

<b>Minutes of</b>	<b>Cabinet</b>
<b>Meeting date</b>	<b>Wednesday, 23 March 2022</b>
<b>Members present::</b>	Councillors Paul Foster (Chair), James Flannery, Aniela Bylinski Gelder and Matthew Tomlinson
<b>Officers:</b>	Gary Hall (Chief Executive), Chris Sinnott (Deputy Chief Executive), Asim Khan (Director of Customer and Digital), Mark Lester (Director of Commercial), Louise Mattinson (Director of Finance and Section 151 Officer), Jennifer Mullin (Director of Communities), Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer) and Ruth Rimmington (Democratic Services Team Leader)
<b>Other members in attendance:-</b>	Adams, Alty, Bretherton, Chisholm, Hancock, Howarth, Hunter, Lomax, Martin, Mort, P Smith, Mrs Smith, Titherington, Turner, Unsworth, Walton and Wooldridge.
<b>Public:</b>	0

**(The Leader of the Council referred to the recent passing of Councillor Bill Evans and a minutes' silence was held).**

**(The Leader of the Council then welcomed Councillor James Flannery, Cabinet Member (Planning Business Support and Regeneration) to the meeting).**

### **93 Apologies for Absence**

Apologies were received from Councillor Mick Titherington, who was unable to attend in person. However, he was able to dial in the meeting via TEAMS and present reports in relation to his Cabinet portfolio.

### **94 Declarations of Interest**

There were none.

### **95 Minutes of the Last Meeting**

RESOLVED:- That the minutes of the last meeting held on 9 February 2022 be approved and signed as a correct record.

### **96 Notice of Executive Decisions / Cabinet Forward Plan**

The Notice of Executive Decisions / Cabinet Forward Plan for the period 1 March 2022 – 28 February 2023 was presented for information.

RESOLVED:- That the Notice of Executive Decisions / Cabinet Forward Plan for the period 1 March 2022 – 28 February 2023 be noted.

## **97 Corporate Strategy Quarterly Monitoring Report - Quarter 3 2021/22**

The Leader of the Council and Cabinet Member (Strategy and Reform) presented a report of the Deputy Chief Executive providing Cabinet with a position statement for the Corporate Strategy for quarter three (Oct – Dec) 2021/22.

The Cabinet also considered the recommendations of the Scrutiny Budget and Performance Panel held on 21 March 2022.

A query was raised in relation to the key performance indicator Number of households in temporary accommodation. It was agreed that Councillor Walton be informed of the length of time families spent in hotels.

### **Decision made**

1. That the report be noted; and
2. That the recommendations of the Scrutiny Budget and Performance Panel be accepted.

### **Reasons for decision**

The Council's performance framework sets out the process for reporting progress against the objectives of the Corporate Strategy. Robust monitoring ensures that the Council continues to deliver its priorities and achieves the best outcomes for residents

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

None, for the reasons given above.

## **98 Biodiversity Strategy and Environment Act 2021**

The Cabinet Member (Health and Wellbeing) presented a report of the Director of Communities requesting agreement to launch a public consultation on a Biodiversity Strategy for South Ribble. The report explained that following the consultation and subject to adoption by Full Council, an Action Plan to achieve the stated objectives identified within the Strategy would be produced.

In response to a member query, it was agreed that the inclusion of canals and ditches in the Biodiversity Strategy be incorporated into the public consultation.

A query was made in relation to the Big tree Plant project. The report stated that the Council itself does not own enough land and invited residents, schools and landowners to pledge space. The Cabinet Member (Health and Wellbeing) gave assurances that the tree planting was currently on target.

It was also suggested by a member that the Biodiversity Strategy could potentially be adopted as a supporting document for the Council's planning policy.

### **Decision made**

That permission be given to launch a public consultation on the formation of a Biodiversity Strategy for South Ribble.

## **Reasons for decision**

Under the Natural Environment and Rural Communities Act 2006, and recently updated by the Environment Act 2021 public authorities in England are under a legal duty to have due regard to the conservation and enhancement of biodiversity in the exercise of its functions.

Public bodies must also determine what action is required to conserve and enhance biodiversity in the exercise of its functions and must determine such policies and objectives as appropriate to achieve this.

They must also publish biodiversity reports providing a summary of the action taken and planned and detailing the resulting biodiversity gains achieved.

## **Alternative options considered and rejected**

The alternative option to do nothing would negatively impact on the biodiversity of the borough and result in the Council failing in its statutory duties to consider, conserve and enhance biodiversity in the exercise of its duties.

## **99 Decarbonisation Works**

The Deputy Leader and Cabinet Member (Health and Wellbeing) presented a report of the Director of Communities requesting authority to spend £5,468,854.00 which included £500,000 partnership funding allocated in the Council's capital programme and a grant received of £4,968,854.0000 from the BEIS Public Sector Decarbonisation Scheme to support the Decarbonisation works at the Council's Leisure Centres, the Civic Centre and the Depot. Previously approved at Full Council on 22<sup>nd</sup> September 2021, the report requested approval to use the UK Leisure Framework direct award framework to complete the works.

The Leader highlighted the tight timescales involved and thanked the officers for their exceptional hard work.

## **Decision made**

1. That Cabinet authorises a spend of £5,468,854.00 which includes a grant of £4,968,854.00 from the BEIS Public Sector Decarbonisation Scheme (PSDS) and £500,000 allocated in the Council's Capital programme.
2. That Cabinet approves the use of the UK Leisure Framework to complete the Decarbonisation work.
3. That authority be delegated to the Cabinet Member for Health and Wellbeing to award the contract pursuant to recommendation 4.
4. That a report will come forward to full Council in April 2022 on proposals for a wider investment scheme into the Council's Leisure Centres.

## **Reasons for decision**

Through the work of the Council's climate change task group, the opportunity emerged of attracting significant new investment into six key Council buildings including the four Leisure Centres, the Civic Centre and the Council's Depot, identified as the Big 6.

Through a significant bidding process the Council has been successful in attracting a grant of £5,468,854 to South Ribble which includes £500,000 match funding from the Council.

The Decarbonisation works planned will significantly reduce the Carbon footprint of the Big six key buildings within South Ribble Borough and will contribute significantly to the Council's net zero carbon emissions target by 2030.

As part of the conditions of the PSDS grant there is a need to deliver the improvement works and spend the money within the next 12 months. This is a particularly tight timescale and failure to deliver on the timescales would result in a non-compliance of the grant award conditions and potential result in non-payment of the grant funding.

## **Alternative options considered and rejected**

The option of not committing to applying for the decarbonisation grant was considered but it was agreed the time and effort in submitting the bid was worthwhile, and the potential benefits towards the Council's goal of net zero by 2030 was an opportunity that could not be missed.

The grant award conditions require all work to be completed within 12 months, i.e. by the end of March 2023. The normal tender process would not facilitate the delivery of the project within a 12 month period, hence the recommendation to approve the use of the UK Leisure Framework.

## **100 Final Report and Recommendations of the Scrutiny Review of Health Inequalities**

The Deputy Leader and Cabinet Member (Health and Wellbeing) presented a report of the Deputy Chief Executive submitting the final report from the Scrutiny Committee's review of Health Inequalities.

### **Decision made**

That Cabinet accepts and supports the recommendations of the Scrutiny Review of Health Inequalities.

### **Reasons for decision**

As part of the governance arrangements of the Council and Scrutiny regulations, Cabinet is required to respond to recommendations referred to it by the Scrutiny Committee.

To ensure that the Council continues to place the health and wellbeing of residents at the forefront of its work and to support the Council's vision for *"a healthy and happy community, flourishing together in a safer and fairer borough that is led by a council recognised for being innovative, financially sustainable and accountable."*

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

None, for the reasons given above.

## **101 Holiday and Food Programme Update**

The Deputy Leader and Cabinet Member (Health and Wellbeing) presented a report of the Director of Communities providing an update on delivery of the 2021 HAF Programme and seeking approval to deliver the 2022 HAF Programme in South Ribble.

In response to concerns expressed, it was confirmed that additional resources would be made available as required so that no child in need is turned away.

### **Decision made**

1. To note successful delivery of the 2021 HAF Programme.
2. To approve delivery proposals for the 2022 HAF Programme.
3. To delegate authority for allocation of additional resources from the COVID recovery fund to the Cabinet Members, to allow flexibility should additional capacity be required.
4. To authorise officers to lobby for any additional HAF funding which is available.

### **Reasons for decision**

Funding received for the HAF Programme in 2021 enabled a wide ranging offer of activities and food for children across the borough. There is a will from leisure services, community groups and providers to continue the scheme. Feedback received from parents and carers echoes this.

Delivery of the HAF Programme is directly in line with the Council's corporate priorities. It complements other schemes such as the holiday hunger programme and school uniform bank; supporting families who need a little additional help.

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

If Cabinet were not to approve proposals for 2022, the anticipated funding offer from LCC could be declined. This would result in LCC commissioning external providers in South Ribble; we would have no role or influence in the programme. Given the Council's extensive knowledge of communities, and strong relationships with groups and organisations locally, we do not believe remote commissioning to be in the best interest of South Ribble families.

## 102 Revenue Budget Monitoring Quarter 3

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Finance / Section 151 officer setting out the revenue and reserves forecast for the Council as at 31<sup>st</sup> January 2022.

The Cabinet also considered the recommendations of the Scrutiny Budget and Performance Panel held on 21 March 2022.

### Decision made

That Cabinet:

1. Notes the forecast position for revenue and reserves as at 31<sup>st</sup> January 2022.
2. Notes the virements to the revenue budget made during the period, as detailed in **Appendix 2** of the report.
3. Approves the creation of reserves from the forecast in-year underspend and the reallocation of existing reserves as follows:
  - Use of in year underspends for:
    - £30k to create a reserve to support communities in celebrating the Queen's Jubilee
    - £200k to create a reserve for business support, advice and grants to support economic recovery
    - £200k to create a reserve targeting fly-tipping and environmental improvements
    - £200k to create a reserve to support the creation of Apprentice, Graduate, and Trainee posts across the council
    - £200 to create a reserve to support the community hub Boost Fund, to support them in making a real impact in the community
    - £200k to create a reserve to provide support for sports clubs & community organisations
4. Approves the remaining forecast underspend of £392k to be allocated to a COVID reserve for future projects.
5. Notes and supports the recommendations of the Scrutiny Budget and Performance Panel.

### Reasons for decision

Based on the financial position and latest information as at 31<sup>st</sup> January 2022, there is a forecast underspend against the budget for 2021/22 of £1.422m as detailed in **Appendix 1**. Following the allocation to the reserves detailed above, the revised forecast underspend to be moved to general reserves would be nil.

The council's Medium-Term Financial Strategy reported that working balances were to be maintained at a minimum of £4.0m due to the general financial risks facing the council. Based on point 5 above, the forecast level of general fund balances as at 31<sup>st</sup> March 2022 is £4.533m.

The report ensures the Council's budgetary targets are achieved.

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

None, for the reasons given above.

## **103 Capital Budget Monitoring Report Quarter 3**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Finance / Section 151 officer outlining the overall financial position of the Council in respect of the capital programme as at 31st January 2022, highlighting key issues and explaining key variances, and providing an overview of various elements of the Council's Balance Sheet as at 31st January 2022.

### **Decision made**

1. To approve the revised capital programme as attached at **Appendix A** which includes approved amendments to the programme, as detailed at point 11 of the report, since the last Capital Monitoring report was approved by Cabinet in November 2021;
2. To note the variations to the programme, (which are detailed, by scheme, at **Appendix B** and referenced within the body of the report);
3. To note the position in the Balance Sheet Monitoring section of the report in respect of cash, investment and loan balances as at 31<sup>st</sup> December 2021, and debtors as at 31<sup>st</sup> January 2022.
4. To note and support the recommendations of the Scrutiny Budget and Performance Panel.

### **Reasons for decision**

To ensure the Council's Capital Programme is monitored effectively.

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

None, for the reasons given above.

## **104 Completion of the Penwortham to Howick Green Links Cycle and Pedestrian route**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Commercial requesting approval to award the contract for the completion of a section of the cycle and pedestrian route from Penwortham to Howick Green as part of the Green links network.

In response to a member query, it was confirmed that waste bins collection would be included on the Green links routes.

In response to a query, it was agreed that it be confirmed to Councillor Walton if all the land was in the Council's ownership.

### **Decision made**

1. That the contract for the completion of the cycle and pedestrian route from Penwortham Priory Park to Howick as part of the Green links network be awarded to Wade Group for the sum of £314,415 following a tender exercise carried in accordance with the Council's contract procedure rules.
2. The capital budget for the 'Green Link - Penwortham Holme to Howick' scheme is increased to £314,415 to match the tender price, with a transfer of £64,415 from the unallocated green links budget.

### **Reasons for decision**

The Green links strategy was adopted by the Council in June 2019 with a 4 year programme to deliver fully accessible cycling and walking networks upgrades across the borough.

Penwortham to Howick – 'Penwortham Loop' is a 10km route around Higher Penwortham linking & improving existing routes to create a new accessible leisure route through Priory Park and alongside the River Ribble. The £250K original budget was set in year 1 to upgrade the largely unpaved informal route alongside the Ribble to Howick – with the increase in materials costs experienced over the past two years we now have a budget shortfall.

The funding shortfall can be funded from the unallocated green links budget.

The recommendation is to fund the shortfall and install a robust path; learning from experiences with the River Lostock, it will be fit for purpose for years to come. This is no doubt the long-term best value option.

Other elements of this scheme will be improving access from adjacent paths onto this route as well as a full signage and interpretation scheme.

The completed route will provide a fantastic new community asset available and accessible to all sections of the local community. From recreational walkers through to serious runners, from families out for a bike ride to cycle groups meeting on a club day the new route will provide opportunities for all.

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

The other option considered was a value engineered surface to bring back under budget for this particular scheme, much like that adjacent to the River Lostock. Experience has shown that such a path will need regular maintenance/reconstruction after a large flood event which in the long term is not best value.



## **105 Naming of West Paddock Extra Care Facility**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Commercial advising of the preferred name for the Extra Care Development at West Paddock.

### **Decision made**

To agree the proposed name for the development as “Jubilee Gardens”.

### **Reasons for decision**

The naming of the development is crucial not just to give the development an identity but also allows a number of other key actions to be undertaken. These include securing a domain name for website registration, street name/address registration, allowing for secondary actions to be undertaken which include orders to be placed for service connections etc.

It was proposed that the development is named in recognition of the achievement of Her Majesty the Queen becoming the first monarch to celebrate a platinum Jubilee (70 years of service).

The proposal fits in well with the Progress Housing complex directly across the road called Jubilee Court and also ties in well with the Queen’s Platinum Jubilee set to take place this year.

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

Officers considered undertaking a public consultation specifically on the name. This was rejected given the critical nature of the naming as outlined above and the fact that tenants for the scheme have yet to be selected.

## **106 Moss Side & Birch Avenue Playground Refurbishment Projects**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Customer and Digital bringing the refurbishment projects for the playgrounds at Moss Side Park, Leyland and Birch Avenue, Penwortham before Cabinet, seeking permission to award the contract for Moss Side to the preferred bidder and requesting that authority to award the contract to the highest scoring bidder for Birch Avenue, when identified, be delegated to the Cabinet Member (Finance, Property and Assets).

### **Decision made**

1. That Cabinet grants permission for the following:
  - i. To award the contract for the works at Moss Side, Leyland to Bidder 2 in Table 1, Appendix 1 at a cost of £175k.
  - ii. That authority to award the contract to the highest scoring bidder (yet to be identified) for Birch Avenue Playground be delegated to the Cabinet Member

for Finance, Property & Assets in consultation with the Director of Customer and Digital

### **Reasons for decision**

The current capital programme includes a number of play areas identified for improvement. Moss Side Playground has an approved total budget of £175,000 and bids have been invited on a design and build basis, meaning all tender prices are fixed at £175k.

Birch Avenue Playground had a budget of £75,000 included in the approved capital programme with an uplift of £70,000 to a total of £145,000 approved by Council at the meeting on 26 January 2022. Tender returns were due back on 21 March 2022 with a three week period needed for evaluation of the bids and analysis of the social value element by the Social Value Portal.

The £145,000 budget requires that the contract award be authorised by Cabinet, however, a preferred bidder will not be identified before the start of April 2022. The next Cabinet meeting after this date is scheduled for 20 June 2022 and therefore it is requested that the award decision be delegated as described to allow an earlier award and start of works on site.

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

The options of doing nothing at Moss Side and leaving the site in its current condition or carrying out partial refurbishment works were rejected as the site is now 17 years old and provides only equipment suitable for toddlers, with no junior facilities in close proximity.

The option of submitting a report to the June Cabinet meeting for Birch Avenue was considered but this would lead to any decisions made not coming into force until 30 June 2022. As works to playgrounds are avoided in the summer holidays as far as possible, works would not begin until September 2022. Approval to award the contract earlier to provides the opportunity to carry out the works prior to the summer holidays.

## **107 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.

## **108 Extra Care (West Paddock) - Stage 4 Approval**

The Cabinet Member (Finance, Property and Assets) presented a report of the Director of Commercial to establish and identify the reasons for progressing the Extra Care scheme at West Paddock to RIBA Stage 4.

### **Decision made**

1. To approve the request to progress the scheme to RIBA Stage 4.
2. To approve the request to incur additional expenditure of £500,000 from the approved capital budget of £10,000,000, (making a total approved expenditure of £700,000) to cover the Stage 3 and Stage 4 design fees.

### **Reasons for decision**

To ensure the project can maintain progress as per the programme.

To ensure expenditure can be allocated against the approved capital budget on scheme.

To allow early contractor involvement in the scheme to provide support of construction efficiencies.

To ensure that costs for delivery of the scheme are agreed at the earliest opportunity to reduce the risk to the council against potential cost increases in materials and labour.

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

To not progress with the next stages of the design development – this has been rejected as this would not allow for the project to be delivered and achieve the corporate priority objectives to deliver a supported housing scheme in South Ribble.

To delay the design development works. This has been rejected as this would not allow the project to maintain progress as per the delivery programme.

## **109 Leyland Town Deal - Acquisitions and Leases**

The Cabinet Member (Planning, Business Support and Regeneration) presented a report of Director of Commercial regarding the Council's freehold interest in relation to a number of plots.

### **Decision made**

1. To acknowledge the previous approval of South Ribble Borough Council's (the Council's) freehold interests in the 4 plots identified in the report of the Record of Executive Member Decision Taken Under the Scheme of Delegation.
2. To approve the proposed terms in the plots specified in paragraphs 5 and 6 of the report.

3. To delegate any amendments to both Heads of Terms to the Director of Commercial Services, in conjunction with the Leader of the Council.

**Reasons for decision**

The report requested approval to the Heads of Terms to subsequently lease on obtaining the plot specified. The unit was currently occupied and the Council was seeking suitable alternative smaller premises for the Tenant to relocate to.

**Alternative options considered and rejected**

There was the option of not agreeing the Heads of Terms and entering in to a lease as specified in the report. However, this will cause further delay to the acquisition of the 4 plots.

An option of submitting this report to a later Cabinet would not be feasible as this would not align with the pressing programme associated with Leyland Town Deal and the funding criteria requirements.

Chair

Date