



## **CABINET DECISION NOTICE**

Publication Date: 21<sup>st</sup> January 2022

At a meeting of the Cabinet held on the 19<sup>th</sup> January 2022 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, Procter, Shepherd and S. Swinburn.

### **DN.98 APOLOGIES FOR ABSENCE**

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

### **DN.99 DECLARATIONS OF INTEREST**

There were no declarations of interest from any Councillor for this meeting.

### **DN.100 MINUTES**

The minutes of the Cabinet meeting on 1<sup>st</sup> December 2021 were agreed as a correct record.

### **DN.101 BUDGET AND MEDIUM TERM FINANCIAL PLAN 2022-2025**

Cabinet considered a report from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets outlining how the Council plans to deliver its agreed financial strategy over the coming three-year period.

**RESOLVED –**

- 1. That the Draft Budget and Medium Term Financial Plan for the period 2022/23 – 2024/25, as laid out at Appendix 1 of the**

**report now submitted, be approved for consultation purposes in accordance with the Constitution, including:**

- **a proposed 1.98% increase in Council Tax in 2022/23**
  - **a proposed 1% Adult Social Care precept in 2022/23**
  - **a proposed allocation of financial resources to deal with demand pressures and key priority areas.**
- 2. That the Draft Budget and Medium Term Financial Plan be referred to Formal Scrutiny for consultation.**
- 3. That due to the uncertainty in relation to the Local Government Funding model and current funding gaps in 2023/24 and 2024/25, a medium-term outlook section be incorporated into future quarterly monitoring reports.**

REASONS FOR DECISION - The Council must determine how it is to operate within the forecast financial resources over the medium term. To comply with its legal obligations, the Council must set a balanced budget for 2022/23 and provide a realistic financial forecast for the medium-term financial planning period.

OTHER OPTIONS CONSIDERED –

Option appraisals have been undertaken in setting the budget.

A range of options have been considered when considering service delivery within defined financial resources to support the delivery of the Council's outcomes.

## **DN.102 TREASURY MANAGEMENT MID-YEAR REPORT 2021/22**

Cabinet considered a report from the Deputy Leader and Portfolio Holder Finance, Resources and Assets containing details of treasury management arrangements, activity and performance during the first six months of 2021/22.

**RECOMMENDED TO COUNCIL – That the Treasury Management Mid-Year Report 2021/22 be noted and approved.**

REASONS 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. We therefore report after Quarter 2 and year end.

OTHER OPTIONS CONSIDERED – These were set out on Page 28 of the Treasury Management Strategy Statement.

## **DN.103 DELEGATION OF FUNCTIONS TO HUMBERSTON PARISH COUNCIL**

Cabinet considered a report from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets seeking approval to delegate functions to Humberston Parish Council which would enable them to maintain and improve a designated piece of land.

### **RESOLVED –**

- 1. That the delegation of functions to allow Humberston Parish Council the ability to maintain and improve the Site shown for identification purposes on the plan edged red at Appendix A of the report now submitted, be approved.**
- 2. That authority be delegated to the Executive Director Environment, Economy and Resources in consultation with the Deputy Leader and Portfolio Holder for Finance, Resources and Assets, to settle all terms and ensure all necessary and reasonable actions are carried out to complete Resolution 1 above.**
- 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 - To approve the delegation of grounds maintenance functions under the Local Government Act 2000 and to delegate authority to enable the Humberston Parish Council the ability to undertake these activities and some improvements to the Site.

OTHER OPTIONS CONSIDERED – If Cabinet are minded not to proceed as recommended, the Parish Council may decide to submit a Right to Challenge. However, the delegation of functions to the Parish Council presents a more flexible and efficient model at this time, provided that Cabinet agrees to the recommendations. At such time as a Right to Challenge is submitted a delegated function could not be pursued and a statutory procedure would have to be followed.

## **DN.104 NELC LETTINGS LEGISLATION PENALTY NOTICE POLICY**

Cabinet considered a report from the Portfolio Holder for Safer and Stronger Communities seeking adoption of a new policy which would enable Trading Standards to use financial penalties, as an alternative to prosecution, under the relevant letting agency legislation.

**RESOLVED – That this item be deferred to the next meeting of Cabinet as it was subsequently noted that the appendix to the report had not been included with the agenda papers.**

## **DN.105 GREEN HOMES GRANT FUNDING BID 3**

Cabinet considered a report from the Portfolio Holder for Economic Development, Housing and Tourism seeking approval to accept £1,094,500 grant funding from Midlands Energy Hub, through the Local Authority Deliver 3 scheme to improve energy efficiency for residents who currently live in fuel poverty and experience lower household incomes.

**RESOLVED –**

- 1. That authority be delegated to the Executive Director for Environment, Economy and Resources in consultation with the Leader of the Council to accept the grant funding on behalf of the Council.**
- 2. That authority be delegated to the Executive Director for Environment, Economy and Resources in consultation with the Leader of the Council, to deal with all matters arising from and ancillary to the above including negotiation with the funder, implementation and award of resultant contracts and works.**
- 3. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be authorised to execute all documentation arising.**

REASONS FOR DECISION - Accepting the funding from Midlands Energy Hub (MEH) will help deliver energy efficiency improvements to approximately 75 homes, to households who are currently living in fuel poverty.

**OTHER OPTIONS CONSIDERED –**

Do Nothing – To do nothing would mean that the Council will depend on existing funded schemes, which do not include external wall insulation.

Use North East Lincolnshire Council Funding - NELC could use capital funding to install external insulation, to support regeneration and provide a 'whole house' approach to delivering energy efficiency. Due to limited funding available, the schemes criteria would not qualify under the existing housing assistance policy.

Accept the Funding This is the preferred option, delivering the scheme outlined in the report. This is the preferred option as other funded schemes, do not provide the same level of support for low-income families and external wall insulation.

**DN.106 URGENT BUSINESS – REPLACEMENT FLAT ROOF AREAS TO MUNICIPAL OFFICES**

Cabinet considered an item of urgent business from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets seeking approval commence with works to replace all flat roof areas at the Municipal Offices.

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 Economy Scrutiny Panel. It is therefore not subject to the call-in procedure. This matter was considered urgent in order to achieve the works in the 2022/23 financial year, contractor availability and to avoid increased construction costs.

**RESOLVED – That the report be noted.**

REASONS FOR DECISION – As detailed at DN.108

OTHER OPTIONS CONSIDERED – As detailed as DN. 108

**DN. 107 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED – That the press and public be requested to leave on the grounds that discussion of the following business was likely to disclose exempt information within paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).**

**DN.108 URGENT BUSINESS - REPLACEMENT FLAT ROOF AREAS TO MUNICIPAL OFFICES**

Cabinet considered the closed appendix to item DN.106 from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets.

**RESOLVED -**

- 1. That the main contract sum, contingency and fees as set out in Appendix A, of the report now submitted, be approved.**
- 2. That authority be delegated to the Executive Director Environment, Economy and Resources in consultation with the Deputy Leader and Portfolio Holder for Finance, Resources and Assets, to make an award, settle all terms and ensure all ancillary actions are carried out to mobilise and complete the works.**
- 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 – To allow works to progress at pace to completion of the initial phase prior to March 2022 which will ultimately result in the replacement of all the flat roof areas of the Municipal Offices, Grimsby.

OTHER OPTIONS CONSIDERED - If Cabinet are minded not to proceed as recommended, the condition of the roof at the subject premises will continue to deteriorate and lead to increased costs through revenue repairs and maintenance. It is therefore preferred that replacement works are undertaken to ensure the integrity and use of the premises is maintained.

## **DN.108 TOWNS FUND PROGRAMME – ST JAMES HOUSE**

Cabinet considered a report from the Leader of the Council on the future of St James House.

### **RESOLVED –**

- 1. That subject to the completion of due diligence to the satisfaction of the Executive Director for Environment, Economy and Resources (acting as Section 151 Officer), the offer to E-Factor of a loan of £956,000 over a term of 25 years, at an interest rate of the Public Works Loan Board (PWLB) +1% (equivalent to a current rate of 3.125%) to support the development of the St James House project, be supported and 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:**
  - a) Undertake all required due diligence in respect of the offer of the loan to E-Factor.**
  - b) Development of a secured loan agreement between NELC and E-Factor, including putting in place security in respect of the loan arrangement.**
  - c) Defrayal of the loan to E-Factor to support the project.**
  - d) Carry out any ancillary activity in support of the above recommendations.**
- 3. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be authorised to execute all documents in connection with the above.**

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

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