

MINUTES OF CABINET

MEETING DATE **Wednesday, 20 March 2019**

MEMBERS PRESENT: Councillors Margaret Smith (Chair), Caroline Moon (Vice-Chair), Colin Clark, Cliff Hughes, Phil Smith, Susan Snape and Karen Walton

OFFICERS: Tim Povall (Deputy Chief Executive of Resources and Transformation (Section 151 Officer)), Gregg Stott (Deputy Chief Executive of Regeneration and Growth), Jonathan Noad (Director of Planning and Property), Jennifer Mullin (Director of Neighbourhoods and Development), Peter McHugh (Assistant Director of Property and Housing) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS AND OFFICERS: Councillor Jane Bell, Councillor Carol Chisholm (Deputy Mayor), Councillor Malcolm Donoghue, Councillor Derek Forrest, Councillor Paul Foster (Leader of the Opposition and Leader of the Labour Group), Councillor Mary Green, Councillor Michael Green, Councillor Michael Higgins, Councillor Kenneth Jones, Councillor Jim Marsh, Councillor Keith Martin, Councillor Jacqueline Mort (Member Champion (Member Development)), Councillor Peter Mullineaux, Councillor Alan Ogilvie (Member Champion (Armed Forces)), Councillor Michael Titherington (Deputy Leader of the Opposition and Deputy Leader of the Labour Group), Councillor Graham Walton, Councillor Barrie Yates, Neil Anderson (Assistant Director of Projects and Development), Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services), Laura Barton-Williams (Communications Manager), Justine Green (Business Support Co-Ordinator), Natalie Gregory (Executive Assistant) and Louise Hawkins (PA to the CEO)

PUBLIC: 13

74 Apologies for Absence

There were no apologies for absence by any Cabinet Member.

The Chief Executive submitted her apologies to the meeting.

75 Minutes of meeting Wednesday, 13 February 2019 of Cabinet

Decision made (Unanimously):

That the minutes held on 13 February be approved a correct record for signing by the Leader.

76 Declarations of Interest

Item 13: Councillor Susan Snape declared a prejudicial interest.

77 Corporate Performance Report at the end of Quarter 3 (31 December 2018)

Councillor Margaret Smith, Leader of the Council presented the report of the Chief Executive that provided an overview of performance against the Council's Corporate Plan for 2018/19 at the end of the third quarter, 31 December 2018.

Members commented that this was a pleasing report with good progress being made against all indicators and it was reported at the meeting that the Council had recently been awarded £19.5K of government funding for the Big Spring Clean project. The inclusion of the risk: Reputational Damage to Council due to confidential council reports being leaked was flagged up as a particular concern, with Members being urged to think of the consequences of such actions.

It was proposed by the Councillor Margaret Smith, seconded by Councillor Caroline Moon and

Decision made (Unanimously):

That the report be noted.

Reason(s) for the decision:

It is the established practice of the Council to report openly and transparently on our level of performance with regards to our Corporate Plan.

Alternative Options Considered and Rejected:

None.

78 Feedback regarding future use of land and an update on the Green Links consultation exercise

Councillor Colin Clark, Cabinet Member (Corporate Support and Assets) presented a report of the Assistant Director of Property and Housing that updated Cabinet on the outcome of a consultation with residents regarding the future use of land located at the following locations:

- Bridge Road, Lostock Hall
- Kingsfold Drive, Penwortham
- Bent Lane, Leyland
- Balcarres Green, Leyland

The report also provided an update on the Planning for Real exercise that had been undertaken with residents from Bent Lane and Balcarres Green.

A number of members of the public attended the meeting and spoke about not wishing to lose their green spaces and the impact of rising air quality levels should housing be developed on these sites.

Despite Members of the Opposition stating that a decision had already been made in relation to housing being developed on these sites, the Cabinet Member reiterated

that this was not the case and that the consultation process was still ongoing. Further reports on options to be considered would be presented to future meetings of the Cabinet once the consultation had ended and responses analysed.

It was proposed by Councillor Colin Clark, seconded by Councillor Caroline Moon and

Decision made (Unanimously)

That:

1. the residents feedback from the Balcarres Green consultation exercise be noted and that Cabinet commits the council to continue working with residents to take forward ideas and opportunities (including on a self-help community led approach) and establish a clear work programme with residents, to enable future reports to be provided by to Cabinet for consideration.
2. following consultation on Bridge Road, Lostock Hall, Cabinet approves the inclusion of the site within the Green Links programme, rather than releasing the land of any other use.
3. the Council proceed with Kingsfold Drive to undertake further assessment of the site as part of the One Public Estate project for the South Ribble area with outcomes of this be reported back to Cabinet.
4. the residents feedback from the Bent Lane consultation exercise be noted and that Cabinet commits the council to continue working with residents (including on a self-help community led approach), and establish a clear work programme to enable further reports to be provided back to Cabinet for consideration.

Reason(s) for the decision:

1. 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.
2. Feedback in relation to the use of land at four sites has been mixed with views expressed on all aspects of potential developments.
3. There has been a high level of engagement and involvement from residents at the Planning for Real events for Bent Lane/Balcarres Green and the Green Links consultation events and it is the feedback received at those events that have informed the proposed recommendations.

Alternative Options Considered and Rejected:

The Council need not to have undertaken specific Planning for Real events, and could have just relied on written responses to the consultation letters sent out in December 2018. However, the Council provided a commitment to residents at both Bent Lane and Balcarres Green, that they wanted to obtain further information and listen to the views of all residents. Upon completion of the Green Links Consultation exercise the Council shall feedback the outcomes and priorities to local residents.

79 McKenzie Arms, Station Road, Bamber Bridge

Councillor Colin Clark, Cabinet Member (Corporate Support and Assets) presented the report of the Assistant Director of Property and Housing that brought forward a proposal for the future use of a brownfield site in Bamber Bridge for development. The report also updated the Cabinet on the consultation exercise that had taken place and proposed next steps.

Although it was argued by Members of the opposition that the air quality of the area needed to be addressed, it was considered that the development of this site was long overdue and has the potential to provide, affordable homes for residents of the Borough. A full business case containing a full options appraisal for their delivery would be brought back to a future meeting for consideration that would include details of a funding bid to One Public Estate, use of Section 106 monies and bids for other funding streams that are to be explored as part of the business planning process.

Councillor Caroline Moon, Cabinet Member (Neighbourhoods and Streetscene) welcomed the proposals as the Council recognised the need for one and two bedroomed homes that were affordable to its younger residents.

It was proposed by Councillor Caroline Moon, seconded by Councillor Colin Clark and

Decision made (Unanimously)

That:

1. Cabinet grants approval to undertake a full options appraisal for the development and delivery of this site to provide affordable and/ or mixed use housing.
2. a further report be provided to Cabinet detailing a full business plan and investment options for the scheme.
3. Cabinet grants approval of an application to One Public Estate, usage of Section 106 monies and the exploration of other funding schemes to help fund the development.

Reason(s) for the decision:

The decision taken will work towards addressing the current Housing requirements for the residents of the Borough, and will ensure the Council receives Value for Money in the use of its assets and investments.

Alternative Options Considered and Rejected:

The Council could choose not to develop the site and retain it as temporary car parking. However, this would require some form of investment in the surfacing of the site should it remain as permanent parking. This is not recommended as there are alternative more pressing demands around the need for affordable housing, and this would not meet the best value principles of the use of council assets. Initial financial viability indicates that financial return for car parking would not provide 'value for money'.

80 Worden Hall Market Investment Opportunity feedback

Councillor Colin Clark, Cabinet Member (Corporate Support and Assets) presented a report of the Assistant Director of Property and Housing that updated the Cabinet on progress being made with securing investors and/or occupiers to bring the main Hall in Worden Park back to use.

The Council had recently advertised the Hall as an investment opportunity and had received feedback from a number of interested parties who wished to invest which had resulted in two formal proposals Bidder A and B being submitted by the closing date.

Having reviewed the two submissions, it would appear that Bidder A has a significantly stronger financial position.

Worden Park is a key priority in the Corporate Plan. External investment would seek to enhance the facility whilst reducing the overall new liability and cost to the Council and bring forward potential income generation opportunities.

It was proposed by Councillor Colin Clark, seconded by Councillor Margaret Smith and

Decision made (Unanimously)

That:

1. Cabinet grants approval to permit officers to enter into negotiations with Bidder A in order to consider further and take forward their investment proposals for Worden Hall.
2. further update reports be provided to Cabinet for consideration.

Reason(s) for the decision:

1. The Council has advertised an investment property opportunity at Worden Hall and has sought proposals from potential investors and occupiers who would like to invest in the hall. The advert was placed on the Council's website and has been advertised through Linked In. A press release was also undertaken to highlight the opportunity to the market and to local media outlets.
2. Feedback from interested parties has been received and assessed against a number of criteria as outlined within the market investment opportunity documentation.

Alternative Options Considered and Rejected:

1. The Council could choose not to develop the Main Hall. This is not recommended as the Hall has the potential, with investment to become an attractive asset which is highly valued by the community and could help to improve the long term financial and risk position of the Council.
2. The market investment opportunity has demonstrated that there is limited, although credible interest from a potential investor in Worden Hall. The Council could choose to undertake a more expensive marketing and promotional exercise, however there is no guarantee that if it did so that a better market position could be obtained.

81 Joint Procurement Strategy 2015 to 2018 Performance Report and Proposals for a new 3 year Joint Procurement Policy

Councillor Susan Snape, Cabinet Member (Finance) presented a report of the Deputy Chief Executive or Resources and Transformation (Section 151 Officer) that set out performance achieved against the 2015/18 Chorley Borough and South Ribble Borough Councils Joint Procurement Strategy and included recommendations for a new refreshed three year Joint Procurement Policy commencing on 1 April 2019.

Members noted that the report had recently been presented to the Shared Services Joint Committee in February who had approved it being taken forward at both authorities.

It was proposed by Councillor Susan Snape, seconded by Councillor Colin Clark and

Decision made (Unanimously)

That:

1. the performance achieved against the Joint Procurement Strategy 2015 – 2018 be noted.
2. with the removal of the Key Action 24 (Establish a baseline and target to increase the number of invoices received by email), the proposed draft Joint Procurement Policy for 1 April 2019 to 31 March 2022 be approved.

Reason(s) for the decision:

To set out procurement priorities and provide a clear framework, plan and direction on how to achieve these.

Alternative Options Considered and Rejected:

To not renew the Joint Procurement Strategy. This would mean that the Council would not have clearly defined procurement priorities and would not have a clear framework, plan and direction on how to achieve these.

82 Quarter 3 Section 151 Financial Monitoring Report

Councillor Susan Snape, Cabinet Member (Finance) presented a report of the Deputy Chief Executive for Resources and Transformation (Section 151 Officer) advising Members of the revenue and capital financial position of the Council for the third quarter period ending 31 December 2018 as required under its statutory duty.

It was proposed by Councillor Susan Snape, seconded by Councillor Colin Clark and

Decision made (Unanimously)

That:

1. Cabinet notes the projected Revenue financial monitoring position for 2018/19 as at 31 December 2018, including the management actions taken to deliver the savings and achieve the projected surplus.

2. Cabinet notes the proposed drawdown of reserves of £170,000 to cover associated expenditure for which the reserves were created.
3. Cabinet notes the projected Capital monitoring position for 2018/19 as at 31 December 2018 including the revised spend outturn, revised funding mechanisms and carry over into 2019/20.
4. Cabinet grants approval for up to £100,000 of the surplus to be used to carry out additional environmental works across the Borough to enhance existing green links programmes.

Reason(s) for the decision:

Council to note the projected financial position of the council reported by the Deputy Chief Executive for Resources and Transformation (Section 151 Officer). It also notes the actions taken to ensure that the overall targets set in the prior year's budget decisions have been implemented to the full.

Alternative Options Considered and Rejected:

Not to take appropriate management action to ensure the budget remains within forecasts resulting in over spends which is contrary to our statutory duty.

83 My Neighbourhood Approach 2019/20

Councillor Phil Smith, Cabinet Member (Regeneration and Leisure) presented a report of the Director of Neighbourhoods and Development that sought approval of the 2019/20 Neighbourhood Plans.

Members across the Chamber thanked the Neighbourhoods team who achieved a great amount for the residents of the Borough. Members also noted that the Heritage Trails and Health Walks that were now firmly established were the forerunner to the Green Links programme and an important part of the Health and Wellbeing priority of the Council.

It was proposed by Councillor Phil Smith, seconded by Councillor Margaret Smith and

Decision made (Unanimously)

That Cabinet grants approval of the 2019/20 Neighbourhood Plans.

Reason(s) for decision:

This report is the annual presentation of My Neighbourhood Plans for Cabinet approval for 2019/20.

Alternative Options Considered and Rejected:

Each project contained in the My Neighbourhood Plans is subject to an options appraisal assessing value for money, engagement in delivery and fit with the Corporate Plan.

84 Air Quality in South Ribble

Councillor Karen Walton presented a report of the Director of Neighbourhoods and Development that informed Members of the Air Quality in South Ribble and the actions that had been taken to improve the levels of Air Quality and further work currently being undertaken.

The air quality monitoring results are independently tested results which are verified by the Department for Food and Rural Affairs (DEFRA)

The report provided an overview of data from 2013 to 2017 and Members of the opposition argued that the information was now over two years old and referred Cabinet to a recent publication by the Public Health Authority that stated that Air Quality levels in the Borough was the single most threat to the Health and Wellbeing of our residents.

Members of the public who were in attendance at the meeting complained of the large volumes of Heavy Goods Vehicles (HGV's) that used various lanes across the borough, for example, Turpin Green Lane as short cuts to the motorway junctions. This had increased more recently with the positioning of the Amazon parcel depot and they urged the Council to take action to alleviate the pollution problems this created.

The Cabinet Member explained that unfortunately, this Council was only the monitoring authority and that it was Lancashire County Council who were the responsible authority. It was further explained that this Council is doing everything in its power to help alleviate the problem and lobbying the County Council, local business and schools where possible.

It was proposed by Councillor Karen Walton, seconded by Councillor Margaret Smith and

Decision made (Unanimously)

That the improving performance of air quality levels and the extensive Air Quality Action Plan be noted.

Reason(s) for the decision:

1. The reason for the report is to provide Cabinet with an update on the Air Quality monitoring undertaken in South Ribble including the actions that have been taken to improve the Air Quality and the further work currently being undertaken.
2. Health and Wellbeing is a major priority within the Council's Corporate Plan. We want to promote our health and wellbeing objectives by developing high quality community open spaces, connected across the borough which supports residents in adopting healthier and more active lifestyles.
3. Air Quality represents one of the largest concerns to our residents and in the most recent South Ribble Partnership Survey residents identified air quality as an area for improvement.
4. An extensive programme of consultation has been started with residents on our Green Links programme and Planning for Real events. There has been a high level of engagement and involvement from residents and the feedback received at those events show that air quality is an area that concerns residents.

Alternative Options Considered and Rejected:

The alternative option was to do nothing but the Council places air quality as a key priority action area that it commits to and has demonstrated this through the positive actions undertaken along with a future long term commitment of the air quality action plan. The Council also has a statutory duty to comply with.

85 Ice Cream Vendor Tender Update

Councillor Colin Clark, Cabinet Member (Corporate Support and Assets) presented a report of the Assistant Director of Property and Housing that updated on the progress in re-tendering the ice cream vendor opportunity for five parks across the Borough, including the kiosk located at Worden Park.

It was proposed by Councillor Colin Clark, seconded by Councillor Caroline Moon and

Decision made (Unanimously)

That delegated authority be granted to the Chief Executive/Deputy Chief Executive in consultation with the portfolio holder for Corporate Support and Assets to tender and award the concession for the sale of ice cream (and other beverages) from the five parks listed in the report and the kiosk in Worden Park.

Reason(s) for the decision:

1. The Council is undertaking a procurement exercise to appoint an ice cream vendor to the five parks including the kiosk at Worden Park. The tender is due to go out to market the week commencing 18 March 2019 and shall provide an opportunity for bidders to provide ice cream to local parks from 1 May 2019 to 30 April 2022. The tender shall be advertised through both the Chest and local advertisement for a period of three weeks.
2. The contract with the current vendor is due to end on 31 March 2019 and discussions are taking place with the vendor to ascertain if they are willing to continue to sell ice cream for the interim until the new provider is appointed under a short term licence agreement.
3. Due to the tender affecting more than two wards the matter is considered as a key decision and is required to be agreed by Cabinet. The Chair of Scrutiny Committee has agreed to the report being included on the agenda as an urgent item as if this had not been agreed the next available Cabinet meeting is due to take place on 19 June 2019 and in the absence of a delegated authority to appoint the vendor there is a risk that the parks would be without a place to purchase ice cream until July 2019.
4. It is worth noting that presently there is no provision of mobile ice cream vans at any of the parks other than Worden Park. The tendering exercise shall encompass the opportunity for vendors to provide ice creams at all of the parks mentioned in this report as well as additional provisions of vans for major events in the parks.

Alternative Options Considered and Rejected:

The Council could decide not to provide any opportunities to purchase ice cream within the parks until the new supplier has been appointed. This would present a temporary reduction in service and loss of revenue to the Council.

86 Exclusion of Press and Public

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.

87 Land at Leyland

Councillor Susan Snape left the meeting.

Councillor Colin Clark presented the confidential report of the Assistant Director of Property and Housing that provide an important update with regards to land at Leyland.

It was proposed by Councillor Colin Clark, seconded by Councillor Phil Smith and

Decision made (Unanimously)

That the recommendations in the report be approved.

Reason(s) for the decision:

To keep Members fully informed of the situation and to take the appropriate action needed.

Alternative Actions Considered and Rejected:

None.

Chair

Date