



CABINET
DECISION NOTICE

Publication Date: 3rd July 2018

At a meeting of the Cabinet held on 2nd July 2018 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 Bolton, Hyldon-King, Patrick, Rogers, Watson and P. Wheatley.

DN.1 **APOLOGIES FOR ABSENCE**

There was an apology of absence from Councillor K. Wheatley for this meeting.

DN. 2 **DECLARATIONS OF INTEREST**

No declarations of interest were made with regards to any items on the agenda

DN.3

MINUTES

The minutes of the Cabinet meeting on 11th April 2018 were agreed as a correct record.

DN. 4

RE-COMMISSIONING OF SUPPORTED LODGINGS FOR YOUNG PEOPLE FOR NORTH EAST LINCOLNSHIRE COUNCIL

Cabinet considered a report from the a report from the Portfolio Holder for Children, Young People and Education seeking authority to commence a procurement exercise for a supported lodging services.

RESOLVED –

- (1) That authority be delegated to the Director of Children’s Services in consultation with the Portfolio Holder for Children, Young People and Education to commence a procurement exercise for Supported Lodgings as set out in the report now submitted.**
- (2) That authority be delegated to the Director of Children’s Services in consultation with the Portfolio Holder for Children, Young People and Education to award such contract.**
- (3) That the Monitoring Officer be authorised to execute all documentation in connection with the award.**

REASON FOR DECISION – This is integral as part of our corporate parenting responsibilities to ensure positive outcomes for young people who are leaving and have left the care system. Key to achieving this is appropriate accommodation. In achieving this, it will also reduce the number of young people becoming homeless in region. The Council’s vision is to support young people to move towards independence; whether this is to a longer-term supported housing service, permanent accommodation or to return home, as appropriate to the individual needs of the young person.

OTHER OPTIONS CONSIDERED –

Do not procure replacement services. Instead, pool budgets into other existing projects in-house. This however would reduce the range of accommodation and would not allow for the diversity of need demonstrated by the individual young people. Existing services would need increased regulation, and more closely resemble residential care that many individuals would not thrive within.

Supported Lodgings services are provided as part of the Council’s responsibility for care leavers within the Children Act 1989 and part of the local offer.

Although there is a further 12 month extension provision available for the service, a decision has been made not to utilise this. The service needs to re-focus and reassure NELC that it is meeting the ever-changing demand of the Looked After Children cohort.

DN.5

CLEETHORPES REGENERATION PROGRAMME – HIGH STREET AND ALEXANDRA ROAD PUBLIC REALM WORKS

Cabinet considered a report from the Portfolio Holder for Regeneration, Assets, Skills and Housing presenting the final scheme layout for the public realm works in High Street and Alexandra Road, Cleethorpes.

RESOLVED –

- (1) That the final scheme layout for High Street and Alexandra Road be approved for implementation, as part of the Cleethorpes Regeneration Programme.**
- (2) That the Director of Economy and Growth, in consultation with the Portfolio Holder for Regeneration, Assets, Skills and Housing and the Monitoring Officer be authorised to:**
 - a. Tender, approve and manage the detailed aspects of the project including detailed design;**
 - b. Appoint contractors to undertake the works subject to a competitive process in accordance with the Council's Corporate Procurement Regulations and subject to the tenders being of a value within the allocated project budget.**
- (3) That authority be delegated to the Director of Economy and Growth, in conjunction with the Portfolio Holder for Regeneration, Assets, Skills and Housing, to take all actions necessary to secure the continued implementation and ultimate completion of the scheme and all ancillary issues arising.**

REASON FOR DECISION – The delivery of public realm works in High Street and Alexandra Road will further support and enhance the growth of the visitor economy and increase investor confidence.

The proposals are supported by funding from Heritage Lottery Townscape Heritage Fund (HLF), the Coastal Communities Fund (CCF) and the Council's Capital Programme with an expectation of expenditure during 2018 and 2019. Cabinet approval is required to ensure that works can commence on site late 2018.

OTHER OPTIONS CONSIDERED –

Do nothing – this would not accord with the regeneration aspirations for Cleethorpes and would severely limit the opportunities for investment in

the public realm and efforts to develop and diversify the economic role of the resort. This would also result in the Council having to return significant levels of grant funding to both HLF and CCF with associated negative reputational consequences.

Development of an alternative scheme – the final layout presented in this report has been developed in accordance with the vision contained within the Grimsby & Cleethorpes Town Centres Investment Plan 2016, with the funding criteria set by HLF and CCF and updated following feedback from extensive stakeholder and public engagement. Therefore it is not considered that there are any other options for delivering these projects.

All works have been programmed to reduce impact during busy summer periods. Any delays to the scheduled start dates could impact on the delivery of the programme within the funding deadlines.

DN.6

DEPOT RATIONALISATION

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy seeking approval for a detailed business case to be developed for the relocation of the Council's depot service to a chosen site, and, in addition, the consideration of a satellite site in the Borough to accommodate a new Community Recycling Facility.

RESOLVED –

(1) That the proposal for a project team to further consider potential options and the development of a detailed business case in consultation with appropriate stakeholders to include potential site acquisition, disposal and development as well as commercial opportunities, be approved.

(2) That a further report be brought back to Cabinet making recommendations for future provision.

REASON FOR DECISION –

The Council's depot service currently operates from two locations, the Doughty Road site and the Gilbey Road site. The Doughty Road site is situated within Grimsby Town Centre and has been identified within the Local Plan for redevelopment. The proposal to relocate to a new site drawing in services currently offered at both the Doughty and Gilbey Road sites would improve service efficiency, release strategic land for economic redevelopment and ensure that good quality facilities for staff are available. The Council currently has two Community Recycling Centre (CRC) sites at Immingham and Gilbey Road. The proposal to create a satellite site within the Borough will ensure that residents and visitors across the Borough are provided with the opportunity to increase household recycling.

OTHER OPTIONS CONSIDERED –

The list of options below have been considered by the project team and will continue to be explored in more detail following approval from Cabinet.

To do nothing and continue to run the depot operations from two separate sites would not achieve the improvements and efficiencies as outlined. This would also lead to the current site at Doughty Road not being released for alternative development which would result in lost income through potential new business rates / council tax. The current sites have poor staff facilities for a more modern working environment and this has a negative impact upon staff morale. There would be significant costs in upgrading the sites to meet the requirements and the aspirations we have for our workforce to access at both Doughty and Gilbey Road.

To develop options to identify a single depot site, that will enable operations to come together and so enable the development of a more efficient, modern and fit for purpose service to deliver vital functions for the Community, that will improve access to a Grimsby Community Recycling Centre. This will include the identification of a suitable location for an additional, satellite Community Recycling Facility.

DN.7

SUSTAINABLE TRAVEL ACCESS FUND PROGRAMME

Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy that identifies the programme of schemes to be delivered during 2018/19 and 2019/2020 as part of the Department for Transport funded “Sustainable Travel Access Fund” project.

RESOLVED –

- (1) That the 2018/2019 and 2019/2020 Sustainable Travel Access Fund programme be approved and that responsibility for its implementation be delegated to the Director of Economy and Growth, in consultation with the Portfolio Holder for Environment, Transport and Energy.**
- (2) That the Director for Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment Transport and Energy to;**
 - a. Implement an EU compliant procurement exercise for the Real Time Bus Information Procurement Framework.**
 - b. Award the contract(s) for the Real Time Bus Information Procurement Framework within the budget allocated to the project.**
- (3) That the Director of Economy and Growth and Monitoring Officer be authorised to ensure that all actions necessary and ancillary thereto, including execution of all documents, are completed.**

REASON FOR DECISION –

To ensure transparency and accountability in the delivery of the programme. The Council is required to demonstrate value for money (VfM) in the delivery of the Real Time Bus Information Procurement Framework under the Public Contracts Regulations 2015.

OTHER OPTIONS CONSIDERED –

Do nothing - This would reduce the transparency and accountability for the project and may put at risk future funding bids if the Council was not able to demonstrate robust programme management processes to the Department for Transport and other external funding bodies. Also, this option would effectively turn off the existing North East Lincolnshire Council Real Time Bus Information system and as a result the do nothing option is not recommended.

Extend the existing Procurement Framework – the original Real Time Bus Information Procurement Framework was delivered under the 2006 Procurement Contract Regulations which limits frameworks to four years. The Council agreed to extend the existing framework for a 6 month period (until 24 August 2018) but a further extension would breach the terms of the Procurement Contract Regulations.

DN.8

CHILDREN'S SOCIAL CARE STATUTORY COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2017/18

Cabinet considered a report from the Portfolio Holder for Children, Young People and Education presenting the Children's Social Care Statutory Complaints and Compliments Annual Report.

RESOLVED –

- (1) That the Children's Social Care Statutory Complaints and Compliments Annual Report for 2017/18 be noted.**
- (2) That the Children's Social Care Statutory Complaints and Compliments Annual Report for 2017/18 be referred to the Children and Lifelong Learning Scrutiny Panel for their consideration.**

REASON FOR DECISION –

It is a requirement of The Children Act 1989 Representation Procedure (England) Regulations 2006 to produce an annual report regarding the representations made about social care statutory services. The purpose of the attached report is to inform the general public, elected members and Council officers about the effectiveness of the statutory complaints procedure.

OTHER OPTIONS CONSIDERED –

Do nothing - This would reduce the transparency and accountability for the project and may put at risk future funding bids if the Council was not able to demonstrate robust programme management processes to the Department for Transport and other external funding bodies. Also, this option would effectively turn off the existing North East Lincolnshire Council Real Time Bus Information system and as a result the do nothing option is not recommended.

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DN.9

2017/18 PROVISIONAL FINANCIAL OUTTURN REPORT

Cabinet considered a report from the Portfolio Holder for Finance, Governance and Resources providing the Councils provisional financial outturn for 2017/18.

RESOLVED –

- (1) That the Provisional Financial Outturn report be noted and refers the report to Scrutiny Panels for consideration.**
- (2) That the transfer of any capacity to the management of change reserve which arises from technical adjustments linked to the completion of the year end accounts, be approved.**
- (3) That the slippage requests in respect of the 2017/18 capital scheme as detailed in Annex 1 of the report now submitted, be approved.**
- (4) That the revised 2018/21 Capital Programme as detailed in 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.10

FLEET REPLACEMENT

Cabinet received and noted an urgent Officer Decision Record regarding the procurement of fleet vehicles.

RESOLVED – That the Officer Decision Record be noted.

REASON FOR DECISION – If the decision to approve is not given in a timely fashion then there is a significantly high risk that the vehicles will not be replaced in this financial year, due to lead build times, and this will have an adverse impact on service delivery.

The current fleet is 9 and 10 years old, originally due for replacement at year 7. Commensurate with older vehicles maintenance costs have risen each year in order to maintain the transport service, although each vehicle can still experience significant periods of mechanical issues rendering them non-operational. When this happens high cost alternatives are employed with specialist contractors and private hire operators. In addition, any disruption to transport can have a dramatic effect on the pupils, i.e. change of routine, travelling without their friends, causing undue stress/anxiety.

The age and condition of the current fleet means the pupils journey experience is not as quiet or as comfortable as when they were new vehicles. The replacement fleet will offer significant improvements to their experience. All new vehicles will have cleaner more efficient engines, which will be more economical and improve air quality.

The more prevalent factor is that of safety. Age, vehicle condition, unseen wear and tear all impact on the safety of the vehicles and this is a major concern for the service.

OTHER OPTIONS CONSIDERED - No viable alternatives are available.

NELC Education Transport fleet, comprising 6 x 16 seat mini buses (with wheelchair facilities) Park and house to provide a bespoke transport solution to 50 pupils travelling to Cambridge Humberston Park Specialist Provisions. The fleet has been managed in- provide the most cost effective and flexible service for the pupils, for 10 years. There are alternative models, i.e. contracting transport, which already forms part of the wider transport offer to accommodate approx. 350 pupils.

However contractors are not the best value alternatives in this case as the costs are approximately £32.5k per annum, per vehicle which includes the driver but not the passenger assistant. The full life cost of each -" replacement vehicle will be considerably lower than a contractual arrangement with a specialist contractor.

Furthermore the transport provider market dictates availability and costs, both of which cannot be guaranteed beyond each 12 month contract period.

Cabinet received a verbal update from the Monitoring Officer on activity conducted by the Council, under the Regulation of Investigatory Powers Act 2000 during 2017/18 as required by the Home Office Code of Practice for Covert Surveillance and Property Interference.

RESOLVED – That the update confirming there was no RIPA activity conducted during 2017-2018, be noted.

REASONS FOR DECISION – Not a key decision, not applicable.

OTHER OPTIONS CONSIDERED – Not a key decision, not applicable.

DN.12

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

DN.13

COMMERCIAL WASTE

Cabinet received a report from the Portfolio Holder for Environment, Transport and Energy seeking approval to invest in a Commercial Waste Collection service and Bulky Waste service.

RESOLVED –

- (1) That the development of a Full Business Case, to further explore Option 3 within the Outline Business Case for Commercial Waste at Appendix 1 of the report now submitted, be approved and to develop a fourth option; to procure a partner to provide all or part of the commercial waste service on the Council's behalf.**
- (2) That, once developed, the Full Business Case, including market research considerations, clear recommendations on future service requirements be brought back for consideration at a future Cabinet meeting.**
- (3) That the approach outlined in the Bulky Waste Strategic Outline Business Case at Appendix 2 of the report now submitted, to reducing fly-tipping of bulky waste by reviewing and redesigning our bulky waste service, be approved. That a Full Business Case be developed, making clear recommendations on future service requirements for consideration at a future Cabinet meeting.**

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

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

