



CABINET  
DECISION NOTICE

Publication Date: 8<sup>th</sup> August 2019

At a meeting of the Cabinet held on 7<sup>th</sup> August 2019 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 Jackson (in the Chair)  
Councillors Cracknell, Fenty, Lindley, Procter, Shepherd and S. Swinburn.

DN.22 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Shreeve for this meeting.

DN.23 **DECLARATIONS OF INTEREST**

There were no declarations of interest made with regard to any items on the agenda for this meeting.

DN.24 **MINUTES**

The minutes of the Cabinet meeting on 10<sup>th</sup> July 2019 were agreed as a correct record.

DN.25 **TREASURY MANAGEMENT OUTTURN REPORT 2018/19**

Cabinet received a report from Portfolio Holder for Finance and Resources containing details of treasury management arrangements, activity and performance during 2018-19.

**RECOMMENDED TO COUNCIL – That the treasury management outturn report for 2018/19 be approved.**

REASON FOR DECISION – The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also recommends that members are informed of treasury management activities at least twice a year.

OTHER OPTIONS CONSIDERED –

The appendix attached details how the composition of counterparties utilised for investments changed over the course of the year as the risk environment altered as a consequence of the EU Referendum.

During 2018-19 Temporary short-term borrowing was taken from other local authorities in preference to Public Works Loan Board (PWLB) although as stated above) some longer term loans were also taken. This allowed loan terms to be matched to immediate cash flow need and at a lower rate than would have been available via PWLB. Future decisions will continue to be taken after a review of other options available to us in order to determine the best option in terms of value and fit with our projected short-term needs.

DN.26 **QUARTER 1 FINANCE MONITORING REPORT 2019/20**

Cabinet received a report from the Portfolio Holder for Finance and Resources providing key information and analysis of the Council's financial position and performance at the end of Quarter 1 of the 2019/20 financial year.

**RESOLVED –**

**(1) That the reported position at Quarter 1 be noted, and the Finance Monitoring Report be referred to all Scrutiny Panels for consideration.**

- (2) That the revised Capital Programme included at Annex 1 of the report now submitted, be approved.**

REASON FOR DECISION – The report is important in identifying to cabinet both successes, to note progress, and areas of forecast revenue overspend and amendment to the capital programme where actions need to be taken. The area of focus commentary highlights the achievement of any milestones or potential risks affecting the delivery of outcomes.

OTHER OPTIONS CONSIDERED – N/A

DN.27

**NORTH EAST LINCOLNSHIRE COUNCIL CONCESSIONARY FARES SCHEME – BUSS PASS ISSUING EQUIPMENT**

Cabinet received a report from the Portfolio Holder for Environment and Transport seeking approval to implement a tender and award a two year contract to the most economically advantageous tender.

**RESOLVED –**

- (1) That the proposal to procure new providers of bus pass issuing equipment, be approved.**
- (2) That authority be delegated to the Director of Economy and Growth, in consultation with the Portfolio Holder for Environment and Transport, to:**
- commence a procurement exercise for the bus pass issuing equipment, including the proposed online bus pass application portal, and make appropriate contract awards**
  - in the event that the proposed procurement exercise does not deliver a value for money solution for the Council, utilise the national Smart Applications Management Procurement Framework to procure the bus pass issuing equipment**
  - ensure that all ancillary actions are completed**
- (3) That the Chief Legal and Monitoring Officer be authorised to execute all documents in connection with the above.**

REASON FOR DECISION – Procurement of new equipment to issue bus passes to concessionary fare passengers is necessary to ensure that the Council meets statutory duties in relation to the operation and delivery of the national concessionary fares scheme.

OTHER OPTIONS CONSIDERED – The following options are available to the Council:

Do nothing – This option is not recommended. Should the bus pass issuing equipment fail, there would be no supplier to repair the equipment, the Council would not have access to a database and the Council would not be able to comply with its statutory duty to issue bus passes to eligible applicants.

Smart Applications Management (SAM) Procurement Framework – The Council could choose to use the SAM framework as its preferred procurement route but this is likely to result in an increase in costs over those currently applying to the existing contracts; as a result, the SAM framework will only be utilised in the event that the local procurement exercise proposed does not realise value for money for the Council.

Two year contract (with possible two year extension subject to performance levels and market conditions) – This is the recommended option. This option offers certainty of budget during the contract period, allows the local authority to obtain the most economically advantageous tender while continuing to meet statutory duties.

Online bus pass application portal – It is recommended that development of an online portal is included within the procurement exercise to maintain flexibility for service users and in support of the Council's Digital Strategy.

DN.28

### **HERITAGE ASSETS AT RISK**

Cabinet received a report from the Portfolio Holder for Regeneration, Skills and Housing seeking approval for capital funding to undertake part one of the next phase of repairs to a named asset in order to have it removed from the Heritage 'At Risk' Register.

**RESOLVED – That the Director of Resource and Governance be authorised to make the necessary arrangements to release the capital sum of £431,000 to allow urgent repairs to take place to Scartho Cemetery Chapel as part one (1) of the next phase of repairs to Council owned Heritage Assets.**

REASONS FOR DECISION – The Council has a statutory duty to preserve the heritage of North East Lincolnshire.

There are ongoing initiatives to address privately owned areas and buildings 'at risk', however, it would raise questions as to why the Council are insisting on the improvement of, and pursuing enforcement on, privately owned buildings listed on the Register without also having a coherent and achievable plan for its own assets. This is year two (2) of a five (5) year plan to remove the eight (8) Council owned assets from the Heritage 'At Risk' Register.

Investing in the essential repairs to remove this asset from the 'At Risk' Register will also provide opportunities for further investment which will allow the building to be brought back into use and fully utilised.

OTHER OPTIONS CONSIDERED – Do nothing - the building would continue to deteriorate and costs continue to escalate increasing the Council's liability. This would not only affect the Council's Heritage buildings, it would also negatively impact on privately owned heritage, as it would be perverse for the Council to pursue enforcement on private buildings without also having a coherent and achievable plan for its own assets. Inaction would also affect the likelihood of bringing this building back into use.

Defer investment and removal from the 'At Risk' Register - the option to wait until grant funding is available is not a viable option. The Council has already recently secured Heritage Lottery Funding for other projects in the Borough and to wait to secure further funding will only see the building deteriorate further which will see the overall cost of repair escalate. Any delay in removing this Asset from the 'At Risk' Register could also result in the LPA / Secretary of State taking formal enforcement action against the Council to regularise breaches.

DN.29

### **HM CORONER SERVICE**

Cabinet received a report from the Portfolio Holder for Finance and Resources seeking authority to run a procurement exercise of the appropriate support service.

#### **RESOLVED –**

- (1) That the procurement of a support service for HM Coroner for the collection of the deceased, be approved.**
- (2) That authority be delegated to the Director for Resources and Governance in consultation with the Portfolio Holder for Finance and Resources to commence and thereafter award the procurement of the support service on behalf of HM Coroner.**
- (3) That the Chief Legal and Monitoring Officer be authorised to complete and execute all documentation in connection with the award.**

REASONS FOR DECISION – The Council needs access to transportation for the deceased to quickly and professionally remove bodies with dignity, respect and to avoid environmental impacts. The Council needs a quality, responsive service which provides value for money. Procuring the new service allows the Council to specify the quality expectations and ensure accessibility for its officers and those of Humberside Police.

#### **OTHER OPTIONS CONSIDERED –**

Do nothing – this is not an option as the current process is to purchase transportation on an ad-hoc basis.

Dynamic Purchasing System (DPS) – this is not a feasible option, as each time a body was to be transported, all companies on the DPS would have to be approached for a quote. As the service is 24/7, this option is not feasible.

Stopping the service – this is not a feasible option; the Council has a duty to transport the deceased to the local hospital to allow a post mortem to be conducted.

DN.30

**STALLINGBOROUGH INTERCHANGE EMPLOYMENT SITE SUPPLEMENTARY PLANNING DOCUMENT**

Cabinet received a report from the Portfolio Holder for Environment and Transport seeking approval to carry out a seven week public consultation on the content of the draft Stallingborough Interchange Employment Site Supplementary Planning Document.

**RESOLVED – That authority be delegated to the Director of Economy and Growth in consultation with the Portfolio Holder for Environment and Transport to publish the Draft Stallingborough Interchange Employment Site Supplementary Planning Document, in order that a public consultation can be undertaken for a period of seven weeks, commencing in August 2019.**

REASONS FOR DECISION – The preparation of Supplementary Planning Documents to support the adopted Local Plan whilst not a statutory duty, enables the Council to provide additional guidance on policies set out in the Plan.

Undertaking public consultation is an important part of the process of preparing and adopting a Supplementary Planning Document and is required to demonstrate compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

OTHER OPTIONS CONSIDERED – The Council could do nothing and rely on national policies and guidance and the policies set out in the adopted Local Plan. However, by providing additional information to developers, landowners and communities, the Council is seeking to put in place a more comprehensive policy framework that will support economic development on the strategic employment site whilst ensuring related impacts are given full consideration as part of the planning process.

DN.31

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED – That the press and public be excluded from the remainder of the meeting on the grounds that discussion of the following business was likely to disclose exempt information within paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).**

DN.32

**INFRASTRUCTURE WORKS AT STALLINGBOROUGH INTERCHANGE EMPLOYMENT SITE**

Cabinet received a report from the Portfolio Holder for Regeneration, Skills and Housing providing detail of the competitive tender process for the Stallingborough Interchange Employment Site highways infrastructure work with a recommendation to award.

**RESOLVED –**

- (1) That authority be delegated to the Director for Economy and Growth in consultation with the Portfolio Holder for Regeneration, Skills and Housing, to make the award of the highway infrastructure at the Stallingborough Interchange Employment Site and to deal with all matters arising including implementation and mobilisation;**
- (2) That the Chief Legal and Monitoring Officer be authorised to execute all documentation in connection with the award.**
- (3) That the release of an appropriate capital sum , based on the current Anglian Water estimate, already allocated within the South Humber Infrastructure Investment Programme (SHIIP) for construction of Anglian Water pumping station and rising main scheme at the CATCH site, be approved.**

REASONS FOR DECISION – as laid out in the report now submitted.

OTHER OPTIONS CONSIDERED – as laid out in the report now submitted.

DN.33

**NORTH EAST LINCOLNSHIRE COUNCIL CONCESSIONARY FARES SCHEME – BUSS PASS ISSUING EQUIPMENT**

Cabinet received from Portfolio Holder for Environment and Transport the closed appendix for item DN.27.

**RESOLVED – That the appendix be noted.**

REASONS FOR DECISION – As laid out in the report now submitted.

OTHER OPTIONS CONSIDERED – As laid out in the report now submitted.