

<b>Minutes of</b>	<b>Cabinet</b>
<b>Meeting date</b>	<b>Wednesday, 16 June 2021</b>
<b>Members present::</b>	Councillors Paul Foster (Chair), Michael Titherington (Vice-Chair), Aniela Bylinski Gelder, Bill Evans and Matthew Tomlinson
<b>Officers:</b>	Gary Hall (Chief Executive), Asim Khan (Director of Customer and Digital), Louise Mattinson (Director of Finance and Section 151 Officer), Jennifer Mullin (Shared Director of Communities), Jonathan Noad (Director of Planning and Development), Neil Anderson (Assistant Director of Projects and Development), Andrew Daniels (Shared Service Lead - Communications and Visitor Economy), Victoria Willett (Service Lead - Transformation and Partnerships), Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer), Darren Cranshaw (Shared Services Lead - Democratic, Scrutiny & Electoral Services) and Clare Gornall (Democratic and Member Services Officer)
<b>Other members and officers:</b>	Councillors Alty, Bell, Bretherton, Campbell, Chisholm, Michael Green, Hancock, Jones, Martin, Mort, Moon, Ogilvie, Sharples, P Smith, Mrs Smith, Unsworth, Walton, Watson, Wharton-Hardman, Wooldridge
<b>Public:</b>	0
<b>1 Apologies for Absence</b>	
	There were none.
<b>2 Minutes of the Last Meeting</b>	
	<b>Decision made</b>
	That the minutes of the meeting held on 24 March 2021 be approved and signed as a correct record.
<b>3 Declarations of Interest</b>	
	There were none.
<b>4 Cabinet Forward Plan</b>	
	The Cabinet Forward Plan (Notice of Executive Decisions) for the period 1 June 2021 – 31 May 2022 was presented for information.

The Leader of the Council highlighted the fact that the Lead Members were now included in the Plan and that reports on their work will be presented to Cabinet at least annually.

### **Decision made**

That the Cabinet Forward Plan (Notice of Executive Decisions) for the period 1 June 2021 – 31 May 2022 be noted.

### **Reasons for Decision**

The Plan was presented for information only.

## **5 Lead Member Roles - Terms of Reference**

The Leader of the Council presented a report of the Director of Governance and Monitoring Officer outlining the proposed terms of reference for Lead Members and Member Champions.

A query was made as to the potential for conflict of interest arising for Lead Members and Member Champions who may also sit on the Scrutiny Committee or Budget and Performance Panel when scrutinising a matter which relates to their remit. The Leader stressed that under such circumstances it was ultimately a matter for the individual member having regard to the advice of the Monitoring Officer.

### **Decision made**

That the terms of reference for Lead Members and Member Champions as outlined in the report be approved.

### **Reasons for Decision**

To ensure the role of the Lead Members and Member Champions is defined so that they are able to add value, are effective in their role and provided with the necessary support.

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

None, for the reasons given above.

## **6 Quarter 4 (January- March) Performance Monitoring Report 2020-21**

The Leader of the Council presented a report of the Deputy Chief Executive providing the Cabinet with a position statement for the Corporate Strategy for Quarter 4 (January – March 2021).

He commented that the Council had responded well to challenges presented by the COVID pandemic, however it would continue to closely monitor the significant impact on young people.

The Leader also referred to the recommendations of the Scrutiny Budget and Performance Panel made on 14 June 2021 which were as follows:

The Scrutiny Panel:

1. Thanks the Leader, Chief Executive and Shared Service Lead for attending and their detailed report.
2. Welcomes the Council's performance and the progress made in quarter 4.
3. Commends the face to face community engagement planned for the Community Hubs when it is safe post-COVID.
4. Looks forward to the long-term future strategy for the leisure centres being considered by the Council.
5. Wishes the Council well in the partnership discussions to expedite disabled facilities grants and asks to be kept updated progress.
6. Thanks all employees for the essential services they provide to the community.

A member enquired about the Worden Hall project referred to in paragraph 42 of the report. The Cabinet Member (Finance, Property and Assets) confirmed that the schedule of works remained on track.

#### **Decision made**

1. To note the report; and
2. To accept the recommendations of the Scrutiny Budget and Performance Panel made on 14 June 2021.

## **7 HR/Payroll System**

The Leader of the Council presented a report of the Deputy Chief Executive seeking Cabinet approval to enter into a ten year agreement with Blackpool Council to provide a managed payroll service with integrated HR service and all associated implementation, support and maintenance services.

In response to a member query, the Chief Executive confirmed the contracts of both South Ribble and Chorley Councils expire at the same time so will be aligned. With regard to the delegation to the Director of Governance, the financial limitations of the decision are as per the budget allocated in the report and therefore any requirement for a budget increase would come back to Cabinet for approval.

#### **Decision made**

1. To approve the appointment of Blackpool Council for the provision of a managed payroll service with integrated HR system and all associated implementation, support and maintenance services.

2. To delegate the finalisation of the agreement with Blackpool Council to the Director of Governance.

### **Reasons for recommendations**

The Cabinet determined that a partnership arrangement with Blackpool Council via a local government agreement pursuant to Section 101 of the Local Government Act 1972 provided the most effective and best value way to secure a fully managed payroll service with integrated HR system.

### **Other options considered and rejected**

The current HR and Payroll systems contract expires March 2022 and there is no compliant ability to extend this.

Procurement via either open tender or a framework agreement requires specialist input to specify, document and evaluate tenders which would be resource intensive, and potentially expensive. The market has been explored and found that it is very limited in terms of suppliers that would meet our specification and that the prices that could be achieved are unlikely to be more economical than the partnership approach, particularly as direct contract award to a supplier would incur high implementation costs. A partnership arrangement gives additional resilience to the project and ongoing payroll service unlike a direct award.

## **8 Empty Property Policy**

The Deputy Leader and Cabinet Member (Health and Wellbeing) presented a report of the Director of Communities seeking approval of a new Empty Properties Policy.

Arising from queries by a member regarding grants available per bedroom, the Chief Executive explained that there was £39,000 in the Capital Programme none of which had been spent in the last 2 years. £4,500 would be available per bedroom.

The Director of Communities confirmed that a property must be empty for twelve months to qualify.

The Chief Executive clarified that they would welcome information from ward councillors as a steer as regards prioritising issues.

### **Decision made**

That Cabinet approves the updated Empty Property Policy 2021 as detailed at Appendix A to the report.

### **Reasons for Decision**

This decision enables the Council to maintain a robust Empty Property Policy which reflects the current market conditions.

The refreshed Empty Properties Policy (attached at Appendix 1 to the report) builds on the work already carried out to manage empty homes which is based on impact, risk, and the public interest test but strengthens the current approach to address the demise of Methodist Action NW and details the Council's approach to providing informal advice and guidance before proceeding to formal enforcement.

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

The alternative options considered were:-

1. Only use enforcement action - This would not provide any alternative for owners of empty properties to enable them to bring them back into use and many may not be able to afford the work required. This would cost the Council a considerable amount in funding and resources to bring any enforcement action to fruition. To date the Council has completed only 1 Compulsory Purchase order which has taken in excess of 5 years and cost a considerable amount.

2. Provide assistance only - This would require the Council to entice owners into renovating their properties and then bringing them back into use. The council would need to have a robust system to monitor this has taken place and other than bringing the property back into use the council would not gain any further benefit.

3. Do Nothing - This option would require no action from the Council on Empty Properties, which would not be a viable option given the increases in empty properties in the borough.

## **9 Town Deal Professional Team Appointments**

The Leader of the Council presented a report to establish and identify the reasons for appointing the professional design team discipline – quantity surveying (QS) and procurement support via a delegated Executive Member Decision.

### **Decision made**

1. To approve the request to appoint the consultant on the Town Deal Project via a delegated Executive Member Decision to be made by the Leader.
2. That Cabinet notes the forecast expenditure of up to £200k against the £2.774m capital budget approved at Council on 19 May 2021.

### **Reasons for Decision**

1. To ensure the consultant appointment aligns with the business case development.
2. To support the delivery of the Town Deal – business case development process.
3. To ensure the project is able to deliver detailed and comprehensive business cases in line with the Town Deal programme and to expedite the release of the capital funding.

4. To allow for the project team to complete the delivery of Stage 2 business case development process for timely submission to the Town Deal Fund.

### **Alternative options considered and rejected**

The alternative option was to wait until the next Cabinet on 14 July 21 to approve the decision to appoint the consultant. However this has been rejected as the work to be undertaken by the consultant requires feeding into the business development process as soon as possible, to allow the consultant working on developing the 3 business cases to be able to deliver a comprehensively detailed and informative business case for funding by the programme submission date.

The 3 projects taken forward as previously communicated include

- i. Town Centre Transformation
- ii. Market Regeneration
- iii. BASE 2 development

The deadline for development and submission of all 3 business cases is 24<sup>th</sup> March 2022 and has been set by the Ministry of Housing, Communities and Local Government (MHCLG).

## **10 Community Hubs Update**

The Cabinet Member (Communities, Social Justice and Wealth Building) presented a report of the Director of Communities which provided members with an overview of activity in Community Hubs.

The Leader also stressed that any further ideas for community projects or initiatives are welcomed.

### **Decision made**

1. That Cabinet notes progress made by Community Hubs to date.
2. That Cabinet supports the development of the Community Hubs over coming months, as COVID restrictions are hopefully eased and public engagement is reinstated.

### **Reasons for Decision**

Following on from the Cabinet approval of Community Hub Action Plans in March, this report was requested to provide a progress update on project delivery.

This paper provides an initial update report for the Council's Community Hubs in 2021/22. It complements the quarterly corporate performance report, but relates more specifically to progress around recommendations from the cross-party review of community involvement.

### **Alternative options considered and rejected**

None, for the reasons given above.

## 11 Revenue and Capital Budget Monitoring 20-21 Outturn

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Finance explaining the Council's overall financial position at the end of the financial year 2020-21.

He also referred to the recommendations of the Scrutiny Budget and Performance Panel made on 14 June 2021 which were as follows:

The Scrutiny Panel:

1. Thanks the Cabinet Member and Director for attending and their detailed report.
2. Notes the revenue and capital budget monitoring outturn.
3. Welcomes the reassurance that staff vacancies are not impacting on service delivery in key areas.
4. Asks the Cabinet Member to ensure the capital programme is deliverable in future years.

The Leader also thanked officers for their hard work during the pandemic.

One member expressed concerns and queried the proposal to use S106 monies on projects throughout the borough when, as their ward councillor, she believed it was intended solely for the benefit of residents of Buckshaw Village. One councillor also made reference to an informal conversation with a member of the Local Government Association. The Chief Executive expressed concern about this and said he would pursue the matter outside the meeting.

For clarity the Chief Executive confirmed the Council was legally entitled to enact the proposals, should they be approved. The Leader stressed that the proposals with regard to the spend of S106 monies represented the Cabinet's policy.

### Decision made

1. To note the contents of the report;
2. To accept the recommendations of the Scrutiny Budget and Performance Panel made on 14 June 2021;
3. To approve the re-profiled budgets and use of S.106 funding for the capital programme, which reflects forecasted underspend against the existing budgets, as detailed in Appendix C – Capital Programme and in Appendix D – S.106 Summary of Usage of Receipts.
4. That the Leader of the Council write to the residents of Buckshaw Village explaining the reasons for the decision concerning S106 funding.

## Reasons for Decision

The Cabinet is required to consider the outturn position for the 20/21 financial year.

1. The overall position is a surplus of £570k with a further £348k from COVID funds used to support existing Council costs.
2. It is proposed to use these funds to create a number of reserves:
  - a. £100k additional into the Local Plans reserve to provide sufficient funding up to 2023/24
  - b. The creation of a new £400k Asset Maintenance Reserve to pay for potential future maintenance costs and part fund future capital expenditure on short-life assets such as ICT and vehicles.
  - c. Creation of a £250k Income Investment Reserve to cover costs of developing new income generation projects which may not be able to be capitalised.
  - d. The remaining £168k to be added to the Covid Recovery Fund. The cost pressures of our continuing response to Covid, and of our progression through to recovery, will continue over the medium to longer term, and therefore some of the funding received over the course of 2020/21 will be required to carry forward into 2021/22 to meet the ongoing costs of Covid-19, and of any associated losses of income.

## Alternative options considered and rejected

None, for the reasons given above.

## 12 Land Remediation and Playground Refurbishment, Strawberry Valley, Bent Lane, Leyland

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Customer and Digital bringing the refurbishment project for the playground at Strawberry Valley Park, Bent Lane, Leyland before members and to seek permission to spend the allocated capital budgets and award the contract to the Preferred Bidder identified by the procurement processes. The report sought to progress a way forward for the remediation of the site and associated costs.

In response to a member query regarding the £139k budget uplift, the Chief Executive clarified that it would be through the process of amortization over the period of land restoration.

## Decision made

1. That Cabinet agrees to spend the allocated £175,000 capital budget for the refurbishment of Strawberry Valley Park Playground;

2. That Cabinet agrees to award the contract for the refurbishment of Strawberry Valley Park Playground to Bidder 2 in Table 1; and

3. That Cabinet recommends to Council that the remediation works should be undertaken to enable the site improvements to be brought forward and progressed and that Council be asked to approve a budget of £200,000 to support these works.

### **Reasons for Decision**

1. The current capital programme includes a number of play areas identified for improvement. Strawberry Valley Park Playground has funds allocated in this financial year and bids have been invited on a design and build basis.

2. The current capital programme also includes a budget for remediation of contaminated land on site, required before the new playground can be constructed. Estimates to remediate the site by the introduction of a cap of clean soil are greater than the available budget and therefore a request from Council is proposed for a budget uplift for this element of the project.

### **Alternative options considered and rejected**

The option of doing nothing and leaving the playground in its current condition was rejected as the site is now in need of refurbishment to provide quality facilities and the Friends of Strawberry Valley Park have worked hard to obtain a grant of £30,000 towards the cost of improved facilities.

The option of not remediating the contaminated ground found on site was rejected as the council has a duty to take action where ground contamination on public open spaces exceeds recommended thresholds.

## **13 Insurance Policy Procurement**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Governance and Monitoring Officer seeking approval to engage in joint procurement with Chorley Council to procure all insurance policies with the Council's portfolio.

In response to a member query, the Chief Executive confirmed that the proposals were for each Council to tender separately but it was advantageous for both Councils to have the same provider.

### **Decision made**

1. That Cabinet agrees to the procurement being collaborative with Chorley Council.
2. That Cabinet agrees to the use of the YPO Insurance Placement Dynamic Purchasing System 978.
3. That Cabinet agrees the approach to be taken for Evaluation Criteria and Weightings.

## **Reasons for Decision**

The procurement will be a separate tender for each council's individual insurance portfolio however, running the tender process together will create efficiencies in the officer and broker time.

A Dynamic Purchasing System (DPS) agreement was used successfully last time the insurance policies were procured.

A YPO product was used recently in 2020 to tender for the Insurance Broker and Associated Services Contract, in doing so a working relationship with the YPO team has developed which will support delivery of the insurance procurement.

Subject to broker advice a similar approach to Evaluation Criteria and Weightings will be considered.

## **Alternative options considered and rejected**

The Audit and Risk service has not considered tendering for this procurement via the more traditional route of OJEU as this approach would lead to a longer timeframe to complete and additional officer resource to deliver a more complex tender, for the same or less competitive results.

## **14 Exclusion of Press and Public**

### **Decision made**

That the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

## **15 Key Contracts and Partnerships Framework**

The Leader of the Council presented a report of the Deputy Chief Executive seeking approval for the Key Partnerships and Contract Framework along with a position statement for the current partnerships and contracts.

### **Decision made**

1. That due to the omission of Appendix A the report be deferred until the next meeting of Cabinet on 14 July 2021; and
2. That further consideration be given to whether the report could be made public, if at all possible.

## 16 Sports Playing Pitch Hub

The Deputy Leader and Cabinet Member (Health, Wellbeing and Leisure) presented a report seeking approval for a number of decisions to progress the Playing Pitch Hub project.

### **Decision made**

That the recommendations outlined at paragraphs 2 – 7 of the confidential report be approved.

### **Reasons for decision**

The decisions enable the Council to:

Award the two construction contracts;

To continue using the current contractors as projects managers for the contract; and

To vire £275k from the Playing pitch Hub project to support improvements at other Leisure Facilities across the Borough.

### **Alternative options considered and rejected**

Cabinet have always had the option to consider a do-nothing option or to do the project without doing the funding application to the Football Foundation. The do-nothing option would not have realised a recommendation of the formally adopted Playing fields strategy. The do-nothing option would also fail deliver on a key plank of the Council's newly adopted Leisure Facilities Strategy.

Chair

Date