



CABINET DECISION NOTICE

Publication Date: 12th June 2025

At a meeting of the Cabinet held on the 11th June 2025 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.96 APOLOGIES FOR ABSENCE

No apologies for absence were received for this meeting.

DN.97 DECLARATIONS OF INTEREST

There were no declarations of interests made from Members with regard to items on the agenda for this meeting.

DN.98 MINUTES

The minutes of the Cabinet meeting held on the 2nd April 2025 were agreed as a correct record.

DN.99 2024/25 COUNCIL PLAN YEAR END PERFORMANCE & PROVISIONAL FINANCIAL OUTTURN REPORT

Cabinet considered a report from Portfolio Holder for Finance, Resources and Assets providing key information and analysis of the

Council's plan year end performance and provisional financial outturn review 2024/25.

RESOLVED –

- 1. That the content of the reports now submitted be noted and referred to all Scrutiny Panels for further consideration and oversight appropriate to the scope of the panel.**
- 2. That the re-profiling requests in respect of the 2024/25 capital programme as detailed in Appendix 1 (Pages 10-13) of the report now submitted be approved.**
- 3. That the revised Capital Programme for 2025/28 included in Appendix 1 (Pages 10-13) of the report now submitted be approved.**
- 4. That the year end reserves position as detailed within Appendix 1 (Pages 71-72) of the report now submitted be approved.**
- 5. That the write off of debt to align with the year-end technical accounting treatment, including debts >£50,000 as detailed in Appendix 1 (Page 73) of the report now submitted be approved.**
- 6. That the use of reserves to address any significant variances arising from technical adjustments linked to the completion of the year end accounts be approved.**

REASON FOR DECISION – The report is important in informing Cabinet of the performance and financial position of the Council and highlighting risks and opportunities.

OTHER OPTIONS CONSIDERED – Not applicable to monitoring report.

DN.100 EQUALITY REPORT

Cabinet considered a report from the Portfolio Holder for Culture, Heritage and the Visitor Economy seeking approval of the annual equality report.

RESOLVED –

- 1. That the Annual Equality Report set out in Appendix 1 of the report now submitted be approved.**
- 2. That the Director of Adult Services be delegated authority to**

publish the Annual Equality Report in accordance with legislative requirements.

REASON FOR DECISION – It is a legal requirement for local authorities to report annually on how they have met the Public Sector Equality Duty as set out in the Equality Act 2010. The Annual Equality Report in Appendix 1 complies with this duty.

OTHER OPTIONS CONSIDERED – No alternative options have been considered as the Council has a statutory duty to publish its progress against its Equality Duty and equality objectives to comply with the Public Sector Equality Duty.

DN.101 LAND AND PROPERTY STRATEGIC ASSET MANAGEMENT PLAN - 2025 TO 2028

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking approval of the Land & Property Strategic Asset Management Plan covering the period 2025 to 2028.

RESOLVED –

- 1. That the adoption of the Strategic Asset Management Plan covering the period 2025 to 2028 be approved.**
- 2. That the Assistant Director of Policy and Resources in consultation with the Portfolio Holder for Finance, Resources and Assets be delegated authority to oversee the development and implementation of an action plan to deliver the strategic asset management objectives set out in the plan.**

REASON FOR DECISION –

The decision to adopt the Strategic Asset Management Plan (SAMP) is based on the need to ensure the effective management of the Council's and property assets.

The strategy contributes to the Council Plan by:

- **Supporting Regeneration and Economic Growth:** By providing sites and developments that support inclusive economic growth, housing growth, employment growth, and infrastructure development.
- **Maximising Income and Value:** Through active management and investment, the strategy aims to maximise revenue income from commercial investments and non-operational land and property.

- **Supporting Communities:** By making suitable surplus property assets available for community use, the strategy empowers local communities to deliver their own solutions to meet local needs.
- **Reducing Carbon Footprint:** The strategy aligns with the Council's Net Zero Carbon Roadmap, supporting actions to cut carbon emissions and promote sustainability.
- **Collaborating with Partners:** The strategy maximises opportunities available through the One Public Estate initiative, working with key stakeholders and partners to support new models of service delivery.

By integrating these elements, the Strategic Asset Management Plan ensures that the Council's land and property assets contribute effectively to the broader goals of the Council Plan and other strategic initiatives.

OTHER OPTIONS CONSIDERED – No other options have been considered. Although there is no statutory or regulatory requirement for a Strategic Asset Management Plan, the land and property portfolio is a major corporate resource and should have an up-to-date strategy to ensure the assets are effectively managed and aligned to support delivery of the priorities the Council Plan.

DN.102 LOCAL ELECTRIC VEHICLE INFRASTRUCTURE FUND (CAPITAL) GRANT

Cabinet considered a report from the Portfolio Holder for Housing, Infrastructure and Transport seeking approval to accept the Local Electric Infrastructure fund capital grant.

RESOLVED –

1. **That the Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Housing, Infrastructure and Transport be authorised to accept £1,431,000 of capital funding from the Office for Zero Emission Vehicles (OZEV) on behalf of the Council.**
2. **That the Director of Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Housing, Infrastructure and Transport be delegated authority to:**

a) finalise the terms of the funding arrangement with OZEV and receive the funds.

b) commence related procurement exercises to deliver projects within the programme and thereafter award, implement and deal with all matters reasonably arising.

- 3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to settle, complete and execute all documentation arising from the above.**

REASON FOR DECISION – In order for the LEVI capital funding from OZEV to be received by the Council and for the construction of the project to commence to meet the funding timescales.

OTHER OPTIONS CONSIDERED –

1. Due to the nature of the LEVI Capital funding, there are a specific set of requirements which dictate the project delivery plans and the way the LEVI project is delivered, therefore an alternative way to deliver the project i.e. installing charge points with a power output of over 22kWh or applying the majority of the funding to install off-street higher powered charge points do not meet the funding bodies requirements and were not considered.
2. The EV Project Team also considered the Government's Zero Emission Mandate and the goals of the EV strategy when considering the delivery of the LEVI project and the positive impact the project could have in supporting national and net zero ambitions, therefore the option to 'do nothing' was discounted.

DN.103 SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND)– HIGH NEEDS CAPITAL GRANT ALLOCATION 2025-26

Cabinet considered a report from the Portfolio Holder for Children and Education seeking approval to accept the Department for Education (DfE) high needs capital grant allocation 2025-26 for North East Lincolnshire.

RESOLVED –

1. **That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be authorised to accept £2,513,893 of grant funding from the Department for Education (DfE) on behalf of the Local Authority.**

- 2. That the Director of Children's Services, in consultation with the Portfolio Holder for Children and Education be delegated authority to develop plans and commence related consultation and procurement exercises to deliver the scheme to provide new places or improve existing provision where this benefits children and young people with high needs.**
- 3. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be authorised to carry out all procurement exercises in accordance with developed plans and thereafter award and implement arrangements with the ability to deal with all matters reasonably arising aligning such exercises to the SENDAP Sufficiency plans.**
- 4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute all documentation arising.**

REASON FOR DECISION –

This will enable the DfE grant funding to be received by the Local Authority and for the project to proceed to identify solutions, in consultation with parents, carers, young people, schools and academy trusts, and then to implement the development of new places or improve existing provision where this will benefit children and young people with high needs.

OTHER OPTIONS CONSIDERED –

Decline the DfE grant funding and do nothing – There would be no increase in places or improvement to existing provision for pupils with high need across the borough.

Decline the DfE grant funding and seek to use capital funding from the Local Authority. This option would increase Local Authority expenditure unnecessarily given the DfE grant funding offer that is available.

DN.104 SPLIT SITE SOLUTION FOR HUMBERSTON PARK SPECIAL SCHOOL

Cabinet considered a report from the Portfolio Holder for Children and Education seeking authority to implement the recommendations of approving the proposed Basic Need Capital Scheme Split Site Solution for Humberston Park Special School, which addresses the shortfall in provision and creates additional school places.

RESOLVED –

- 1. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be delegated authority to implement the captured Capital Basic Need Scheme to address the shortfall of special school pupil places to ensure that the Local Authority has sufficient and suitable school places to meet its statutory responsibility in accordance with the Education Act 1996 and to take any ancillary actions reasonably arising.**
- 2. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education and the Executive Director Place and Resources, be authorised to acquire and return to the Council's education stock, the former Nunsthorpe School on Sutcliffe Avenue, to create a split site provision for Humberston Park Special School.**
- 3. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be authorised to undertake a refurbishment programme of the Nunsthorpe site post-acquisition to create a dedicated secondary and 6th form campus for the cohort of Humberston Park Special School.**
- 4. That the Director of Children's Services in consultation with the Portfolio Holder for Children and Education be authorised to commence any required procurement exercise in connection with such refurbishment and thereafter award, mobilise and implement the contract with enablement to deal with all issues reasonably arising.**
- 5. That the Assistant Director Law and Governance be authorised to execute any documentation arising.**

REASON FOR DECISION –

The Council has a statutory duty to ensure that it has sufficient and suitable pupil places as set out in the Education Act for its citizens.

Humberston Park Special School is a through 4 to 19 provider located in St Thomas Close. In 2024 the Department for Education (DfE) issued a mechanism for Councils to be able to consistently assess special school net capacities. The DfE have undertaken net capacity assessments on all special schools in the country, and the Council's assessment using the new guidance, undertaken in consultation with Humberston Park Academy aligns with the DfE's assessment of 106 places.

The cohort of pupils at Humberston Park have complex medical and physical needs, resulting in additional large pieces of equipment and a higher staffing ratio (circa 2 staff to every pupil). Currently the academy has circa 140 pupils on site in a building that now has a verified net capacity for only 106 pupils. Due to the lack of capacity the school is now in a position where it is no longer running its nursery offer and indicates that it cannot accept any new pupils until 2029. Both the Council and the school are aware of pupils in the borough to whom the provider cannot offer a place to, due to insufficient accommodation on a restricted site.

The new assessment mechanism leaves the Council with an immediate and significant shortfall of suitable and sufficient specialist pupil places, as the St Thomas site is oversubscribed. It is also noted that it is unsuitable for secondary education to meet the immediate and longer-term demand for specialist places, and a reduction of circa 34 places will exacerbate this issue further resulting in more pupils having to seek places in out-of-borough provision. In addition to the over subscription, the Council notes the identified shortfalls of secondary and 6th form provision, all of which, as captured in the DfE's document titled, The Schedule of Accommodation, secondary and 6th form pupils should have access to.

A cost-effective opportunity has come forward for the Council to take back into its education estate the former Nunsthorpe School, which the Council sold to the Grimsby Institute in 2004 as they had an education need. The Institute currently has been running its Animal Husbandry modules from the site, but it is due to vacate the building by September 2025 into new purpose-built accommodation upon the main campus site at Nunns Corner, leaving an empty former school building with an education covenant on the land. The Institute has approached the Council to enquire if we have an educational need for the building and are willing to negotiate a sale of the site back to the Council for continued education use.

The site is in reasonable condition and has been maintained in most areas, and after some infrastructure refurbishment and adaptations, it would be a suitable split special school site for the existing secondary and 6th form cohort of Humberston Park St Thomas Close site, as well as welcoming additional pupils who currently are unable to attend a special school setting in the borough due to a shortfall of available places.

The scheme would release the current secondary and 6th form space at the Humberston Park St Thomas Close site enabling the provision to offer additional specialist nursery and primary places.

The additional places across the two sites that this scheme would create would allow for pupils who are currently in Education Other than in School (EOTAS) or travelling out of area for specialist education

places, at a cost of circa £60k each per year, to be taught within the borough.

OTHER OPTIONS CONSIDERED –

1. The option of taking back the site into the Council's education stock and refurbishing is a cost-effective solution to ensuring the provision of sufficient and suitable special school places for the Council.
2. The option of a new build would involve the securing of land for education purposes that is able to house a 200-place new special school and the build cost would need to be met by the Council.
3. The option of do nothing and continue to fund out-of-county places and transport costs as demand outstrips its supply of places is not recommended due to increasing pressure on the High Needs Block of the Designated School Grant.

DN.105 ALTERNATIVE PROVISION TRANSFORMATION PROGRAMME

Cabinet considered a report from the Portfolio Holder for Children and Education seeking approval to commence and delivery of an Alternative Provision Transformation Project lead by North East Lincolnshire Council.

RESOLVED –

- 1) That the commencement and delivery of an Alternative Provision Transformation Project lead by North East Lincolnshire Council, enabling the commissioning of Alternative Provision to be completed in line with Department for Education guidance, including any required procurement exercise to establish new contracts be approved.**
- 2) That the Director of Children's Services in consultation with the Portfolio Holder of Children and Education be delegated authority to commence commissioning activities resulting from the project delivery, including the decommissioning of the current offer and undertaking of procurement exercises to enable new offer delivery and thereafter make award, settle all terms, and ensure that all reasonably ancillary actions are carried out to mobilise and implement the contract.**
- 3) That the Assistant Director of Law and Governance (Monitoring Officer) be authorised to complete and execute all requisite**

legal documentation in relation to the matters outlined above.

REASON FOR DECISION – To enable the delivery of the Alternative Provision Transformation Programme to commence aimed at creating a new local offer for children and young people of compulsory school age, who are at risk of or have been permanently excluded from their home school.

OTHER OPTIONS CONSIDERED –

1. Do Nothing

To do nothing would result in delivery of the Alternative Provision becoming unsustainable. If demand for places was to increase, without a change in local processes to manage requests and funding requirements, the delivery cost to the Authority would increase, creating financial pressures. This would not enable the key opportunities identified for change.

The offer would continue to not enable local strategies to be delivered and meet the DfE requirements and expectations for commissioning of Alternative Provision Placements in North East Lincolnshire.

2. Extend current arrangements

Current contractual arrangements are now out of their contractual extension periods. This means arrangements cannot be extended within Contract Procedure Rules.

This option would continue to not enable local strategies to be delivered and meet the DfE requirements and expectations for commissioning of Alternative Provision Placements in North East Lincolnshire.