used to deliver services to our residents. With this in mind all future procurement of vehicles and plant will give priority to the purchase of full electric or hybrid vehicles.

At present the electric / hybrid versions of the vehicles due for replacement on this occasion are still in the development stage and are not readily available on the commercial market, as and when these become available they will be considered.

All replacement vehicles purchased will be equipped with as a minimum Euro 6 compliant or hybrid power units which will result in greater fuel efficiency and greatly reduce the amount of pollutants produced.

## PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

6. It is intended to procure the replacement vehicles through a variety of approved methods, to include the use of the following;

A Purchasing Organisation Framework Agreement utilising the ESPO (Eastern Shires Purchasing Organisation) 215 framework, this process would be used to procure the refuse vehicles.

An open tender via The Chest to be utilised for the purchase of the three tipper bodied vehicles and tractor.

Through a direct purchase via the Crown Commercial Service Fleet Portal to be utilised for the purchase of the three medium wheel base panel vans.

The use of a waiver process for the purchase of the two mini sweepers.

A purchasing organisation framework is a professionally procured public sector agreement which complies with EU Legislation. This opens up a mini competition within



suppliers included within the ESPO Framework 215 as opposed to a full EU procurement process. The Council's Standing Orders and Contract Procedure Rules include for the use of framework agreements, in addition the Council has extensive experience in the use of these agreements. Tenders will be invited by companies identified within the framework and will be evaluated on an 85% cost, 15% quality basis, which is broken down into the following weightings.

<b>Cost 85%</b>	85% Purchase Price
<b>Quality 15%</b>	7% Warranty Arrangements
	4% Delivery Time / Late Delivery Support
	4% Breakdown and Technical Support

The Crown Commercial Service Fleet Portal allows for the Council to access vehicles and services whose suppliers have already been through a rigorous procurement process, allowing the Council to purchase vehicles and services in a timely efficient manner at a pre-determined price.

A robust review and assessment of the variety of mini sweepers available has been carried out and this has determined there is only one make of vehicle on the market which will meet all of the Council's minimum requirements for the supply of two mini – sweepers, given the specialist nature of these vehicles and specific design aspects it will be necessary to purchase these vehicles via a waiver process.

## **CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION**

7. Extensive consultation has been carried out with staff directly involved in the future use of the vehicles and equipment and with our waste partner FCC in relation to the replacement of refuse vehicles. This consultation has formulated the proposals in relation to the type of vehicles to be procured.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

8. As part of the development of these proposals the following options were considered.

**Purchase of replacement vehicles from within the borough** – the Council has expressed the desire to whenever possible procure goods and services from companies based within the borough, this will not be possible on this occasion due to the specialist nature of the equipment and a lack of suitable suppliers and manufacturers within the borough.

**Retention of existing vehicles** – consideration was given to the retention of the existing vehicles and equipment, however the likelihood is that these vehicles would over time become unreliable leading to a deterioration in the delivery of services. It would also remove the opportunity to reduce the current levels of particulates released in to the atmosphere and reduce air pollution within the borough.

## **FINANCIAL IMPLICATIONS**

9. The approved capital programme for 2019 / 20 includes a budget provision of £1,450,000 for the replacement of vehicles and plant.

## **LEGAL IMPLICATIONS**

10. Legal Services (in consultation with our colleagues in Procurement) shall ensure that our own Contract Procedure Rules (CPRs) and EU rules are fully complied with at all times. The use of framework agreements is permitted by our CPRs.

Paragraph 17.5 of CPRs states: "For each contract above £100,000, the Authorised Officer shall form an Evaluation Team with responsibility for evaluating tenders. The Authorised Officer shall keep a comprehensive written record of the evaluation exercise including the scores and comments and justification for these scores, and the lead officer of the evaluation team shall sign the final written selection record".

Ultimately formal contracts will be entered into which protect the Council's interests.

## **AIR QUALITY IMPLICATIONS**

11. Air quality impacts will form part of the tender process and ultimately the replacement vehicles will have a positive impact on air pollution when compared to the levels produced by the current vehicles.

## **HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS**

12. None.

## **ICT/TECHNOLOGY IMPLICATIONS**

13. None.

## **PROPERTY AND ASSET MANAGEMENT IMPLICATIONS**

14. None.

## **RISK MANAGEMENT**

15. Should the vehicles not be replaced the current vehicles will become un-reliable and un-economical to maintain. This would have an impact on the services delivered.

## **EQUALITY AND DIVERSITY IMPACT**

16. None.

## **RELEVANT DIRECTORS RECOMMENDATIONS**

17. That Cabinet approve the expenditure of the capital budget of £1,450,000 for vehicle replacement and agree the procurement evaluation criteria.

## **COMMENTS OF THE STATUTORY FINANCE OFFICER**

18. There is provision within the revenue budgets for both financing and running costs of the replacement vehicles. The periodic replacement of operational vehicles mitigates against potential increases in maintenance and servicing costs as well as ensuring the

continuous delivery of the services. There is potential for revenue budget savings in vehicle running costs, particularly in relation to the fuel costs and these budgets will be reviewed as part of the budget setting process.

## COMMENTS OF THE MONITORING OFFICER

19. Please see the Legal Implications section above.

## BACKGROUND DOCUMENTS

There are no background documents to this report

## APPENDICES

There are no appendices to this report.

Andrew Richardson  
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