



CABINET
DECISION NOTICE

Publication Date: 28th October, 2016

At a meeting of the Cabinet held on 26th October, 2016 the following matters were discussed. The decisions of Cabinet are set out below each item along with reasons for the decision and other options considered.

PRESENT: Councillor Oxby (in the Chair)
Councillors Hyldon-King, James, Patrick, Watson and Wheatley.

DN.60 **APOLOGIES FOR ABSENCE**

There were apologies received from Councillor Chase.

DN.61 **DECLARATIONS OF INTEREST**

There were no declarations of interest in any items on the agenda for this meeting.

DN.62

AIR QUALITY STRATEGY REVIEW

Cabinet considered a report from the Portfolio Holder for Energy and Environment on the review of the outdoor air quality within the authorities area against the National Air Quality Standards.

RESOLVED –

- (1) That the recommendations listed in the Annual Status Report 2016, at Appendix 1 of the report now submitted, be adopted.**
- (2) That the recommendations and conclusions listed in the Grimsby Detailed Assessment 2016, at Section 1.7 of the report now received, be adopted.**
- (3) That the decision on whether or not procurement of air quality monitoring equipment following the review, and the commencement of a procurement process if necessary, be delegated to the Director of Finance, Operations and Resources in consultation with the Portfolio Holder for Energy and Environment.**
- (4) That the award of contract following the conclusion of any procurement activity, if necessary, be delegated to the Monitoring Officer.**

REASONS FOR DECISION – The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives. This Annual Status Report (ASR) is a requirement showing the strategies employed by NELC to improve air quality and any progress that has been made.

OTHER OPTIONS CONSIDERED – Production of the annual and detailed assessment report to DEFRA are a legal requirement, as such all options have been considered.

The final decision on the air quality monitoring review could be referred back to cabinet but this would be time consuming and delay the implementation of the efficiencies and savings.

DN.63

COMMUNITY LED LOCAL DEVELOPMENT (CLLD)

Cabinet considered a report from the Portfolio Holder for Regeneration, Skills and Housing on the Community Led Local Development Programme which will support intended beneficiaries in overcoming the challenges they face in accessing employment.

RESOLVED –

- (1) That the decision to proceed with a Community Led Local Development (CLLD) programme in North East Lincolnshire, be approved.**
- (2) That the submission of an European Regional Development Fund (ERDF) and European Social Fund (ESF) bid to support the delivery of the CLLD programme, be agreed.**
- (3) That North East Lincolnshire Council act as the accountable body for the European funding to deliver the Community Led Local Development (CLLD).**
- (4) That Member representation on the Local Action Group be approved.**
- (5) That the Portfolio Holder for Regeneration, Skills and Housing be appointed as North East Lincolnshire Councils representative on the Local Action Group.**

REASONS FOR DECISION – To ensure the effective governance of a European funded programme and to enable the Council to undertake the accountable body role as required by the funding regulations.

OTHER OPTIONS CONSIDERED – The Council could decide not to be the accountable body and support another organisation within the borough to take on the role. It should be noted that no organisation has expressed an interest in becoming the accountable body. The Council could also decide not to apply for the CLLD funding.

DN.64

CLIMATE LOCAL

Cabinet considered a report from the Portfolio Holder for Energy and Environment on the Climate Local Commitments and the

actions the authority intend to undertake locally to reduce carbon emissions and changes in the climate within our own operations.

RESOLVED –

- (1) That the Climate Local Commitments set out in Appendix A of the report now submitted, be approved.**
- (2) That the commitments be monitored and reviewed annually by the Regeneration, Environment and Housing Scrutiny Panel prior to consideration by Cabinet.**
- (3) That the outputs from the Energy Stakeholder Workshop attached in Appendix B of the report now submitted, be developed into further commitments where appropriate, and reported back to Cabinet for adoption as part of the monitoring and review process.**

REASONS FOR DECISION – Cabinet are asked to approve (and publish) a set of commitments on climate change. This is a requirement of signing the Climate Local Declaration.

OTHER OPTIONS CONSIDERED – All options and actions generated to date will be picked up as part of the longer term delivery plan development. Only high level & existing commitments have been captured in this report.

DN.65

APPROVAL AND ADOPTION OF THE REFRESHED LOCAL TRANSPORT PLAN AND HIGHWAYS STRATEGY (2016)

Cabinet considered a report from the Portfolio Holder for Energy and Environment on the adoption of the North East Lincolnshire Local Transport Plan and the North East Lincolnshire Highways Strategy.

RECOMMENDED TO COUNCIL - That the refreshed North East Lincolnshire Local Transport Plan and the North East Lincolnshire Highways Strategy, be adopted and subject to adoption by Full Council, authority be delegated to the Director of Economy and Growth together with the Portfolio Holder for Energy and Environment to take all necessary steps to publicise and implement both documents.

REASONS FOR DECISION – In order to comply with the requirements of the Local Transport Act 2008 and in order for North East Lincolnshire (NEL) to have an appropriate strategy in place to plan for and support the growth envisaged in the Borough consistent with the Local Plan, the Economic Strategy and the Town Centres Investment Plan.

OTHER OPTIONS CONSIDERED –

Do not approve the NEL Local Transport Plan and the NEL Highways Strategy. If the NEL LTP is not adopted the Council is at risk of failing to comply with its duty under the Local Transport Act 2008 and puts at risk capturing the full opportunities and benefits that future growth could deliver for the Borough and its residents. The success of future external funding bids may also be compromised.

DN.66

JUNCTION IMPROVEMENT SCHEME

Cabinet considered a report from the Portfolio Holder for Energy and Environment and the Portfolio Holder for Regeneration, Skills and Housing on the programme for improvements to three major junctions on North East Lincolnshire's strategic highways network.

RESOLVED –

- (1) That the Officers recommendations presented in the report be noted and the Director of Economy and Growth be instructed to obtain further information and evidence on the Schemes for consideration and consultation.**

- (2) That the report, together with the information and evidence referred to above be referred to the Regeneration, Environment and Housing Scrutiny Panel for detailed consideration and feedback.**

- (3) That a report on these Schemes be brought to a future meeting of Cabinet, taking into account the further information and evidence (Resolution 1 above) and feedback from Scrutiny (Resolution 2 above), if the Highways Strategy and Local Transport Plan Refresh is adopted by Council.**

- (4) That the Director for Economy and Growth, in consultation with the Portfolio Holder for Energy and Environment and the Portfolio Holder for Regeneration, Skills and Housing, continue negotiations with the Greater Lincolnshire LEP in respect of the LGF grant to ensure that this continues to be secured for highways investment in North East Lincolnshire.**

REASONS FOR DECISION – In response to the report received.

OTHER OPTIONS CONSIDERED – None.

DN.67

REGIONALISATION OF ADOPTION

Cabinet considered a report from the Portfolio Holder for Children and Young People on the proposals for adoption reform contained within the government's Education and Adoption Act 2016.

RESOLVED –

- (1) That the proposed changes from the Department for Education (DfE) regarding the delivery of adoption services, be noted.**
- (2) That the content of the report be noted and the formation of a North and Humber Adoption Agency, be endorsed.**
- (3) That delegated authority be given to the Director of Children's Services (Deputy Chief Executive) in conjunction with the Portfolio Holder for Children and Young People, to form a Central Hub and North and Humber spoke model by April 2017.**

REASONS FOR DECISION – All Authorities are expected to become part of a regionalisation programme over the next few years. North East Lincolnshire has been working in collaboration as part of a consortium for a number of years with the 14 other Yorkshire and Humber Local Authorities and are able to draw down funding to assist in this process.

OTHER OPTIONS CONSIDERED – Members could decide not to enter into this agreement at this time. However this may then limit the Councils options when instructed to proceed by Government. This RAA is seen as a demonstration project by Government and not to proceed may mean that we fail to attract funding in the future.

DN.68

TERMINAL GROUYNE REPLACEMENT PROJECT

Cabinet considered a report from the Portfolio Holder for Energy and Environment on the maintenance to undertake coastal defence works on Terminal Groyne.

RESOLVED –

- (1) That the Authority act as the accountable body for the programme of flood works to be funded by the Defra Flood Grant in Aid (FDGiA) programme.**

- (2) That the procurement of works for the terminal groyne replacement project to an estimated value of £750,000, be agreed.**
- (3) That Engie be granted approval for the release of an Invitation to Tender under the Council's Contract Procedure Rules.**
- (4) That the conclusion of the procurement exercise and award of contract to the successful contractor, be delegated to the Director of Economy and Growth.**

REASONS FOR DECISION – In response to the report received.

OTHER OPTIONS CONSIDERED – There are no other options available to Members. The existing Terminal Groyne has structurally failed and will be completely destroyed by tidal action within the next 1 to 2 years.

Failure to procure the Terminal Groyne replacement works would lead to the eventual loss of Cleethorpes beach and eventual sea flooding of North Cleethorpes.