



To be submitted to the Council meeting on 21st March, 2019

CABINET

13th February, 2019

PRESENT: Councillor Oxby (in the Chair)
Councillors Bolton, Hyldon-King, Patrick, Rogers, Watson, K. Wheatley
and P. Wheatley.

Officers in Attendance:

Rob Walsh	Joint Chief Executive
Joanne Hewson	Chief Operating Officer
Bev Compton	Director of Adult Services
Chris Duffill	Acting Assistant Director Strategy and Investment
Simon Jones	Chief Legal and Monitoring Officer
Steve Kay	Director of Children's Services
Sharon Wroot	Director of Resources and Governance
Laura Cowie	Scrutiny and Committee Advisor

Also in attendance:

Councillor Steve Beasant	
Councillor Kay Rudd	

There was one member of the press and three members of public in attendance.

CB.95 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received for this meeting.

CB.96 **DECLARATIONS OF INTEREST**

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

CB.97 **MINUTES**

The minutes of the Cabinet meeting on 16th January 2019 were agreed as a correct record.

CB.98 **BUDGET, FINANCE AND COMMISSIONING PLAN 2019/20 – 2021/22 POST SETTLEMENT**

Cabinet received a report from the Portfolio Holder for Finance, Governance and Resources which presented in detail how the Council plans to deliver its agreed financial strategy over the next three years.

The Portfolio Holder moved an amendment to resolution 1 to include the development of two businesses cases for the support of events and tourism across the borough and for further developing our approach to compliance.

RECOMMENDED TO COUNCIL –

- (1) That the 2019/20 Budget and summary 2019/20 – 2021/22 Medium Term Financial Plan contained within appendix 1 of the report now submitted, including the development of two business cases; one focussed on supporting events and tourism across the Borough and one focussed on further developing our approach to Compliance, be approved.
- (2) That the proposed 2.98% increase in Council Tax, be approved.
- (3) That the summary outcomes framework, key commissioning priorities and commissioning briefs contained within annexes 1 and 5 of the report now submitted, be approved.
- (4) That the capital investment strategy (and associated prudential indicators) included within annex 3 of the report now submitted, be approved
- (5) That the 2019/20 – 2021/22 capital investment programme set out in annex 2 of the report now submitted, be approved.
- (6) That the planned reserves position as set out in appendix 1 of the report now submitted, be approved.

- (7) That the uncertainty and increased risk relating to the introduction of 75% business rate retention and Fair Funding reform be noted and the Director of Resources and Governance reports back to Cabinet in respect of any material or significant variances against planning assumptions.

CB.99 **TREASURY MANAGEMENT STRATEGY**

Cabinet received a report from the Portfolio Holder for Finance, Governance and Resources which presented the restated Treasury Policy Statement and the Treasury Management Strategy Statement.

RECOMMENDED TO COUNCIL – That the report, and its contents detailed below, be approved:

- the Treasury Management Policy Statement at appendix 1 of the report now submitted;
- the Treasury Management Strategy Statement and Prudential Indicators for 2019/20 at appendix 2 of the report now submitted; and
- the Minimum Revenue Provision Policy Statement at Annex 2 of Appendix 2 of the report now submitted.

CB.100 **ADULT SOCIAL CARE SELECT COMMITTEE FINDINGS REPORT**

Cabinet considered a report from the Portfolio Holder for Health, Wellbeing and Adult Social Care which summarised and responded to the findings of the Adult Social Care Select Committee.

RESOLVED – That the recommendations of the Adult Social Care Select Committee as laid out in appendix 1 of the report now submitted, be approved.

CB.101 **PROCUREMENT OF DEMAND RESPONSIVE BUS SERVICE – PHONE N RIDE**

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy which set out future options for the delivery of the Phone 'n' Ride demand responsive community transport initiative.

RESOLVED –

- (1) That the continuation of the Phone 'n' Ride service be approved in principle and the options for future delivery of the service be considered.
- (2) That, subject to the outcome of resolution 1 above, authority be delegated to the Director of Economy and Growth, in consultation with the Portfolio Holder for Environment, Transport and Energy to

commence the related procurement exercise for a Phone 'n' Ride service for a period of 2 years from July 2019, with the option to extend the contract for delivery of the service for a further 1 year in accordance with the Public Contract Regulations 2015, and to make an appropriate contract award within the available budget.

- (3) That authority be delegated to the Director of Economy and Growth, in conjunction with the Chief Legal and Monitoring Officer, to complete any legal agreements required.
- (4) That authority be delegated to the Director of Economy and Growth, in conjunction with the Portfolio Holder for Environment, Transport and Energy to undertake a full review of options for future delivery of the service.
- (5) That authority be delegated to the Director of Economy and Growth and Chief Legal and Monitoring Officer to ensure that all actions necessary and ancillary thereto, including execution of all documents, are completed.

CB.102

SCHOOL TERM DATES FOR NORTH EAST LINCOLNSHIRE'S COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR THE 2020 – 2021 ACADEMIC YEAR

Cabinet received a report from the Portfolio Holder for Children, Young People and Education which set out the proposed School Year for 2020-2021 for all voluntary controlled and community schools within the local authority.

RESOLVED – That the proposed dates as laid out in appendix 1 of the report now submitted, for voluntary controlled and community schools for the 2020 – 2021 academic year, be approved.

CB.103

SCHOOL ADMISSION ARRANGEMENTS FOR THE 2020-2021 ACADEMIC YEAR

Cabinet received a report from the Portfolio Holder for Children, Young People and Education which presented the local authority's school admission arrangements for community and voluntary controlled schools for the academic year 2020-2021.

RESOLVED –

- (1) That, the general admission arrangements, including published admissions numbers (PANs), for the local authority's community and voluntary controlled schools for 2020-2021 be unchanged from 2019–2020.
- (2) That no material changes be made to the local authority's co-ordinated school admission arrangements published schemes other than the updating of dates and deadlines, and that locally agreed

protocols that support admission arrangements continue to be reviewed on a regular basis.

- (3) That the Director of Children's Services continues to have delegated powers in consultation with the governing bodies of community and voluntary controlled schools to increase the published admission number of an individual year group in a school in exceptional circumstances.
- (4) That it be noted that those schools / academies that are their own admission authorities have the ability to consult and determine their own admission arrangements. Details of known proposed changes were provided at Appendix 1 of the report now submitted.
- (5) That it be noted with the increasing number of academies within the local authority the number of schools for which the local authority is responsible for in respect of determining admission arrangements is reduced.

CB.104

TRANSLATION AND INTERPRETING SERVICES

Cabinet considered a report from the Portfolio Holder for Finance, Governance and Resources on the procurement of a contract for translation and interpretation services.

RESOLVED –

- (1) That the procurement of a translation and interpreting service be approved.
- (2) That authority be delegated to the Director of Resources and Governance in consultation with the Portfolio Holder for Finance, Governance and Resources to award the translation and interpreting service.
- (3) That authority be delegated to the Chief Legal and Monitoring Officer to complete all legal documentation in connection with the award.

CB.105

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 paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 (as amended).

CB.106

PROPOSED IMPROVEMENTS TO BEREAVEMENT SERVICES

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy which set out proposed improvements to Bereavement Services.

RESOLVED –

- (1) That the proposals for improvements to Bereavement Services be agreed.
- (2) That authority be delegated to the Chief Operating Officer in consultation with the Portfolio Holder for Environment, Transport and Energy to implement the proposals on a phased approach and deal with all necessary actions ancillary or incidental to implementation.
- (3) That authority be delegated to the Chief Legal and Monitoring Officer to settle, complete and execute all appropriate documentation to facilitate the above.
- (4) That within 12 months a report by way of update is brought before Cabinet.

CB.107

COMMERCIAL WASTE COLLECTION SERVICE

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy on the development of a commercial waste collection service.

RESOLVED –

- (1) That the establishment of a Council operated commercial waste collection service, to collect commercial waste from Council owned or controlled properties, be approved.
- (2) That authority be delegated to the Council's Chief Operating Officer in consultation with the Portfolio Holder for Environment, Transport and Energy to deal with all necessary actions ancillary to or arising from Resolution 1 above.
- (3) That authority be delegated to the Chief Legal and Monitoring Officer to settle, complete and execute all appropriate documentation arising.
- (4) That authority be delegated to the Council's Chief Operating Officer in consultation with the Portfolio Holder for Environment, Transport and Energy to undertake the necessary steps to pilot a Council operated commercial waste collection service to other businesses once demand, operational and financial viability is reviewed and approved by them.
- (5) That a further report be received by March 2020 detailing:
 - the findings of the Council operating a commercial waste collection service to Council properties
 - the results of any commercial waste collection service piloted to local businesses

- the implications for the Council of the 2018 DEFRA Resource and Waste Strategy in respect of commercial waste collection and our waste disposal arrangements.

CB.108

URGENT BUSINESS – LEEDS CITY COUNCIL & ORS V BARCLAYS BANK PLC

Cabinet considered a report from the Portfolio Holder for Finance, Governance and Resources seeking approval to continue with proceedings against Barclays Bank PLC.

This item was considered under the Special Urgency requirements as set out in the Council's Constitution, and with the agreement of the Chair of the Overview and Scrutiny Panel. It is therefore not subject to the call-in procedure. This item was considered urgent due to legal proceedings being active and being required to enter into a Retainer agreement in order to progress the case.

RESOLVED –

- (1) That the report be noted and the continuance of litigation supported.
- (2) That subject to both internal and external legal advice, authority be delegated to the Director of Resources and Governance in consultation with the Leader of the Council and Portfolio Holder for Finance, Governance and Resources to commit funding in furtherance of the litigation.
- (3) That authority be delegated to the Director of Resources and Governance in consultation with the Leader of the Council and Portfolio Holder for Finance, Governance and Resources to negotiate, settle and complete terms for after the event insurance on such terms as thought fit.
- (4) That the Director for Resources and Governance periodically updates Cabinet as to progress.

There being no further business, the Chairman declared the meeting closed at 2.43 p.m.