



CABINET DECISION NOTICE

Publication Date: 8th October 2021

At a meeting of the Cabinet held on the 6th October 2021 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, Shepherd, Shreeve and S. Swinburn.

DN.63 APOLOGIES FOR ABSENCE

There were apologies for absence received from Councillors Lindley and Procter for this meeting.

DN.64 DECLARATIONS OF INTEREST

Councillor S. Swinburn declared a personal and prejudicial interest at DN.68 as an Immingham ward councillor and a member of Immingham Town Council.

DN.65 MINUTES

The minutes of the Cabinet meeting on 8th September 2021 were agreed as a correct record.

DN.66 LOCAL PLAN REVIEW

Cabinet considered a report from the Portfolio Holder for Environment and Transport setting out the background to a recommendation to recommence work on the local plan review in accordance with the requirements of the National Planning Policy Framework (NPPF) 2021, and publication of a revised Local Development Scheme.

RESOLVED – That it be agreed to recommence work on the Local Plan, progressing the work in accordance with the original Cabinet decision as set out on 10th June 2020.

REASONS FOR DECISION - The original decision to commence the review of the Local Plan was made reflecting changes that had been introduced to the NPPF since the Plan was adopted.

An informal decision to pause key elements of work on the review was made after the Government published its Planning White Paper in August 2020. This proposed significant and wide-ranging reforms to the planning system, including revision to the process of preparing a local plan and to its form and content. It was considered appropriate at this time to await publication of the Government's response to the White Paper to gain a better insight into the changes that would eventually be brought forward through legislation.

Unfortunately, there have been significant delays in the Government bringing forward its response, partly because of the number of responses received on the white paper and the level of objection to many aspects of the proposals as presented. The Government has continued however, through this period to introduce further changes to the planning system through the NPPF and through revisions to the Use Classes Order.

Whilst these changes will need to be addressed as part of the review, they are not the key reason for recommencing work on the review. The Council has a requirement, as set out in the NPPF to undertake an annual assessment of the five year housing land supply. This year the assessment identifies only a 4.2-year supply. Dipping below a five year supply has significant implications, as it triggers the "presumption in favour of sustainable development" (NPPF paragraph 11d) and effectively opens the door to the submission of speculative planning applications.

OTHER OPTIONS CONSIDERED – There is an option to further delay the commencement of the review of the Plan, but this introduces additional risks in relation to period of time the Council is unable to demonstrate a five year supply; and as a consequence would lengthen the period when developers may bring forward speculative developments.

DN.67 TOWNS FUND PROGRAMME - ACTIVATION AND COMMUNITY ENGAGEMENT FUND

Cabinet considered a report from the Leader of the Council seeking approval to submit a summary business case for the Activation and Community Engagement (ACE) Fund to the Ministry of Housing, Communities and Local Government.

RESOLVED –

- 1. That the submission of a summary business case to Ministry of Housing, Communities and Local Government for the Activation and Community Engagement Fund be approved.**

2. That authority be delegated to the Executive Director for Environment, Economy and Resources, in consultation with the Leader of the Council and on behalf of the Greater Grimsby Board, to take all actions necessary, including;

2.1 Acceptance of £850,000 of grant funding from Ministry of Housing, Communities and Local Government to fund the Activation and Community Engagement Fund grant scheme, and

2.2 Management of the Activation and Community Engagement Fund grant scheme and defrayal of funding through a capital grant programme.

REASONS FOR DECISION - To enable the launch and delivery of the ACE Fund.

OTHER OPTIONS CONSIDERED - Do nothing – this option would prevent the opportunity for small enterprises and community led organisations to receive funding to participate in the revitalisation of the town centre.

Do Less – this option considered either reducing the value of the fund, or a wider eligibility area. The former had already taken place as a requirement of finalising the reduced Towns Fund grant award, and the latter would dilute the impact on the town centre and the remainder of the programme.

DN.68 DISPOSAL OF PROPERTY AT LESS THAN BEST CONSIDERATION – LEASE DISPOSAL OF LAND AT SPRING STREET, IMMINGHAM “JUBILEE WOODLAND”

Cabinet considered a report from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets seeking authority to dispose, by way of a 125-year full, repairing, and insuring lease, of the subject Site, namely the land at Spring Street, Immingham “Jubilee Woodland”.

RESOLVED –

- 1. That the principle of a full, repairing, and insuring lease of the subject Site for a term of 125-years at a peppercorn rent (£1 per annum if demanded) to Immingham Town Council, be approved.**
- 2. That authority be delegated to the Executive Director of Environment, Economy and Resources, in consultation with the Deputy Leader and Portfolio Holder for Finance, Resources and Assets authority to settle all terms and ensure that all necessary actions are carried out to complete the lease disposal.**

- 3. That the Assistant Director of Law, Governance and Assets (Monitoring Officer) be authorised to complete and execute all requisite legal documentation in relation to the matters outlined above.**

REASONS FOR DECISION - A proposal has been received from Immingham Town Council (ITC) which has been considered as part of the Council's approach to Community Asset Transfers (CAT). The proposal, by way of a full Business Case, has been agreed in principle which could result in the transfer of the Site by virtue of a 125-year full, repairing, and insuring lease. The lease would enable the asset to transfer to ITC on the basis that their proposal is sustainable and viable over the term.

OTHER OPTIONS CONSIDERED – To do nothing would see ITC not taking on responsibility of the Site and be unable to develop their proposals and seek future funding opportunities to improve the Site for the benefit of the residents and community. As a result, the Site use would continue as is, including all associated costs of managing the landsite being that of the Council.

The freehold disposal of the Site has not been considered at this time. This is in respect of the Council's continued interest in the use of the land and mitigating risk in the event ITC are unable to continue with maintaining the Site. In such circumstances where the proposal is no longer viable, which impacts on the on-going use of the Site, the Council could take action to seek an alternative use of the Site or to prevent any unauthorised uses of the Site which a freehold disposal would remove.

DN.69 LOCAL AUTHORITY CAPABILITY FUND

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval to accept a sum of £338,190 of grant funding from the Department for Transport to deliver active travel projects during 2021/22 and 2022/23.

RESOLVED –

- 1. That authority be delegated to the Executive Director of Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport, to accept £338,190 of grant funding from the Department for Transport on behalf of the Council.**
- 2. That authority be delegated to the Executive Director of Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport to:**
 - a) finalise the terms of the funding arrangement with the Department for Transport and receive the funds.**
 - b) commence related procurement exercises to deliver projects within the programme in accordance with the**

Public Contract Regulations 2015, to make appropriate contract awards and deal with all actions arising or ancillary to the above, to achieve full implementation.

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

REASONS FOR DECISION – In order for the Department for Transport grant funding to be received by the Council and for the delivery of projects to commence to meet the funding deadline.

OTHER OPTIONS CONSIDERED –

In developing the package of measures identified in paragraph 1.3 of the report now submitted, Officers had considered the funding bodies objectives and delivery of the current Access Fund projects to determine which schemes were put forward for consideration. As the LACF is revenue grant funding it cannot be used to deliver new infrastructure schemes, although it is recommended to use at least some of the LACF to support and develop Local Cycling and Walking Infrastructure Plans (LCWIP) and other infrastructure plans which could then be the subject of further bids for external capital funding. Officers also considered the relative impact on the Local Transport Challenges, the Council's priority outcomes and the emerging Net Zero Carbon Roadmap when schemes were proposed.