



## **CABINET DECISION NOTICE**

Publication Date: 13<sup>th</sup> December 2024

At a meeting of the Cabinet held on the 11<sup>th</sup> December 2024 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, Dawkins, Harness, Hudson, Shepherd, Shreeve and S. Swinburn.

### **DN.48 APOLOGIES FOR ABSENCE**

There were no apologies for absence were received for this meeting.

### **DN.49 DECLARATIONS OF INTEREST**

Councillor Dawkins declared an other registerable interest in DN59 and left the room for this agenda item.

### **DN.50 MINUTES**

The minutes of the Cabinet meetings held on the 14<sup>th</sup> November 2024 were agreed as a correct record.

### **DN.51 COUNCIL PLAN 2024 - 2028**

Cabinet considered a report from the Leader of the Council and Portfolio Holder for Economy, Regeneration, Devolution and Skills

seeking agreement of the content of the Council Plan for 2025-2028 and referring to Full Council for approval and adoption.

**RESOLVED –**

- 1. That the content of the Council Plan now submitted be agreed.**
- 2. That the Council Plan be referred to Full Council for approval and adoption.**

REASON FOR DECISION – The Council Plan is a North East Lincolnshire Council policy framework document. Therefore, it may only be approved by Full Council following consultation with Scrutiny.

OTHER OPTIONS CONSIDERED – Council may choose not to adopt the Plan. However, this option would mean that there is a lack of visibility around the Council's planned activity and progress.

**DN.52 COUNCIL TAX BASE FOR 2024 – 2025**

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets that sought approval of the Council Tax Base for 2024/25.

**RESOLVED –**

- 1. That the proposed changes to the Council Tax Support Scheme for 2025/2026 which maintains the maximum discount of 65% for all working age residents be supported.**
- 2. That the implementation of the Foster Carer discount be supported.**
- 3. That subject to recommendation 1 above, that the Council Tax Base for the Council and other precepting bodies in 2025/2026 be set at 47,205.5 Band D equivalents (as detailed in Appendix A) of the report now submitted be approved.**

REASON FOR DECISION – Setting the Council Tax Base is a statutory requirement that forms the basis of the calculation of the Council Tax charge for 2025/2026. The tax base needs to be agreed and notified to major precepting bodies by no later than the end of January 2025.

OTHER OPTIONS CONSIDERED – As a material change to the LCTSS is being proposed, a public consultation has been undertaken. The alternative option is to remain with the existing scheme, in which case the advantages outlined to residents of the new scheme would not be realised.

## **DN.53      TREASURY OUTTURN REPORT 2024 - 2025**

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets that asked the Cabinet to note the treasury management activity during 2024-25 and refer the report to Council for noting in accordance with statutory guidance.

### **RESOLVED –**

- 1. That the treasury management activity during 2024-25 be noted.**
- 2. That the report be referred to Council for noting in accordance with statutory guidance.**

REASON FOR DECISION – The Council's treasury management activity is guided 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 with interim updates on performance against Prudential Indicators reported quarterly. We therefore report in full after Quarter 2 and year end with Prudential Indicators being reported additionally after Quarters 1 and 3 in the Council Plan Resources and Finance Report.

OTHER OPTIONS CONSIDERED – These were set out on Page 29 of the Treasury Management Strategy Statement.

## **DN.54      FRESHNEY PLACE LEISURE SCHEME**

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets that sought approval of the Freshney Place Leisure scheme.

### **RESOLVED –**

- 1. That the principle of the construction and implementation of the Freshney Place Leisure Scheme as set out in the report now submitted be approved.**
- 2. That subject to Recommendation 6, authority be delegated to the Executive Director Place and Resources, in consultation with the Leader of the Council to engage with and instruct the contractor to mobilise and implement delivery of the Freshney Place Leisure Scheme and for the Executive Director Place and Resources, in consultation with the Leader of the Council to**

**take all actions reasonably arising, recognising the complexity and wider impacts of the project.**

- 3. That the Executive Director Place and Resources in consultation with the Leader of the Council be authorised to make arrangements for vacant possession of the Market Hall and to take all reasonable steps in relocating and dealing with any occupational rights of impacted market traders.**
- 4. That the Executive Director Place and Resources be delegated authority to commence a procurement exercise, at the appropriate time and subject to ongoing external professional advice, for a third-party market operator to administer and manage the anticipated market facility and thereafter to award such contract and carry out any ancillary activity reasonably arising.**
- 5. That subject to Recommendation 6 the Executive Director Place and Resources, acting as S151 Officer, be authorised to:**
  - a. increase the Council's capital programme budget from £30.9m to £49.96m.**
  - b. increase the external borrowing requirement of the Council by £11.26m.**
  - c. undertake further borrowing as may reasonably be required, subject to such borrowing being affordable from within the Freshney Place budget envelope.**
  - d. subject to any external grant conditions, to deal with the reallocation of Towns Fund monies of £3.7m to the Freshney Place Leisure Scheme.**
- 6. That that the increased cost of delivery and budgetary support for that lay with Full Council, to refer such request for support to the next Full Council meeting with the following recommendation be acknowledged:**
  - a. that in receiving the Cabinet Report of 11th December 2024, Full Council acknowledges the analysis of the increased budgetary ask and approves a variance to the 2024/2025 budget policy to facilitate and meet such ask.**

**REASON FOR DECISION – Following detailed work planning and developing the project, the decision will allow the Council to move into the construction phase of the programme and support the continued delivery of the Grimsby Town Centre Masterplan.**

**OTHER OPTIONS CONSIDERED –**

- 1. Wider options were considered some time ago as part of the FHSF process and the Freshney Place project was deemed the highest**

priority. As part of the development of the masterplan, all options for intervention were again re-evaluated. This confirmed the Freshney Place project as a priority option, due to its central location and the scale of positive impact for all of the town centre the project is projected to deliver. The Freshney Place project benefited from simpler property ownership providing a more certain route to delivery, compared to alternatives such as Victoria Street which would require significant time and funding for negotiations with a multitude of property owners, making project delivery high risk.

2. Since then, two other delivery options together with a 'do nothing' have been considered.
3. The first option was to look at the demolition of the former BHS (so far as practicably possible), increase the area of public realm and utilise the former House of Fraser (HOF) for the market and food hall. The second was to split the market and food hall across the BHS and HOF buildings. Both options result in a higher cost and also, provide other delivery and management challenges. On this basis, they were discounted.
4. Do nothing is always considered and in that scenario, the basis for having developed the proposal needs to be considered. The background to the project is covered in some detail at the beginning of this report and the Council resolved in July 2022 that proceeding with the acquisition, on the basis of delivering the Leisure Scheme, was reasonable. Inflationary pressures have of course hit since which, together with the wider financial implications, is covered in this report and in greater detail in the closed appendix. The project has been developed and the basis for proceeding tested and at this point, there are no other realistic options. Not proceeding risks FHSF claw-back, LUF funding being returned, the pre-lets being lost and an inability to deliver a transformational scheme. Disposing of Freshney Place, having consciously obtained vacant possession of units in readiness for redevelopment, would result in a loss and whilst it is feasible Freshney Place would be sold, no private owner would be in a position to undertake a material capital development to transform the centre and support the outcomes of the masterplan due to the well documented viability/market failure challenges.

## **DN.55 LIBRARY & ARCHIVES REVIEW**

Cabinet considered a report from the Portfolio Holder for Culture, Heritage and the Visitor Economy that sought approval to progress with the Phase2 public consultation process.

### **RESOLVED –**

- 1. That the comprehensive engagement and consultation with our**

**communities during our phase-1 of public consultation, involving residents, partners and services be noted.**

- 2. That the following be supported and agreed:**
  - a. the findings of the needs assessment as set out in Appendix 1 and,**
  - b. the draft proposals for future service development to ensure that a continued combined community offer and core public library service will support the delivery of the Council's statutory responsibilities.**
- 3. That the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Culture, Heritage, and the Visitor Economy be authorised to commence phase-2 of public consultation and engagement, having due regard to the findings set out in Table 5 of this report and having engaged with the Economy, Culture and Tourism Scrutiny Panel on the wording of the consultation questions.**
- 3. That the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Culture, Heritage, and the Visitor Economy be instructed to report further to Cabinet following phase-2 of public consultation and engagement to:**
  - a. present a summary of the results,**
  - b. present recommended refinements to the needs assessment,**
  - c. update Cabinet with proposed recommendations in connection with the emerging library strategy,**
  - d. present a suite of recommendations around future proposals shaped by consultation and engagement together with suggested implementation plans.**

#### **REASON FOR DECISION –**

The Council, as a library authority, has a statutory duty under Section 7 of the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons for all those who live, work or study in the area. Government guidance Libraries as a statutory service - GOV.UK, outlines that a comprehensive and efficient service will differ between Councils. It therefore falls to each Council to decide how much to spend on libraries and how to manage and deliver the service.

But it makes it clear this has to be done in consultation with the community, based on evidence of local needs, and in accordance with their statutory duties.

The draft proposals aim to contribute to the Council Plan and reflect the wealth of feedback received during our phase-1 of public consultation and engagement, combined with our initial assessment of local need. Based on the strong engagement with community and partners across phase-1, the Council is now able to progress phase-2 of public consultation and engagement to gain feedback on the draft proposals and develop further detail on delivery arrangements and financial implications before reporting back to Cabinet on phase-2 findings.

#### OTHER OPTIONS CONSIDERED -

1. There is the option to not progress the review further to stage-2 and maintain existing service delivery. However, this would not respond to the findings of phase-1 of the review and continue to observe the decline in service usage that has been seen since 2018-19.
2. There is the option to pause the review and develop alternative proposals. However, the current proposals are based on engagement findings, data analysis and needs assessment to date.
3. There is the option to move forward and implement the proposals and not progress the review through a second phase of public consultation and engagement. However, the Council recognises the benefit of the two-stage process and the importance of gaining feedback on the proposals from residents to support a process of refinement before any further recommendations are made. The second phase of public consultation and engagement will also support build on the wealth of community feedback gathered from phase one to support inform the continued development of future library strategy.
4. It should be noted that other options available such as different models for local service delivery and opening hour reductions have been considered previously and implemented including outsourcing service delivery through Lincs Inspire Limited that operate the library and public archives service on behalf of the Council. In addition, previous library service reviews and changes in service delivery have been completed in 2014 through a reduction in library branch provision from ten to four branches and 2017 through a reduction in opening hours.

**NORTH EAST LINCOLNSHIRE CHILDREN'S  
RESIDENTIAL HOMES TRANSFORMATION**

Cabinet considered a report from the Portfolio Holder for Children and Education to increase in area children's residential homes, to deliver sufficient homes within the borough for children in care.

**RESOLVED –**

- 1. That the principle of the Children's Home Transformation Project be approved.**
- 2. That the Director of Children's Services, in consultation with the Portfolio Holder for Children and Education be authorised to progress with the commissioning and commence any procurement exercises to establish new Children's Homes within the borough of North East Lincolnshire as illustrated by this report and thereafter make such award(s) and deal with implementation and mobilisation of such activity.**
- 3. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be delegated authority to carry out all reasonable activity ancillary to the above which, for the avoidance of doubt, shall include but shall not be limited to, all requisite planning applications.**
- 4. That the Executive Director Place and Resources be delegated authority to acquire such property as reasonably identified by the Director for Children's Services, in consultation with the Portfolio Holders for both Children and Education and Finance, Resources and Assets, with discretion to the Executive Director Place and Resources to negotiate and settle terms and complete such acquisitions as the Executive Director sees fit even where to do so would constitute a key decision.**
- 5. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute documentation arising.**

**REASON FOR DECISION –**

The development of the Children in Care and Care Leavers Sufficiency Strategy, completed in Summer 2024, identified a need to increase access to local children's homes, to enable the Authority to provide sufficient placements for children in our care who need the care and support of a children's home within the borough.

Following the completion of the strategy, an analysis was undertaken to understand our children's homes sufficiency. This identified that our current in-house children's homes are consistently well-utilised, with no identified opportunities to increase the number of placements that can be provided within the current provision. Equally, the quality of care,



practice and our workforce has improved, recognised through our Ofsted inspections undertaken in the last 12 months.

External children's homes are often a significant distance away from North East Lincolnshire, with the market nationally known to charge a range of fees which is not consistently aligned with the level and quality of the care provided. In its 2022 report, the *Competition and Markets Authority* found that, among the largest 15 private residential home providers, profit margins averaged 22.6% in children's homes.

We are seeking to develop our local children's home placements offer to provide sufficient in-area provision for children in our care, via a flexible landscape that includes increasing our in-house children's homes placements and working with commissioned providers to develop and manage new children's homes within the borough.

#### OTHER OPTIONS CONSIDERED –

1. Do Nothing - This option would not enable local placements of the required types to increase within our borough. Doing nothing would continue the use of the same number of out of area children's homes and continue to require significant resources to sustain via a market that is known to be 'provider-led' with commissioning local authorities having relatively little direct control over the fees charged for these placements.
2. Fully Externally Commissioned Offer – This option would require extensive procurement arrangements and for providers to have established properties within the borough that can meet local needs. This option could not be achieved within the required project timescales.
3. Fully Internally Managed offer – This option would present challenges for the Authority in recruiting a suitably skilled workforce within the project timescales. The Authority will need to continue to care for a small number of children who have highly complex needs requiring specialist support and care packages delivered by specialist independent providers. Additionally, some children in our care, for their own safety may require periods of time, living outside of the borough. Presently these two niche needs can viably be met by independent providers.

## **DN.57      PROCUREMENT OF POSTAL SERVICES**

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets that sought approval to procure a replacement Postal Services Contract.

### **RESOLVED –**

- 1. That the commencement of a procurement exercise for Postal Services be approved.**
- 2. That the Executive Director Place and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets be authorised to commence the above procurement exercise.**
- 3. That the Executive Director, Place and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets be delegated authority to award the contract for Postal Services and thereafter to deal with all ancillary matters reasonably arising.**
- 4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all legal documentation arising.**

REASON FOR DECISION – The decision allows the Council to commence the procurement exercise for the replacement Postal Services Contract and allows the Council to award the contract.

### **OTHER OPTIONS CONSIDERED –**

1. Do Nothing – This option would leave the Council with no contract in place, and non-compliant with the requirements of the Public Contract Regulations 2015.
2. The Council considered conducting its own further competition through the CCS Postal Services & Solutions (RM6280) Framework, however, this would not enable the Council to take advantage of combining its volumes with other public bodies to achieve a better price.
3. The Council considered running its own tender without accessing a framework, however, in addition to not achieving increased savings through larger volumes, this would put additional pressure on Council resources because of the additional time and resource required to undertake the procurement itself, and develop specific

terms and conditions, which have already been pre agreed by suppliers on the CCS Framework.

## **DN.58 REFERRAL FROM SCRUTINY**

Cabinet received a referral from the Communities Scrutiny Panel regarding the Household Support Fund.

**RESOLVED – That the recommendations and actions from the Communities Scrutiny Panel be noted.**

## **DN.59 SELECTIVE LICENSING**

Cabinet considered a report from the Portfolio Holder for Housing, Infrastructure and Transport that sought approval to go out to public consultation on a proposed selective licensing of privately rented accommodation in parts of the East Marsh Ward.

**RESOLVED –**

- 1. That the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Housing, Infrastructure and Transport be authorised to commence a consultation exercise on the proposals to introduce a selective licensing scheme in parts of the East Marsh ward.**
- 2. That the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Housing, Infrastructure and Transport be authorised to explore opportunities to implement Areas of Action within parts of Heneage and Sidney Sussex wards.**
- 3. That the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Housing, Infrastructure and Transport be authorised to receive consultation findings and report back to Cabinet no later than July 2025, with recommendations for final decision making in relation to both the proposed scheme and areas of action.**

**REASON FOR DECISION –** To ensure that the Council considers strategies to regulate the private rented sector, benefiting citizens of the borough. Selective Licensing is part of the Council's approach to improve our current housing stock, improve health outcomes and

reduce anti-social behaviour and crime. This is in line within the Council's Housing Strategy, approved 13 March 2024.

#### OTHER OPTIONS CONSIDERED –

Do nothing/continuing as we are – the evidence supports that a 'do nothing' option i.e. continuing doing what we currently do, will not bring about the improvements in the private rented sector that are aspired to. The Council currently operates using powers under the Housing Act and the Anti-Social Behaviour, Crime and Policing Act 2014.

Increase enforcement activity - this is already supported through our Housing Strategy. Increased activity is thwarted by current legislation only allowing officers to use powers of entry and powers of access. This means that officers must be invited into a house, unless they have a court warrant. Selective licensing allows officers the opportunity to work with landlords to bring properties up to a good standard, before a licence is issued. Therefore, negating the lengthy enforcement process where there are issues.

Encourage landlords to join an accreditation scheme on a voluntary basis – this is already supported through our Housing Strategy and will be tried in parts of Sidney Sussex and Heneage Wards. It is considered that conditions in the proposed designated area are too poor, and a voluntary scheme would have little impact. Parts of the East Marsh ward was consulted during early 2020 about implementing a selective licensing scheme. This was put on hold due to Covid-19. Since then, the area has not improved even though the decision to implement selective licensing remained open (January 2020 – June 2024).