



## **CABINET DECISION NOTICE**

Publication Date: 3<sup>rd</sup> December 2021

At a meeting of the Cabinet held on the 1<sup>st</sup> December 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, Lindley, Procter, Shepherd, Shreeve and S. Swinburn.

### **DN.84 APOLOGIES FOR ABSENCE**

There were no apologies for absence received for this meeting.

### **DN.85 DECLARATIONS OF INTEREST**

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

### **DN.86 MINUTES**

The minutes of the Cabinet meeting on 3<sup>rd</sup> November and the Special Cabinet on 20<sup>th</sup> October 2021 were agreed as a correct record.

### **DN.87 CALCULATION OF THE COUNCIL TAX BASE FOR 2022/23**

Cabinet considered a report from the Deputy Leader and Portfolio Holder for Finance, Resources and Assets outlining the proposed Council Tax Support Scheme for the forthcoming year.

#### **RECOMMENDED TO COUNCIL –**

- 1. That the proposed Council Tax Support Scheme for 2022/2023 which maintains the maximum discount of 65% for all eligible working age customers be supported.**

- 2. That subject to the resolution above being agreed, the Council Tax Base for the Council and other precepting bodies in 2022/23 be set at 45,206.9 Band D equivalents (as detailed in Appendix A of the report now submitted).**

REASONS FOR DECISION - Setting the Council Tax Base is a statutory requirement that forms the basis of the calculation of the Council Tax charge for 2022/23. The tax base needs to be agreed and notified to major precepting bodies by no later than the end of January 2022.

OTHER OPTIONS CONSIDERED - In relation to Council Tax Support Scheme, any material to changes to the scheme require a consultation process to be undertaken and the approval of full Council.

## **DN.88 PROCUREMENT OF REAL TIME BUS INFORMATION**

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval to procure a new contract for the provision of Real Time Information.

### **RESOLVED –**

- 1. That authority be delegated to the Executive Director for Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport to:**
  - a. Implement an above threshold compliant procurement exercise for Real Time Information.**
  - b. Award a four-year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels) within the budget allocated to the Real Time Information project.**
  - c. Carry out all ancillary actions arising from the above, including full implementation.**
- 2. That the Assistant Director Law Governance and Assets be authorised to execute all documents in connection with the above.**

REASONS FOR DECISION - The Council is required to demonstrate value for money (VfM) in the delivery of the RTI contract under the Public Contracts Regulations 2015.

### **OTHER OPTIONS CONSIDERED –**

Option 1 – Do nothing and decommission the existing Real Time Information system. This option is not recommended as it may conflict with the Governments National Bus Strategy. The National Bus Strategy

requires local authorities to provide bus priority measures such as Traffic Signal Priority and high-quality public transport information.

Option 2 - Advertise a tender for a four year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels). This is the recommended option. Parts of the current RTI system are approaching the end of their life expectancy and it is recommended they are replaced with system enhancements which are either funded through the Local Transport Plan Capital Programme or through the National Bus Strategy funding (preferred option). This option will ensure the Council is best placed to obtain future Government Funding from the National Bus Strategy.

## **DN.89 CORPORATE CLEANING CONTRACT 2022**

Cabinet considered a report from the Portfolio Holder Finance, Resources and Assets to seek approval to commence a tender process for a new cleaning contract.

### **RESOLVED –**

- 1. That the principle to commence a procurement exercise for a new cleaning services contract with a reduced cleaning regime, where appropriate and in line with health and safety and Covid requirements, 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, to commence a procurement exercise and thereafter award the successful tender to a preferred provider and settle all terms and ensure that all necessary actions are carried out to mobilise and implement the contract.**
- 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 - The current contract has expired and in light of new ways of working and use of sites, a revised cleaning regime is required to supplement self-management of cleaning across work areas and kitchens. In order that the new contract for cleaning services can mobilise as soon as possible it is essential that a decision is made to commence the procurement and award the tender at the earliest opportunity following evaluation.

OTHER OPTIONS CONSIDERED – Do Nothing - the current contract for cleaning services has ended following the main contract term of three (3) years, plus 2 x 12-month extensions. The contract is holding over until completion of the procurement exercise and award. In addition, the cleaning regime has changed in light of the use of assets and Covid,

therefore, to ensure value for money and that the service is continued, this is not considered a viable option.

## **DN.90 NORTH EAST LINCOLNSHIRE COUNCIL NATURAL ASSETS PLAN**

Cabinet considered a report from the Leader of the Council setting out a strategic plan for the next five years to protect and enhance our natural assets.

### **RESOLVED –**

- 1. That the North East Lincolnshire Natural Assets Plan, as set out in Appendix A of the report now submitted, be approved and adopted.**
- 2. That the results of the public survey report set out in Appendix B of the report now submitted, be noted.**
- 3. That an annual report to be brought back to Cabinet by the Executive Director Environment, Economy and Resources, setting out the progress towards government targets for biodiversity net gain, improved air and water quality and increased tree canopy cover.**

REASONS FOR DECISION - North East Lincolnshire Council (NELC) declared a climate emergency in 2019, confirming its ambition to reduce its carbon emissions to net zero in line with government targets, while also bringing new jobs to the local area. Following the declaration, the council, supported by our regeneration partner Engie, has undertaken an in-depth review of current policies, procedures, and activity, setting out an approach to reduce our own carbon emissions as well as contributing to mitigation work and reduction of carbon emissions across North East Lincolnshire. This work was further expanded to ensure equal attention is given to the ecological impact of climate change and longer-term threat to biodiversity. As part of this work, we have looked closely at international direction set by the UN sustainable development goals, as well as government direction such as the 25-year Environment Plan, the Agricultural Act 2020, and the progressing Environment Bill. We have further considered the principles set out in the regional Estuary Plan and the direction provided by both the Yorkshire and Humber Climate Commission, the Lincolnshire authorities, and our local wildlife trusts.

This plan sets out eight areas of focus to deliver protection and improvements to nature and wildlife in our place and ensure the council complies with new legal requirements and government targets. The plan further supports our Carbon Roadmap by seeking to create and restore biodiverse habitats to lock up carbon as well as provide nature solutions for helping us to adapt to climate change.

OTHER OPTIONS CONSIDERED – Options as to how to best deliver improvement to our natural environment have been considered and subject to advice to technical deliverability and economic feasibility as the strategy has been developed. Feedback from partners, related services and residents have been taken into account in development of the strategy.

The option of no action has been considered but would prevent the council from delivering on its strategic priorities of Investing in our Future and Economic Recovery and Growth. No action would further result in a failure to deliver to government targets and statutory requirements.

## **DN.91 NORTH EAST LINCOLNSHIRE COUNCIL CARBON ROADMAP**

Cabinet considered a report from the Leader of the Council setting out a strategic plan to achieve the governments target of net zero carbon by 2050.

### **RESOLVED –**

- 1. That the North East Lincolnshire Council Carbon Roadmap as set out in Appendix A, including formal adoption of the target for the organisation to become carbon neutral by 2040 be approved and adopted.**
- 2. That the results of the public survey report set out in Appendix B of the report now submitted, be noted.**
- 3. That an annual report to be brought back to Cabinet by the Executive Director Environment, Economy and Resources, setting out the progress towards the organisations goal to become carbon neutral by 2040 and for the area of North East Lincolnshire to progress towards the government target of net zero by 2050.**

### **REASONS FOR DECISION -**

North East Lincolnshire Council (NELC) declared a climate emergency in 2019, confirming its ambition to reduce its carbon emissions to net zero by 2050, while also bringing new jobs to the local area. Following the declaration, the council, supported by our regeneration partner Engie, has undertaken an in-depth review of current policies, procedures and activity, setting out an approach to reduce our own carbon emissions as well as contributing to mitigation work and reduction of carbon emissions across North East Lincolnshire. As part of this work, we have looked closely at government direction such as the 25-year Environment Plan, the 10-point plan for green industrial revolution and the progressing Environment Bill. We have further considered the principles set out in the regional Estuary Plan and the direction provided by both the Yorkshire and Humber Climate Commission and the Lincolnshire authorities

The Carbon Roadmap considers the national picture whilst taking in to account the needs of our local area through consideration of the latest public -survey results and sets out our approach and commitment to become a carbon neutral organisation by 2040 and supports our wider Borough to follow the same path by 2050.

OTHER OPTIONS CONSIDERED – Options as to how to best deliver improvement to our carbon impact have been considered and subject to advice to technical deliverability and economic feasibility as the Roadmap has been developed. Feedback from partners, related services and residents have been taken into account in development of the Roadmap.

The option of no action has been considered but would prevent the council from delivering on its strategic priorities of Investing in our Future and Economic Recovery and Growth. No action would further result in a failure to deliver to government target and statutory requirements.

## **DN.92 DISPOSAL OF SITES SUITABLE FOR DEVELOPMENT ACROSS NORTH EAST LINCOLNSHIRE**

Cabinet considered a report from the Deputy Leader and Portfolio Holder for Finance Resources and Assets seeking authority, in principle, to dispose of a number of sites following due consideration and appraisal.

### **RESOLVED –**

- 1. That the principle of the disposal of sites across the Borough following due consideration by an Officer working group, 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, to identify such sites, settle all terms and ensure that all necessary and reasonable actions are carried out to complete 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 - There are a number of sites the Council hold which may be subject to anti-social behaviour or fly-tipping and are a size or location that offer no material benefit to the local area. As such, certain sites may be conducive for disposal to facilitate improvement either by developers, adjacent property or landowners or communities for a market value or through a less than best proposal

that is sustainable and viable, as outlined through a detailed Business Case which demonstrates the social, economic and environmental (community) benefits.

**OTHER OPTIONS CONSIDERED** – To do nothing would see the sites continue to be under-utilised and, in some instances, attracting anti-social behaviour and fly-tipping, with all the repair and maintenance obligations and cost resting with the Council. This would continue to be a negative impact to the community. It is not considered a viable option to continue to hold such sites as the Council is limited to be able to improve the maintenance activities or fully manage the sites and the Council risk unnecessary and negative publicity as well as continuing to be wholly liable for the sites, together with all future associated expenditure including any missed opportunity of investment into potential use and improvements.

Freehold or Leasehold disposal will be considered on all sites as there may be proposed uses whereby a leasehold disposal would be more appropriate, or if the Council needs to retain a level of control of the use or future requirements of the site.

## **DN.93 GRANT STREET CAR PARK REDEVELOPMENT PROJECT**

Cabinet considered a report from the Portfolio Holder Environment and Transport seeking investment in the redevelopment of Grant Street car park to create a single storey extension.

### **RESOLVED –**

- 1. That the principle of the development of the Grant Street Extension project and enabling investment, be approved.**
- 2. That subject to the satisfaction of the Executive Director for Environment, Economy and Resources, acting in consultation with the Portfolio Holder for Environment and Transport in the financial modelling of the proposal, recognising current market forces, to then enter into pre market consultation if required and thereafter:**
  - a. delegates authority to the Executive Director for Environment, Economy and Resources to commence engagement and action communications exercise for the car park redevelopment.**
  - b. delegates authority to the Executive Director for Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport, to commence a procurement exercise for the car park redevelopment and to deal with all matters arising, including award, implementation and monitoring of the project.**

- c. That the Assistant Director for Law, Governance and Assets be authorised to settle, complete and execute all documentation arising from the above.**

REASONS FOR DECISION - To allow the Grant Street car park redevelopment project to be progressed.

#### OTHER OPTIONS CONSIDERED –

In developing this proposal, the Project Team has considered several alternative options, these are summarised below.

- A do-nothing scenario whereby the current Grant Street car park is retained as is, was the starting point. This option would fail to address the lack of off-street car parking in the north Cleethorpes area and as such the 'do nothing' approach is not recommended.
- The simplest, do something option, would be to improve the current ground-floor car park but not add additional levels. Whilst this is a low-cost option it would present limited opportunities to address the wish to provide additional capacity to address the current on-street parking issues.
- Various designs and parking capacity options have been considered before arriving at the proposed design. Other options saw smaller increases in capacity and the retention of some of the site for HGV/coach parking or other uses. These options were presented to the Portfolio Holders for Environment & Transport and Regeneration, Skills and Housing. It was concluded that the preferred option was to create a single storey extension with an additional 268 car parking spaces. It was felt that the other options presented did not offer the same level of return on investment to NELC. The smaller capacity increases associated with some options also fail to deliver the required additional capacity.
- Park & Ride, whereby additional car parking is provided elsewhere in North East Lincolnshire and visitors use a dedicated bus to get to the resort. An option to provide an A180 based Park & Ride service for Cleethorpes was considered independently several years ago. The business case was heavily reliant on public subsidy of over £200,000 a year to operate a basic Park & Ride service in addition to an estimated cost of around £3m to construct an adequate car park on a site near Europarc. It is likely that these costs would be replicated if other Park & Ride sites were created on other main routes into the area including the A46 and A16.

As part of any redevelopment of the Grant Street site the issues of HGV / Coach parking will need to be addressed. There have been discussions with colleagues across NELC and Equans which have preliminarily concluded that there is capacity within the current Thrunscoc Land car park (located in front of the Cleethorpes Boating Lake) for visiting coaches and the use of Orwell Street or Burgess Street car park is considered appropriate for HGVs. The recent redevelopment of Sea Road includes provision for coach pick-up and

drop-off which would be unaffected by the proposals to relocate coach parking.

Alternative funding mechanisms and the options for securing external funding have been explored, as the car park will primarily generate income for the Council from ticket sales, funding bodies such as the GLLEP and DfT are unlikely to consider the scheme. There are likely to be Subsidy Control (formerly State Aid) issues in terms of using public money to generate income.

## **DN.94 PLAYING PITCH PROVISION**

Cabinet considered a report from the Portfolio Holder for Economic Development, Housing and Tourism seeking to phase the proposed works for Clee Fields, and deliver the recommended necessary works identified.

### **RESOLVED –**

- 1. That authority be delegated to the Executive Director of Environment, Economy and Resources in consultation with both the Leader of the Council and the Portfolio Holder for Economic Development, Housing and Tourism to ensure that all necessary actions are carried out to phase the delivery of the proposed scheme, to commence with phase 1 works at Clee Fields, and only progress works at the KGV Stadium Site subject to the development of an acceptable business case and the identification of available necessary funds.**
- 2. That authority be delegated to the Executive Director of Environment, Economy and Resources in consultation with both the Leader of the Council and the Portfolio Holder for Economic Development, Housing and Tourism to commence, conduct and award contracts following appropriate procurement exercises for the development of the Clee Fields site in readiness for implementation of the anticipated scheme of works and to carry out all actions arising or ancillary to such exercise and ultimate implementation; and**
- 3. That the Assistant Director Law, Governance and Assets (Monitoring Officer) be authorised to complete all requisite legal documentation in relation to the matters outlined in the above recommendation.**

REASONS FOR DECISION - This decision is required both to progress the Clee Fields on a phased basis and proceed with procurement processes. This will also provide assurance regarding progress on the project to government agencies (including Homes England and Sport England), requiring evidence of reprovisioning of pitches which are currently being built upon by the Council's housing delivery programme.

## OTHER OPTIONS CONSIDERED –

### Option 1 – Stop – cease the project.

This would be to stop the project at this stage and not proceed any further. The Council, in partnership with other stakeholders, have considered the “Stop” option before proceeding with this project. This option limits the Council in achieving its objectives under the Local Plan and PPS and would not allow the Council to unlock other sites for development. Taking this option would mean the risks identified above would become project issues to deal with in project closedown.

### Option 2 – Other Sites Developed.

The existing number of other sites owned by the Council does not meet the current and expected demand in line with projected Housing growth. This is despite the sites identified by the Council as those for potential Housing developments. There has been no consideration of acquiring additional land for playing pitch provision. However, as part of the PPS Action Plan, all Council sites have been assessed by the project team on a case-by-case basis in terms of their condition and necessary investment opportunities.

The FA and Football Foundation’s Local Football Facilities Plan (as the other major investor/stakeholder), has also concluded that they would prefer to invest in this, the first of the hub sites proposed in the PPS, rather than other sites at this time.

### Option 3. Continue with the scheme in full

Whilst continuing the scheme in full would allow the Council to further enhance its community sports facilities as initially intended, it does not currently represent good value for money. The recently quantified costs of the full scheme would require a level of investment much higher than initially assessed as value for money. To be considered further, a new business case would need to be developed for this option, identifying additional funding, and confirming value for money from a capital investment and a revenue budget perspective, as well as provide evidence of ongoing community and social value.

## **DN. 95 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.96 PLAYING PITCH PROVISION**

Cabinet considered from the Portfolio Holder for Economic Development, Housing and Tourism, the closed appendices for item DN.94.

**RESOLVED – That the closed appendices be noted.**

REASONS FOR DECISION – as laid out in the report submitted.

OTHER OPTIONS CONSIDERED – as laid out in the report submitted.

**DN.97 URGENT BUSINESS - GRIMSBY AUDITORIUM ENHANCEMENTS**

Cabinet considered an item of urgent business from the Deputy Leader of the Council and Portfolio Holder for Finance, Resources and Assets seeking agreement to proceed with an application for grant funding.

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 due to the tight time constraints for the grant application.

**RESOLVED –**

- 1. That the application of grant funding to Arts Council England be supported.**
- 2. That authority be delegated to the Executive Director for Environment, Economy and Resources, in consultation with the Deputy Leader and Portfolio Holder for Finance, Resources and Assets to work in partnership with Lincs Inspire Limited to submit the application to Arts Council England prior to the deadline of noon on 13th December 2021.**
- 3. That in the event of a successful bid and subsequent award, authority be delegated to the Executive Director for Environment, Economy and Resources, in consultation with the Deputy Leader and Portfolio Holder for Finance, Resources and Assets to carry out all activity required to support, mobilise and implement defrayment of grant funding.**
- 4. That the Assistant Director Law, Governance and Assets be authorised to execute documentation arising.**

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

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